

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Distribution: A-2, C-2

POLICY GUIDE 91.5

SUBJECT: Hiring Guidelines
DATE: December 15, 1991
TO: Administrative and Supervisory Staff
FROM: Sue Suter, Director *Sue Suter*
EFFECTIVE: Immediately

I. Purpose

The purpose of the Policy Guide is to issue official Department policy regarding hiring new staff.

II. Background

The employee background program consists of checking out four areas of an individual's background for suitability for employment. Various checks are:

- o The Child Abuse and Neglect Tracking System (CANTS),
- o Criminal history check through the State Police,
- o Prior employment history, and
- o Educational history.

A criminal history background check must be requested from the Department of State Police and the CANTS check must be completed prior to hiring any individual for a position with the Department of Children and Family Services. At the completion of these background checks, the personnel liaison will be notified that the checks have been completed.

When negative information is discovered, the decision for hiring or retention will be made in the following manner.

III. Child Abuse and Neglect (CANTS Check)



A. Hiring Prohibited

No individual may be employed by the Department who has been determined to a perpetrator of an indicated incident of child abuse or neglect under Section 3 of the Abused and Neglected Child Reporting Act (Ill. Rev. State. 1989, ch. 23, par. 2053) based on any of the following allegations.

1. Death
2. Brain damage or skull fracture
3. Subdural hematoma
4. Internal injuries
5. Wounds (gunshot, knife or puncture)
6. Torture
7. Sexually transmitted diseases
8. Sexual penetration
9. Sexual molestation
10. Sexual exploitation
11. Failure to thrive
12. Malnutrition
13. Medical neglect of disabled infant

B. Hiring Discretionary

An individual may be employed at the discretion of the Director if the person is determined to be a perpetrator of an indicated incident of abuse or neglect under Section 3 of the Abused and Neglect Child Reporting Act based on any of the following allegations.

1. Burns/scalding
2. Poison/noxious substance
3. Bone fracture
4. Cuts, bruises and welts
5. Human bites
6. Sprains, and dislocations
7. Substance misuse
8. Abandonment/desertion
9. Medical neglect
10. Tying, close confinement
11. Mental injury
12. Substantial risk of harm
13. Inadequate supervision
14. Inadequate food
15. Inadequate shelter
16. Inadequate clothing
17. Environmental neglect
18. Lock out

All management and supervisory staff should understand that the abuse listed charges under III B. are serious offenses. Any reason to recommend employment for an individual who has been determined to be a perpetrator of an indicated incident of child abuse or neglect under

Section 3 of the Abused and Neglected Child Reporting Act should be based upon careful consideration of extenuating circumstances.

C. Approval Process

1. The Regional Administrator or Division Manager will be advised of the indicated CANTS report. If the administrator or manager still wishes to recommend employment, he or she will be responsible for reviewing the CANTS investigation and making a written recommendation to the Deputy Director indicating why the individual should be hired in spite of the CANTS indication. Such a recommendation should include information pertaining to the CANTS indication and a thorough State Police background check.
2. The appropriate Deputy Director shall review the recommendation and, if in agreement with the recommendation, the Deputy Director will then forward it to the Director in writing requesting approval to hire.
3. The Director shall review the recommendation of the Deputy Director and make a decision or she may convene a Personnel Review Team to review the facts of the case. A negative finding by any one of the team members may end the opportunity for employment.
4. At any point in the review and recommendation process if a negative decision is reached regarding employment, the process then stops with no further appeal.

IV. Criminal History Check

A. Hiring Prohibited

No individual may be employed by the Department who has been declared a sexually dangerous person under Article 105 of the Code of Criminal Procedure of 1963, or convicted of committing or attempting to commit any of the following offenses stipulated under the Criminal Code of 1961.

1. Murder
2. Sex offenses under Article 11., except offenses described in Sections 11-7, 11-8, 11-12, 11-13, and 11-18.
3. Kidnapping
4. Aggravated kidnapping
5. Child abduction
6. Aggravated battery of a child
7. Criminal sexual assault
8. Aggravated criminal sexual assault
9. Criminal sexual abuse
10. Aggravated sexual abuse
11. An offense in any other state, the elements of which are

similar and bear a substantial relationship to any of the foregoing offenses.

B. Hiring Discretionary

An individual who has been found guilty of any other criminal offense may be employed at the discretion of the Director after considering the following conditions.

1. The charge which the individual was convicted of.
2. Is the conviction related to a job function?
3. Length of time since the conviction occurred.
4. Age of individual at the time of conviction.
5. Whether the individual acknowledged the conviction on the employment application.
6. Circumstances surrounding the conviction.

C. Approval Process

1. The manager of the Office of Employee Support will discuss these conditions with the respective Regional Administrator or Division Manager and make recommendations as to the employability of the individual. If the Regional Administrator or Division Manager after review decides to employ the individual, he or she must make a written request to the appropriate Deputy Director indicating why the individual should be hired in spite of the criminal record.
2. The appropriate Deputy Director shall review the recommendation and, if in agreement, will forward it to the Director in writing requesting approval to hire.
3. The Director shall review the recommendations of the Deputy Director and make a decision or she may convene a Personnel Review Team to review the facts of the case. A negative decision by any one of the team members may end the opportunity for employment.
4. At any point in the review and recommendation process that a negative decision is reached regarding employment, the process stops with no further appeal.

V. Prior Employment

The respective Regional Administrator or Division Manager will be advised of any negative information by the Office of Employee Support and a joint decision will be made on the applicant's employability.

VI. Education

- A. If the employee is in a position which requires a degree and he or she does not possess the required degree, the respective Regional Administrator or Division Manger will be advised to terminate the individual.

- B. If the employee has outstanding student loans, and they were not indicated on the CMS 100, the respective Regional Administrator or the Division Manager will be notified and require the subject to show proof of repayment arrangement immediately or terminate the subject's employment.
- C. If the employee indicated he or she possesses a degree and the position where employed does not require a degree, the respective Regional Administrator or Division Manager will be notified to have a corrected CMS-100 submitted to the Office of Employee Support.

VII. Falsification of CMS-100 and All Forms Pertaining to the Background Package

When a falsification occurs the manager of the Office of Employee Support will discuss the conditions of the falsification with the respective Regional Administrator or Division Manager and make recommendations as to the employability of the individual. In cases where a current employee is found to have falsified his or her employment application and there has been a prior conviction for offenses listed in III. A. the employee will be removed immediately from any job allowing contact with children or families (or employees as deemed necessary by the Director).

If the Regional Administrator or Division Manager decides to employ or retain the employee in spite of such falsification, the manager or administrator must make a written request to the appropriate Deputy Director indicating why the individual should be retained or hired. Procedure III, C. (2) through (4) would then be followed.

VIII. Filing Instructions

Place this Policy Guide in your volume of rules and procedures immediately before AP #4, Employee Photo Identification Card.