

## ***SECTION 5.24 CHILD SAFETY PROGRAM AND MANDATORY REPORTING OF CHILD ABUSE***

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### ***POLICY***

The City is committed to the prevention of abuse of minors and vulnerable adults, and compliance with all applicable laws regarding prevention and reporting of child abuse. For purposes of this policy, abuse refers to physical and emotional abuse inflicted on a minor or vulnerable adult, other than by accidental means, as well as all forms of sexual abuse. Employees, volunteers, and selected vendors working on behalf of the City are expected to support this policy and to comply with the guidelines developed to implement this policy.

For the purposes of this policy, any person under 18 years of age is considered a minor; however, this policy and the term “minor” also apply to any person 18 years of age or older who is significantly impaired in the ability to, or otherwise unable to, protect his/her own rights and vital interests or to report abuse or neglect without assistance because of physical, mental or emotional impairment. The primary goal of the City is to prevent the abuse of minors, and the primary method of prevention is education and care in the hiring and evaluation of employees and volunteers.

### ***PROCEDURE***

The City has developed a Child Safety Program (“Program”) to ensure the safety of minors engaged in all City programs and services. The Program has components for minors, parents, employees, volunteers, and selected vendors and third-party contractors doing business with the City.

The Program is administered by the Office of Human Resources and Risk Management.

Adults, for the purposes of this policy, includes anyone 18 years or older, and who has graduated from high school or completed the equivalent education level.

### ***Program for Adult Employees and Volunteers***

The Program requires that employees and volunteers who work with or near minors, who would participate in an overnight program with minors, or who would be on a list of persons eligible to work with minors, even if it is not known whether or how often he/she would actually be scheduled, must do the following:

- Participate in an online training for mandatory reporting of child abuse through the Illinois Department of Child and Family Services (IDCFS);
- Undergo a national background screening that evaluates any history related to criminal charges, and agree to regular updates of the background screening; and
- Provide a hard copy or electronic signature to Sections 5.01 Employee Code of Ethics and 5.02 Standards of Conduct

## ***Mandated Reporter Responsibilities***

Mandated reporters are professionals who may work with children in the course of their professional duties. Under the law, "mandated reports includes any "emergency medical technician" and "recreational or athletic program or facility personnel." The City also requires all volunteers to report to IDCFS under the same circumstances.

Mandated reporters are required to immediately report suspected child abuse or neglect to the Illinois Department of Child and Family Services (IDCFS) Child Abuse Hotline at 1-800-25-ABUSE when they have reasonable cause to believe that child known to them in their official capacity or professional capacity may be an abused or neglected child. The Hotline worker will determine if the information given by the reporter meets the legal requirements to initiate an investigation.

Because the protection of children is the responsibility of the entire community and that the law provides that anyone may make a report to the Hotline, the City encourages any person who is not a mandated reporter to report abuse to IDCFS if they have reasonable suspicion that a child has been abused or neglected. The City thus requires all City staff employees and volunteers to immediately report to IDCFS if they have reasonable cause to believe a child known to them in their official capacity may be abused or neglected.

Failure by a mandated reporter to immediately report suspected instances of child abuse or neglect to IDCFS constitutes a Class A misdemeanor. Moreover, reporting suspicions to a co-worker, supervisor, other management employee, Human Resources/Risk Management, a member of City Council and/or the Mayor – but not IDCFS – does not satisfy the legal duty to report. The only means of fulfilling one's legal obligation and avoiding legal penalty is to report the suspected child abuse or neglect to IDCFS.

## ***Background Screenings***

Criminal Background Screenings are done in order to review criminal history and an update is run every three months. The City does not contact past employers or complete credit checks for Program purposes. Individuals must have a background screening on file with the City which is then applicable for all locations where they may work or volunteer. If a background screening is returned with findings related to a past offense allegedly committed by an employee or volunteer, the report is reviewed by appropriate City personnel to determine their eligibility to work with minors. Please note that when convicted of the offense of driving while intoxicated or driving under the influence, an individual is restricted from driving minors in a City-related role for ten years from the date of the offense. If convicted of more than one DWI/DUI, an individual is permanently restricted from driving minors in a City-related role.

## ***Code of Ethical Conduct***

Employees and volunteers who work with or near minors must read Sections 5.01 Employee Code of Ethics and Section 5.02 Standards of Conduct and sign the Commitment to Ethical Conduct. Signatures must be in hard copy form or done electronically online.

## ***Program for Selected City Vendors and Contactors***

Vendors and contractors are defined as those individuals who work in the City who are in a position to have contact with minors but who are not directly employed by the City. These individuals could be working for a company or group contracted to provide specific services.

## ***Selected Vendor and Contractor Background Screening***

It is important to make sure that such contracted individuals are screened for any past criminal history. The responsibility for such screening rests with the employer, not with the administrator of the City. The administrator is responsible for ensuring that the contracted firm completes the screening at the appropriate time. Administrators must require evidence that the background screening has been completed. Contracted firms should provide a letter stating the date the individual was screened as well as a statement indicating that the individual has nothing in his or her history that would prevent them from working with or near minors.

## ***Selected Vendor and Contractor Code of Ethical Conduct***

The Program may also require that selected vendors and contractors working with the City who may have contact with minors read Section 5.02 Standards of Conduct and sign the Commitment to Ethical Conduct. Signatures must be in hard copy form or done electronically online. The Risk Manager, in conjunction with the appropriate Department Head and/or the City Manager will determine which vendors and contractors are required to sign the Commitment to Ethical Conduct. Certain types of contractors may be exempt while others are not.

## ***Process for Appeal***

An individual may file an appeal in the event that he or she has been informed of his or her ineligibility to work or volunteer based on the results of their background screening. In order to request an appeal, they must have the full support of the City Department. Information regarding how to begin the appeal process will be included in the letter of determination. All information related to criminal history is considered confidential and will only be available to individuals who are responsible for safe environment and/or administrative responsibilities to ensure that the City is following the Program.

The individual must be prepared to provide required information regarding criminal history such as police reports and official court documents specifically related to all charges. The Office of Human Resources and Risk Management will not accept letters of reference, communications from third parties, or the individual's verbal or written explanation of the events in question. Exceptions may be made if the offense date does not allow for those documents to be retrieved.

The appeal process does not guarantee that a change in the original determination will take place. The City reserves the right to deny positions to any person in order to maintain a safe environment for all children participating in City programs.

## ***Communication of Reporting Information***

Employees and volunteers in the City must make Program compliance requirements and the following information readily available to employees, volunteers, and other individuals, including parents. The City will post information with the following displayed in public areas where minors are present:

To report old or current allegations of sexual abuse by a City employee, volunteer, or contractor, contact: {Current Incumbent, Human Resources Coordinator in the Office of Human Resources at (618) 346-5200 ext. 1131.}