

**Make Sexual and Severe Physical Abuse
Fully Extinct
(Make S.A.F.E)**

September 2020

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To whom this may concern,

With the dedication and expertise of all the Task Force members, we are excited and confident in sharing the Make S.A.F.E Task Force Report with you. The committee members worked extremely hard to research and develop recommendations to best support and service students in all K-12 schools against sexual and physical abuse.

The members comprised of knowledgeable professionals who care deeply about the safety and well-being of all students across the state and without them this result would not be possible. They distinguished themselves as judicious stewards to our mission and never flinched in the face of difficult discussions and decisions. Our collective efforts yielded a great outcome for the students across the state of Illinois. This was only possible through their commitment of time and efforts which is especially notable given the abnormal circumstance of the COVID-19 pandemic in addition to their normal responsibilities.

On both a professional and personal level, we are grateful for the time we spend on this task force and appreciate the great talents of those who helped maintain the values and mission.

Best regards,

Krish Mohip
Chair, Make SAFE Task Force

Representative Fred Crespo
Vice Chair, Make SAFE Task Force

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Illinois State Board of Education
Make Sexual and Severe Physical Abuse Fully Extinct (Make S.A.F.E.)
Task Force

This report of the Make S.A.F.E. Task Force (Task Force) is respectfully submitted to the Governor and the Illinois General Assembly. This Task Force recommends specific changes to the Illinois School Code, Live Adult Entertainment Facility Surcharge Act, and the Illinois Criminal Code, as well as new legislation to be taken up by the General Assembly in order to improve the safety of the approximately two million students throughout the state. Specific recommendations are outlined in this report. For these recommendations to be effective, it is crucial they be fully funded. Unfunded initiatives will amount to lip service, resulting in little to no significant progress, and the State of Illinois will be back at the proverbial “drawing board” in a few years’ time.

I. BACKGROUND

[Public Act 101-0531](#), signed into law by Governor J.B. Pritzker on August 23, 2019, created the Make Sexual and Severe Physical Abuse Fully Extinct (Make S.A.F.E.) Task Force to address issues concerning the sexual abuse of students in school-related settings (105 ILCS 5/22-86).

This Task Force was charged to review and recommend to the Governor and General Assembly best practices for the prevention of sexual abuse of students in a school-related setting or by school-related perpetrators, how to best respond to that abuse, and how to provide proper supports for students who have suffered from abuse. The Act also charges the Task Force to research, review, and recommend best practices for all schools from Pre-K through grade 12, regardless of whether the school is a public school, nonpublic school, or charter school.

This Task Force has made its recommendations for reducing child sexual abuse in Illinois based on the following activities over the past year:

1. Research and recommend best practices for preventing sexual and severe physical abuse in school-related settings or by school-related perpetrators, including, but not limited to: conducting criminal history record checks on a random and regular basis, immediately reviewing and addressing employment status of a school district employee accused of student sexual abuse, and recommending procedural safeguards for personnel who regularly interact with students, regardless of employment status with the school district;
2. Research and recommend best practices for responding to sexual and severe physical abuse in a school-related setting or by school-related perpetrators by including the active participation of the local Children’s Advocacy Center and school cooperation with multidisciplinary teams under the Children’s Advocacy Center Act (55 ILCS 80/);
3. Research and recommend best practices in providing support for students who have suffered sexual or severe physical abuse in a school-related setting or by a school related perpetrator, including, but not limited to emotional, psychological, and academic support, and;
4. Submit a final report with its recommendations to the Office of the Governor and the General Assembly by September 15, 2020.

Twenty-four (24) members from a variety of stakeholder groups, defined under 105 ILCS 5/22-86(b)(1-24), were appointed to the Make S.A.F.E. Task Force. Members are listed on page 2.

Make S.A.F.E. Task Force Members (as of June 2020)

Representative	Organization
Maryam Brotine	Illinois Association of School Boards <i>Prevention Committee Vice-Chair</i>
Jamie Brunnworth	Illinois State Police
Faith Cole	ED-RED <i>Supports Committee Vice-Chair</i>
Gustavo Cotto	Belleville School District 118
Fred Crespo	State Representative, 44 th District <i>Vice-Chair, Task Force</i>
John Curran	State Senator, 41 st District
Maria Del Carmen Robles Sinkule	Illinois Association of School Social Workers <i>Supports Committee Chair</i>
Jordan Edmonds	Two Rivers Child Advocacy Center
Lisette Flores	Illinois Federation of Teachers
Dr. Janiece Jackson	Superintendent, Lindop School District 92
Jeff Keicher	State Representative, 70 th District
Kim Mangiaracino	Children's Advocacy Centers of Illinois <i>Response Committee Vice-Chair</i>
Krish Mohip	Illinois State Board of Education <i>Chair, Task Force</i>
Ashley Munson	Illinois Network of Charter Schools
Mark Parr	Children's Advocacy Center of North and Northwest Cook County
Camie Pratt	Chicago Public Schools
Char Rivette	Chicago Children's Advocacy Center <i>Prevention Committee Chair</i>
Monica Rojas	Chicago Teachers' Union
Nicholas Scipione	Illinois Education Association
Tierney Stutz	Department of Children and Family Services
Phil Wagenknecht	Office of Inspector General for Chicago Public Schools
Thomas Verticchio	Office of Attorney General
Carrie Ward	Illinois Coalition Against Sexual Assault

Dan Wright	Sangamon County State's Attorney's Office <i>Response Committee Chair</i>
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Pursuant to P.A. 101-0531, the State Superintendent of Education is empowered to name the chair of the Task Force. State Superintendent of Education Dr. Carmen Ayala named Mr. Krish Mohip, Deputy Operations Officer of the Illinois State Board of Education (ISBE), as Chair. During the first Make S.A.F.E. Task Force meeting, State Rep. Fred Crespo was named Vice-Chair.

The Task Force met eight times both in person and via videoconference on the following dates:

- December 13, 2019
- January 31, 2020
- March 13, 2020
- April 10, 2020
- June 12, 2020
- July 17, 2020
- August 28, 2020
- September 8, 2020

Support for the Task Force was provided by ISBE staff. Copies of the approved minutes from each meeting are posted at www.isbe.net/makesafe.

During the first Task Force meeting, three committees were created to study further and come up with recommendations based on a three-pronged effort to strengthen student safety protections: Prevention, Response, and Supports. Each committee met at the pleasure of the committee chair; names of committee chairs and vice-chairs are also included in the roster of Task Force members. Support for the committees was provided by ISBE staff. Copies of approved minutes from each committee meeting are posted at www.isbe.net/makesafe.

II. PUBLIC ACT 101-0531

Sponsored by Representative Fred Crespo and Senator Iris Martinez, P.A. 101-0531 amends the Illinois School Code and creates new laws under the Illinois School Code to provide additional protections for students from the harms of sexual abuse.

This Act requires school districts to review all existing policies and procedures concerning sexual abuse investigations at schools every two years (105 ILCS 5/10-20.69); and requires school districts to check the Statewide Sex Offender Database and the Statewide Murderer and Violent Offender Against Youth Database before hiring a school employee. In addition, districts must also check those databases every five years for all school employees who remain with the same employer (105 ILCS 5/10-21.9)(a-5)(a-6)). This new law also requires school boards to consider a person's status who has been issued an indicated finding of abuse or neglect of a child by the Illinois Department of Children and Family Services (DCFS) as a condition of employment (105 ILCS 5/10-21.9)(c)).

This Act also requires superintendents or regional superintendents to report to the State Superintendent of Education, in writing, when an educator's name appears on either the Statewide Sex Offender Database or the Statewide Murderer and Violent Offender Against Youth Database within 15 business days. After receiving notification, the State Superintendent can then decide to initiate educator licensure suspension or revocation proceedings. In addition, the State Superintendent of Education may rescind a new or renewed

educator license issued within six months for an applicant who has been convicted or has a finding of child abuse (105 ILCS 5/10-21.9)(e)). In the past, ISBE was notified of an allegation of sexual abuse by an educator only after the educator's termination with a school district or after leaving employment.

This Act also allows a school district to immediately dismiss from employment unlicensed school employees who willfully or negligently fail to report an instance of suspected child abuse or neglect as required by the Abused and Negligent Child Reporting Act (ANCRA) (105 ILCS 5/10-23.12). Educators' licenses could be suspended or revoked if the educator engages in "willful or negligent failure to report...child abuse" (105 ILCS 5/21B-75).

This Act also addresses how school districts are to address and handle allegations of student sexual abuse (105 ILCS 5/22-85). Mandated reporters with knowledge of alleged student sexual abuse, defined at 105 ILCS 5/22-85(b), are required to immediately contact the DCFS hotline and report the abuse. For schools in a county with an accredited Children's Advocacy Center (CAC), all reports of alleged student sexual abuse made to DCFS or law enforcement that are subsequently accepted for investigation must then be referred by the entity that received the report to the local Children's Advocacy Center (CAC). The CAC must coordinate the investigation and facilitate communication with law enforcement, DCFS, school districts, and other stakeholders (e.g., school resource officer, Title IX Coordinator) (105 ILCS 5/22-85(e)). School districts may not interview the alleged victim regarding details of the alleged incident of sexual abuse until after the forensic interview is complete by the CAC (105 ILCS 5/22-85(f)). If a school district determines that it needs to interview the alleged victim under the age of 18, then a child advocate must be made available to the student and may be present during the school's interview (105 ILCS 5/22-85(i)). DCFS must notify the school when the agency investigation of an alleged incident of sexual abuse is complete, including notifying the school of its findings (105 ILCS 5/22-85(j)). The law enforcement agency must notify the school when agency investigation is either completed or suspended, including notifying the school of its findings (105 ILCS 5/22-85(k)).

III. RESEARCH AND FINDINGS

The Task Force divided itself into three subcommittees to focus on the areas of prevention, response, and supports. Each subcommittee provided an overview of their problem area, assessed the current status pertaining to their problem area, and brought forward recommendations that were reviewed by the entire Task Force. After review and discussion between the chairs and co-chairs of the subcommittees, the recommendations were divided into five categories: 1) Educator and School Staff Training; 2) Best Practice Sexual Harm Prevention; 3) Resources and Supports; 4) Administrative and Procedural; and 5) Criminal Code.

Sexual abuse of children is one of the most under-reported crimes in this country. Sexual abuse is also 100% preventable. According to the Centers for Disease Control and Prevention (CDC) (2019), about 1 in 4 girls and 1 in 13 boys experience child sexual abuse at some point in childhood and 91% of child sexual abuse is perpetrated by someone the child or child's family knows. A public health approach is recommended by numerous institutions as the ideal model and guide to ending child sexual abuse, including the CDC, the Prevention Institute via PreventConnect, the National Coalition to Prevent Child Sexual Abuse and Exploitation, the Enough Abuse Campaign, and the Moore Center for the Prevention of Child Sexual Abuse at Johns Hopkins University, among others.

An equity and inclusion framework helps strengthen child sexual abuse prevention work by acknowledging the impact of race, gender identity, socioeconomic status, sexual orientation, disability, religion and other group affiliation on available data about the problem, student and family access to services, and goal and outcome development.

Prevention, along with quick and appropriate response to child sexual abuse can be achieved. Prevention is more than just training. It includes a shift in behaviors and attitudes across the spectrum from individual to society at large that affect a positive cultural shift. This public health “multi-tiered” concept requires depth in training and consultation, and a broad reach. It also requires cultural competency in order to be relevant and meaningful to different communities.

Strategies should include a continuum of activities that address multiple levels of the community. These activities should be developmentally appropriate and conducted across the lifespan.

Prevention is a systematic process that promotes healthy environments and behaviors and reduces the likelihood or frequency of sexual abuse. This approach is more likely to sustain prevention efforts over time than any single intervention. The synergy of these activities contributes to changes in social norms since activities are focused not only on the individual but also on their environments. These norm changes are critical if we are to prevent sexual abuse in our homes, communities and culture. These strategies are rooted in the public health and social-ecological model. Effective abuse prevention strategies cross the broad scope defined in the socio-ecological model of prevention:



<https://www.cdc.gov/violenceprevention/publichealthissue/social-ecologicalmodel.html#:~:text=The%20ultimate%20goal%20is%20to,effect%20of%20potential%20prevention%20strategies.>

- Individual: enhancing an individual’s capacity to prevent abuse and promote safety
- Relationship: reaching groups of people with information and resources to promote health and safety
- Organizational: informing providers who will transmit skills/knowledge to others; adopting regulations, shaping norms to improve safety
- Community: bringing together groups and individuals for broader goals and greater impact
- Societal: developing strategies to change laws and policies to influence outcomes

A. Current Status of Prevention Education

The prevention of child sexual abuse starts with adults and should include all levels of communities. In school communities, staff and administrators should be well equipped with prevention knowledge in order to incorporate this knowledge into everyday actions. Hiring and screening of staff, sharing of information about reported grooming behavior by staff, and training of staff are three arenas of policies and legislation that are relevant to child sexual abuse prevention and will be highlighted here in terms of what currently exists to address these issues across Illinois.

Regarding hiring and screening of staff, background checks of all employees are required statewide in the educator hiring process. The CDC notes that when screening and selecting employees, background checks alone may give organizations a false sense of security.¹ Many improvements were made to the process of hiring and screening with the signing of P.A. 101-0531 into law in 2019, including mandatory checks of the sex offender, and murder and violent offender data bases every five years, a requirement to consider the status of a person with an indicated finding of abuse or neglect, the ability to rescind a license due to these findings or knowledge of charges of these types of crimes, and necessary consequences when there is a finding that an employee willfully or negligently failed to report an instance of suspected child abuse or neglect.

Regarding the sharing of information about reported grooming behavior by staff, there is currently no mechanism in Illinois law or most district policies to encourage the sharing of information between staff or schools about grooming behaviors perpetrated by school staff members. Seen as a cornerstone of the primary prevention of child sexual abuse, the ability to share information and intervene after grooming occurs is essential to the elimination of child sexual abuse in our schools. Grooming is defined narrowly in the Illinois Criminal Code to be about online behaviors, but is known in the prevention field to include many other in-person behaviors that are the build up to sexual abuse. According to Darkness To Light, a nationally respected prevention organization, “child grooming is a deliberate process by which offenders gradually initiate and maintain sexual relationships with victims in secrecy. Grooming allows offenders to slowly overcome natural boundaries long before sexual abuse occurs.”²

B. Current Status of Educator and School Staff Training

With each licensure renewal cycle, educators are required to engage in professional development activities. In general, teachers must complete 124 hours of Continuing Professional Development Units (CPDUs) per five-year renewal cycle. If an educator is an administrator or has an administrative endorsement, there are additional requirements that must be met. Though educator licenses renew every five years, training requirements do not align as they occur every year or every three years. See [Mandated State and Federal Trainings for Illinois School Personnel](#).

Another complication is that even though myriad trainings are required or recommended, trainings do not necessarily provide CPDUs toward licensure. 105 ILCS 5/21B-45 currently requires approved providers of professional development to make professional development opportunities available that satisfy at least one of the following topics:

1. Increase the knowledge and skills of school and district leaders who guide continuous professional development;
2. Improve the learning of students;
3. Organize adults into learning communities whose goals are aligned with those of the school and district;
4. Deepen educator's content knowledge;
5. Provide educators with research-based instructional strategies to assist students in meeting rigorous academic standards;
6. Prepare educators to appropriately use various types of classroom assessments;
7. Use learning strategies appropriate to the intended goals;
8. Provide educators with the knowledge and skills to collaborate;
9. Prepare educators to apply research to decision-making; or

¹ <https://www.cdc.gov/ViolencePrevention/pdf/PreventingChildSexualAbuse-a.pdf>

² <https://www.d2l.org/child-grooming-signs-behavior-awareness/>

10. Provide educators with training on inclusive practices in the classroom that examines instructional and behavioral strategies that improve academic and social-emotional outcomes for all students, with or without disabilities, in a general education setting.

Training related to physical and mental health needs, school safety, educator ethics, etc. were previously granted credit under a broad interpretation 105 ILCS 5/21B-45(h)(1) and (2) to increase educators' knowledge and skills specifically to impact student growth, achievement, and well-being. Since January 1, 2020, training related to student physical and mental health needs, student safety, and educator ethics do not provide CPDUs, even though those trainings are still required for educators.

1. Current Mandated Training for Child Abuse/Child Sexual Abuse

There are three Illinois training mandates for child abuse/child sexual abuse:

1. Abused and Neglected Child Reporting Act (ANCRA) (325 ILCS 5/4(j))
 - Required for all mandated reporters every three years as of January 1, 2020
 - May be in-person or web-based
 - Must include the following topics: (a) indicators for recognizing child abuse and child neglect, as defined under this Act; (b) the process for reporting suspected child abuse and child neglect in Illinois as required by this Act and the required documentation; (c) responding to a child in a trauma-informed manner; and (d) understanding the response of child protective services and the role of the reporter after a call has been made.
 - Must be provided through DCFS, an entity authorized to provide continuing education for professionals licensed through the Ill. Dept. of Financial and Professional Regulation, the State Board of Education, the Ill. Law Enforcement Training Standards Board, or the Dept. of State Police.
 - DCFS free online training is available at: <https://mr.dcfstraining.org/>
2. Child Abuse and Neglect under the Illinois School Code (105 ILCS 5/10-23.12)
 - Required for school staff who work with pupils in grades kindergarten through 8
 - Combined with the required training under ANCRA
3. Erin's Law under the Illinois School Code (105 ILCS 5/10-23.13)
 - Recommended
 - Training is for school personnel on child sexual abuse
 - Approximately two hours long.

Training under ANCRA and the Illinois School Code can and usually are combined; a combined course is approximately two hours long. This training, however, does not necessarily provide functional information regarding specific types of child abuse/neglect as coded by DCFS, or dealing with the emotional reality when considering making a report to DCFS (e.g., "is this really something suspicious? What if I make the wrong decision and ruin someone's life, or make things worse?"). Both before and after January 1, 2020, none of this important training has provided educators CPDUs toward licensure.

There are three additional areas of training that are not specific to child abuse or child sexual abuse, but relate to it:

4. Educator Ethics under the Illinois School Code (105 ILCS 5/10-22.39(f) and 105 ILCS 5/3-11)
 - 105 ILCS 5/10-22.39(f):
 - Required at least once every two years for all school personnel.

- Addresses educator ethics, teacher-student conduct, and school employee-student conduct.
 - 105 ILCS 5/3-11:
 - Teachers institutes shall include teacher training committed to (i) peer counseling programs and other anti-violence and conflict resolution programs, including without limitation programs for preventing at risk students from committing violent acts, and (ii) educator ethics and teacher-student conduct.
5. Domestic and Sexual Violence under the Illinois School Code (105 ILCS 5/10-22.39(d))
- Required at least once every two years for school personnel who work with pupils, including, but not limited to, school and school district administrators, teachers, school guidance counselors, school social workers, school counselors, school psychologists, and school nurses.
 - Must be conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth.
 - Must include training on: (a) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth, (b) connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed, and (c) implementing the school district's policies, procedures, and protocols with regard to such youth, including confidentiality.
 - At a minimum, school personnel must be trained to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence.
6. Bullying Prevention under the Illinois School Code (105 ILCS 5/27-23.7)
- Requires a school district bullying prevention policy to include procedures for promptly investigating and addressing reports of bullying, including involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.
 - For example, bullying is traditionally thought of as a student-on-student matter, but the statute is written to prohibit bullying of a student by *any* person.

New training mandates are not recommended at this time. Instead, reforms should focus on how to make current mandated training more useful and meaningful to educators.

2. Problems With Current Mandated Trainings

There are several problems with Illinois' current educator and school staff training model, including that:

- Trainings have been issued piecemeal and not holistically, resulting in a patchwork of confusing, overlapping, and sometime outdated requirements;
- Trainings aren't prioritized by number of students/personnel affected by an issue or how frequently an issue arises;
- Training requirements do not align with educator licensure requirements; and
- The number of required trainings keeps growing, while funding, time, and resources for training are not provided.

Consequently, school staff is required to complete a significant amount of training on their own time, and the fact there may or may not be incentives tied to training requirements factors into how much someone

puts their time and attention into it. These problems result in difficulty managing compliance, training that is squeezed into less than ideal circumstances, and training that is not meaningful to personnel.

C. Existing Primary Prevention Policies and Legislation for Students

According to national research conducted by *The Enough Abuse Campaign*, Illinois was the third state in our nation (after Vermont and Texas) to pass a law mandating child sexual abuse prevention education in schools (P.A. 96-1524,³ eff. 2-14-11). Referred to in Illinois (and many other states) as Erin's Law, Section 10-23.13 of the Illinois School Code, *Policies addressing sexual abuse*, states:

To adopt and implement a policy addressing sexual abuse of children that may include age-appropriate curriculum for students in pre-K through 5th grade; training for school personnel on child sexual abuse; educational information to parents or guardians provided in the school handbook on the warning signs of a child being abused, along with any needed assistance, referral, or resource information; available counseling and resources for students affected by sexual abuse; and emotional and educational support for a child of abuse to continue to be successful in school.

Any policy adopted may address without limitation:

- (1) methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse;
- (2) actions that a child who is a victim of sexual abuse should take to obtain assistance and intervention; and
- (3) available counseling options for students affected by sexual abuse.

This Section may be referred to as Erin's Law.

Erin's Law could be strengthened to better meet the needs of today's students, schools, and communities. In 2015, the Enough Abuse Campaign conducted national research on states' efforts to prevent child sexual abuse in schools, expressing concerns about Illinois' ability to implement Erin's Law. Concerns included that schools need more information about what curricula to use or which organizations to partner with regarding Erin's Law implementation. Additionally, the report noted that schools are expected to meet Erin's Law recommendations with little to no funding, and there are no accountability mechanisms to track Erin's Law implementation.

Erin's Law currently applies to pre-Kindergarten through 5th grade students. While the adoption of a policy is required, curriculum delivery to students, training of staff, and educational information for parents is recommended. Most schools are focusing on education to students and leaving out the adults. If adults get education, it may only be about the curriculum being delivered to students and not about their own role in prevention.

The prevention field considers it best practice to train adults first, then children, but never "just the children." For example if you tell a child to tell a "trusted adult" if they are being hurt, and the "trusted adult" has no idea of what to do, then the cry for help is never heard or acted upon. Children should receive the message that they are valued and worth protection, and this message should be backed up with

³ Notably, this legislation also created the Task Force on the Prevention of Sexual Abuse of Children within DCFS, charged with making recommendations for reducing child sexual abuse in Illinois by January 1, 2012.

consistent actions of caring and safety from their primary caregivers, including open communication about boundaries, consent and healthy relationships. These things certainly help to empower children, but the onus should never solely be on the child to self-protect.

“Adults must take the steps needed to prevent child sexual abuse. Adults are responsible for ensuring that all children have safe, stable, nurturing relationships and environments. Resources for child sexual abuse have mostly focused on treatment for victims and criminal justice-oriented approaches for perpetrators. While these efforts are important after child sexual abuse has occurred, little investment has been made in primary prevention, or preventing child sexual abuse before it occurs.” CDC 2019.

Erin’s Law is not integrated into, nor does it cross reference, the Critical Health Problems and Comprehensive Health Education Act (105 ILCS 110/), which addresses the relevant topics of comprehensive health education and sex education. 105 ILCS 110/3 states that schools must provide “age-appropriate sexual abuse and assault awareness and prevention education in grades pre-kindergarten through 12” with no recommendation provided on the frequency of such education, and compliance is not monitored by ISBE. This Act, in turn, is not integrated into, nor does it cross reference the sex education provision contained in Article 27 of the Illinois School Code (105 ILCS 5/27-9.1), which provides requirements for the sex education curriculum in grades 6-12. Parents may opt out of sex education for their child, and the language is not inclusive of LGBTQ+ relationships or identities. The implementation of this section of the Illinois School Code is not monitored by ISBE.

D. Existing Primary Prevention Policies and Legislation for Parents/Caregivers

As noted above, Erin’s law is limited in what it requires for parents/guardians and caregivers, stating that policies may address “methods for increasing ...parent awareness of issues regarding sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse” (105 ILCS 5/10-23.13). The sex education section of the Illinois School Code allows parents to opt-out without providing much other guidance for schools about how to support parents and caregivers when this kind of education is delivered.

Additionally, regarding parents and caregivers, there is a question as to what practices should be in place when they are volunteering in a school to protect the safety of all. Chicago Public Schools has encountered issues with requiring background checks of parents and therefor limiting the opportunity for undocumented parents who become fearful of volunteering.

E. Role of Schools in Responding to Sexual Abuse

While DCFS and law enforcement investigate many sexual abuse allegations, there are numerous concerning matters that do not rise to the level to trigger a DCFS and/or law enforcement investigation. In those instances, schools may serve as the only remaining backstop to protect students, ensure they connect to community-based healing services, and respond appropriately to abuse. Schools not only have a responsibility to maintain a safe environment for students, they are obligated to investigate sexual assault and harassment matters under Title IX of the Education Amendments of 1972 (Title IX) (20 U.S.C. §1681), the federal civil rights law prohibiting sex discrimination in education programs.

Based on data from the Chicago Public Schools and the Office of Inspector General for Chicago Public Schools for the 2018–19 and 2019–20 school years, in the majority of the sexual misconduct and harassment cases involving student victims, the alleged offender was another student.⁴ DCFS does not typically

⁴ In the 2019–20 school year, Chicago Public Schools reported that student-on-student cases comprised approximately 80% of cases at the district involving allegations relating to sexual misconduct or harassment.

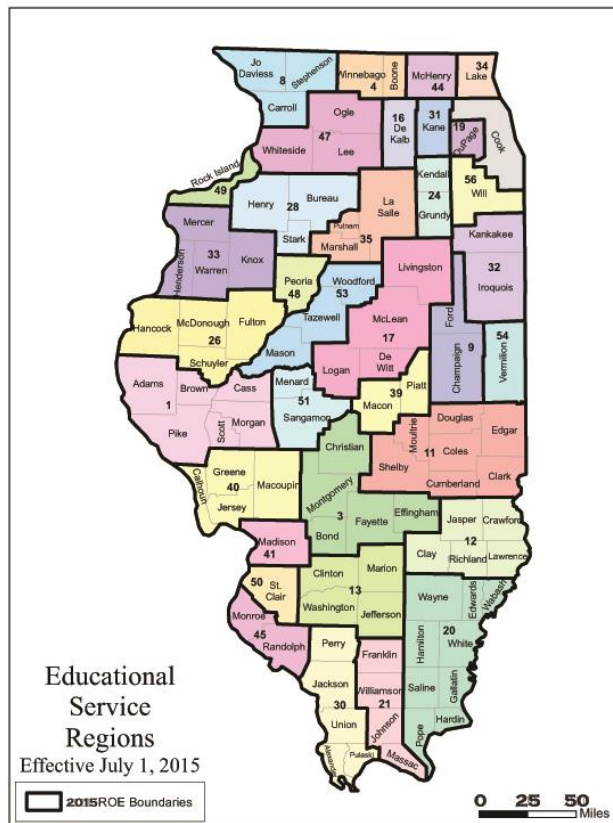
investigate these matters, and while law enforcement generally investigates the more serious allegations of sexual misconduct perpetrated by a student, those cases are less likely to be aggressively pursued and much less likely to result in prosecutions. The majority of incidents of this nature do not rise to the level of a police or DCFS investigation.

Accordingly, for many allegations involving student offenders, schools might be the best and, perhaps, only institution to meaningfully respond. Schools also serve a critical function in the investigation of allegations involving adult offenders, as many of those cases do not result in DCFS or police investigations. Whereas a sexual misconduct case with weaker evidence might result in a suspended police investigation, school investigators might have sufficient evidence to meet their lower burden of proof, substantiate the misconduct and remove the offender from the school.

Therefore, schools not only have an obligation to investigate sexual abuse matters under Title IX, their investigations can fill a child-protection void in those cases where the police and DCFS are not investigating.

F. Need for Expanded Role of ROEs

Regional Offices of Education (ROEs) are a network of offices across the state that partner with ISBE to support local school districts.⁵ Currently, there are 35 ROEs across the state, plus three Intermediate Services Centers (ISCs), providing a similar function in Cook County. The map below shows the regions covered by each ROE.



⁵ For more information on ROEs, see the ISBE website available at <https://www.isbe.net/roe>, as well as the website for the Illinois Association of Regional Superintendents of Schools available at <https://iarss.org/>.

Among other things, ROEs coordinate and deliver state and local services by 1) issuing, registering and monitoring teacher and administrator licenses; 2) ensuring that educators have been fingerprinted and undergone a background check before they enter a classroom; 3) providing local school districts with training and professional development; and 4) helping to ensure that local school districts are in compliance with state and federal laws.

ROEs, however, are underutilized in the area of child protection. Although ROEs currently provide certain supports with respect to child safety, such as background-check support and bus-safety training, the role of ROEs in this area should be expanded to help local school districts protect students from sexual abuse.

Given the diversity of size and resource allocation of the state's schools, ROEs and ISBE should increase capacity and responsibility to provide training, consultation and technical support to local school districts in the area of preventing and responding to sexual abuse of children. In particular, many small districts, struggle to efficiently build a capacity to meet their Title IX obligations and to otherwise respond to allegations of sexual abuse. State resources to address these needs could be applied more efficiently by pooling them within ROEs that would then be equipped to serve many districts in the region.⁶

G. Role of CACs in Responding to Sexual Abuse

Similar to utilizing ISBE and the ROEs, CACs are a critical entity that has a state-wide presence. Given the role of CACs as facilitators of the multi-disciplinary response to child abuse investigations, they play a critical role in partnering with local schools, ROEs and ISBE, to ensure cases are responded to appropriately within all responsible systems, and that the child victims aren't traumatized further by the systems themselves. Of the 102 Illinois counties, all but the following four counties have accredited CACs: Fulton, Vermillion, Kendall and Grundy. Fulton and Vermillion have applied for accreditation.

⁶ Significantly, the Illinois Administrative Code sections addressing the implementation of Title IX and the handling of "sex equity" matters – the types of matters that would arise under Title IX – state that complainants can appeal schools' decisions of such matters "to the Superintendent of the appropriate Educational Service Region pursuant to Section 3-10 of the Illinois School Code" (23 Ill. Admin. Code § 200.40. eff. 6-29-89). The Task Force recognizes that this potential appellate function resting with the chief administrative officers of ROEs might possibly be viewed as being in conflict with the ROEs serving an investigatory function for local school districts if an investigation conducted or aided by an ROE was subsequently appealed to that ROE. The Task Force, however, understands that this appellate function of ROEs is rarely employed, and the Task Force does not believe this potential conflict should stand in the way of ROEs expanding their capacity to provide much-needed investigative support and services. The ROEs may be able to develop internal organizational structures to separate their investigatory and potential appellate functions so as to avoid a conflict. Furthermore, to the extent stakeholders determine that the rarely-used appellate function creates a persistent and unavoidable conflict with ROEs providing investigatory support and/or services, the Task Force recommends that the Illinois Administrative Code and Illinois School Code be amended to remove that appellate function in favor of expanding the role of ROEs to include an investigatory function. Additionally, the Task Force notes that this section of the Administrative Code addressing Title IX matters (23 Ill. Admin. Code Part 200) may need to be amended anyway to better align with the new federal Title IX regulations (34 C.F.R. Part 104) that went into effect on August 14, 2020.



H. Need for Better Coordination and Training for School Investigations

Given that schools 1) serve this critical investigatory function, and 2) might be conducting concurrent investigations with law enforcement, it is vital that school investigators are adequately trained in this area and that they coordinate with DCFS and law enforcement to avoid harming those investigations or re-traumatizing child victims with multiple interviews.

In Public Act 101-531, signed into law last year, the General Assembly found that:

- (1) Investigation of a child regarding an incident of sexual abuse can induce significant trauma for the child;
- (2) It is desirable to prevent multiple interviews of a child at a school; and
- (3) It is important to recognize the role of Children's Advocacy Centers in conducting developmentally appropriate investigations.

Pursuant to that Act, CACs are charged with coordinating the investigations of sexual abuse cases and facilitating communication with an applicable school's Title IX Coordinator or a designated investigative body for investigating such cases, such as the Office of Inspector General for the Chicago Public Schools.

As for the schools, under the Act, when such cases are being investigated by the multi-disciplinary team at the CAC, the applicable school investigators "may not interview the alleged victim regarding details of the alleged incident of sexual abuse until after the completion of the forensic interview of that victim is conducted at a Children's Advocacy Center." The Act further allows for school investigators to view electronic recordings of forensic interviews applicable to their cases and provides that "[w]henver possible, the school's viewing of the electronic recording of a forensic interview should be conducted in lieu of the need for additional interviews."

Also, if requested by DCFS or law enforcement, a school must provide those entities with any evidence it has gathered as part of its investigation of the matter (as permissible by federal or state law).

While the Act provides for specific notice requirements when a multi-disciplinary team declines to conduct a forensic interview and a school wishes to proceed with an interview of the victim, the Act does not require any communication between a school and the CAC when the school wishes to proceed with a second interview of the victim following a forensic interview at the CAC.

Currently, school investigators might conduct subsequent interviews of student victims without notifying DCFS or law enforcement, who might have concurrent investigations involving those same students. Such interviews should be avoided, but when necessary schools should coordinate with DCFS and law enforcement to help ensure that those investigations are not disrupted and that victims are protected. Since these investigations occur within the context of the CAC serving that area, schools should create a strong relationship and working plan with their local CAC.

The Chicago Children’s Advocacy Center and the Office of Inspector General for Chicago Public Schools have developed a strong relationship and entered into a memorandum of understanding that provides additional guidance for the parties with respect to when the Office of Inspector General will proceed with a second interview of a victim. Specifically, the parties agreed that the OIG will give timely notice to the Commanding Officer on the multi-disciplinary team before the OIG proceeds with the interview. This MOU has been helpful for both parties and is an example of how enhanced coordination between investigative bodies can help protect children.

By creating MOUs to establish procedures for ongoing communication and coordination between schools and the multi-disciplinary teams across the state, the parties can help avoid any re-traumatization caused by a second interview of a victim and otherwise share information that will be mutually beneficial for the advancement of investigations and the protection of children.

Additionally, CACs can help provide school investigators with training to ensure that school-level investigations are trauma-informed.

Regional Offices of Education (ROEs) should also develop the capacity to provide training and investigative support to schools and to coordinate with CACs. That way smaller school districts without the resources for investigative offices could rely on the support from ROEs, and the ROEs could serve as a liaison between the CACs and those small districts when MOUs directly between the district and the CAC might not be practical.

I. Investigations of Grooming Have Been Limited

The grooming of children for sexual relationships is an area of central concern in the fight against sexual abuse. As stated above, grooming can be described as “a deliberate process by which offenders gradually initiate and maintain sexual relationships with victims in secrecy. Grooming allows offenders to slowly overcome natural boundaries long before sexual abuse occurs.”

Currently DCFS and the police are limited in their response to allegations of grooming because 1) the DCFS rules do not set forth grooming as a basis of a DCFS investigation, and 2) the criminal code limits grooming to instances when an offender uses electronic communications to lure or entice a child to engage in sexual conduct. By amending the criminal code to define grooming more broadly to encompass in person and other non-electronic luring behavior, the police can pursue those matters and those matters can be prosecuted. Furthermore, by amending DCFS’s rules to include grooming as a basis for DCFS investigations, DCFS will be able to respond to such allegations.

J. The Age of Consent for Secondary School Students

Currently, the Illinois Criminal Code only allows for prosecution of sexual misconduct matters premised on the age of the victim when the victim is under 18 years of age. In the K–12 setting, this means that school employees in a position of trust who engage in sexual conduct with students over the age of 17 generally cannot be prosecuted for that conduct even if they abused their position of trust to develop a sexual relationship with the student.

By raising the age of consent to 22 for students in secondary schools, we could close this enforcement gap and allow law enforcement to focus less on the age of the victim and more on the abuse of an individual's position of trust, authority or supervision in a school setting.

Additionally, grooming cases can go unenforced when a teacher begins grooming a student when the student is under the age of 18 but waits until the student turns 18 to commence sexual activity with the student. Therefore, by raising the age of consent, police and prosecutors can better enforce the grooming law and stop those offenders who begin their sexual relationships with students when the students turn 18.

IV. RECOMMENDATIONS

The following are specific Task Force recommendations. For these recommendations to be effective, it is crucial they be fully funded.

A. Educator and School Staff Training

***Recommendation #1:** Engage stakeholders to identify specific training topics that need to be completed and prioritize their completion. Align required training with the licensure renewal process for individual educators, so that training follows the educator and does not need to be restarted every time an educator changes employers.*

Brief Explanation: What essential training needs to be completed within the first year of licensure? What training needs to be completed at least once during the five-year licensure cycle? What training should be linked to a specific triggering event? Recommendation No. 1 will allow training to occur in a more regular and predictable way, making compliance easier to track for employer school districts and for ISBE as the licensing entity.

Stakeholders of Importance: Representatives from ISBE, Ill. Principals Association, Ill. Association of School Administrators, Ill. Association of School Boards, Ill. Association of School Business Officials, ED-RED, Ill. Education Association, and Ill. Federation of Teachers.

Legislative Changes Needed: To be determined by stakeholder group.

Budget Implications: None at this time.

***Recommendation #2:** Amend the Illinois School Code to allow Continuing Professional Development Unit (CPDU) credits for courses related to student physical or mental health needs, student safety, and educator ethics.*

Brief Explanation: See Brief Explanation under Recommendation No. 3, below.

Stakeholders of Importance: See Stakeholders of Importance under Recommendation No. 1, above.

Legislative Changes Needed: Supplement 105 ILCS 5/21B-45(h) to address training on student physical and mental health needs, student safety, educator ethics, any additional training related to other topics that address the well-being of students and improve academic and/or social-emotional outcomes.

Budget Implications: None at this time.

Recommendation #3: Streamline trainings by grouping them into four categories or “buckets” (e.g., Whole Child, Student/Medical, Professional Practice, and Employment). Award CPDU credit for all required or recommended training, but cap the amount of CPDU credit an individual can accumulate in each bucket so that they are required to distribute CPDU credit evenly.

Brief Explanation: Recommendations No. 2 and No. 3 will eliminate the disincentive created by not granting CPDUs for required training.

Stakeholders of Importance: See Stakeholders of Importance under Recommendation No. 1, above.

Legislative Changes Needed: To be determined by stakeholder group.

Budget Implications: None at this time.

Recommendation #4: Increase the number of teacher institute days in the Illinois School Code, and permit up to two days to be dedicated to training regarding child abuse prevention and sexual harassment prohibited by federal and state law.

Brief Explanation: To address the need for more meaningful and effective training, provide in-person training opportunities on institute days via the Regional Offices of Education (ROEs) so that resources can be pooled. Because sexual harassment under various federal and state laws overlap and intersect to some degree, and some instances of prohibited sexual harassment may constitute child sexual abuse, such training should address all types of prohibited sexual harassment, including but not limited to sexual harassment under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, the Ill. Human Rights Act, and the State Officials and Employees Ethics Act.

Stakeholders of Importance: See Stakeholders of Importance under Recommendation No. 1, above.

Legislative Changes Needed: Amend the first paragraph of 105 ILCS 5/3-11 as follows:

In counties of less than 2,000,000 inhabitants, the regional superintendent may arrange for or conduct district, regional, or county institutes, or equivalent professional educational experiences, not more than 46 days annually. Of those 46 days, 2 days may be used as a teacher's and educational support personnel workshop, when approved by the regional superintendent, up to 2 days may be used for conducting parent-teacher conferences, ~~or~~ up to 2 days may be utilized as parental institute days as provided in Section 10-22.18d, or up to 2 days may be used for child abuse prevention and prohibited sexual harassment training. Educational support personnel may be exempt from a workshop if the workshop is not relevant to the work they do. A school district may use one of its 46 institute days on the last day of the school term.

Amend the second paragraph of 105 ILCS 5/3-11 as follows:

In counties of 2,000,000 or more inhabitants, the regional superintendent may arrange for or conduct district, regional, or county institutes, or equivalent professional educational experiences, not more than 46 days annually. Of those 46 days, 2 days may be used as a teacher's and educational

support personnel workshop, when approved by the regional superintendent, up to 2 days may be used for conducting parent-teacher conferences, ~~or~~ up to 2 days may be utilized as parental institute days as provided in Section 10-22.18d, or up to 2 days may be used for child abuse prevention and prohibited sexual harassment training. Educational support personnel may be exempt from a workshop if the workshop is not relevant to the work they do. A school district may use one of its 46 institute days on the last day of the school term.

Supplement the final paragraph of 105 ILCS 5/3-11 as follows:

The teachers institutes shall include teacher training committed to (i) peer counseling programs and other anti-violence and conflict resolution programs, including without limitation programs for preventing at risk students from committing violent acts, and (ii) educator ethics and teacher-student conduct. Beginning with the 2009-2010 school year, the teachers institutes shall include instruction on prevalent student chronic health conditions. Beginning with the 2016-2017 school year, the teachers institutes shall include, at least once every 2 years, instruction on the federal Americans with Disabilities Act as it pertains to the school environment. Beginning with the 2021-2022 school year, the teachers institutes shall include instruction on child abuse prevention, including the prevention of child sexual abuse, and on sexual harassment prohibited by federal and state law.

Budget Implications: None at this time.

Recommendation #5: *Improve the training of staff members on what to do when he/she/they is aware of child maltreatment (sexual abuse, physical abuse, grooming) by a staff member, other student(s), or by someone outside the school setting.*

Brief Explanation: The purpose of this recommendation is to increase the depth of knowledge and understanding of educators and school personnel on mandated reporting, sexual harassment, sexual assault, and child maltreatment. There are a variety of processes utilized among educators to address the aforementioned recommendation. However, there is no clear alignment or consistency of the practice. Educators are not required to have mandatory training, which allows missteps as well as gaps in services that can potentially create unintentional harm to the victim. The following requirements will be beneficial in closing this critical gap:

- All new college/university graduates and certified staff returning to school for an endorsement will be required to complete an examination on mandated reporting, sexual harassment, sexual assault, and grooming behaviors if not completed previously.
- The rigor of Mandated Reporter training will be increased and all staff (certified and uncertified) will be required to complete training annually prior to the start of each school year along with refresher training throughout the school year.
- School district officials will be required to provide an annual school/district-wide training for all staff on child maltreatment, sexual harassment, sexual assault, grooming behaviors, and mandated reporting. The school/district-wide training must include the responsive measures a school/district has put in place when a student (victim) makes an outcry. The action plan should include:
 - The protocol taken when a student and/or staff member reports child maltreatment (physical and/or sexual abuse and/or grooming behaviors) in both a traditional and remote learning setting

- The interview(s) protocol of the student(s) to minimize repeated trauma
- The roles of staff members after a report has been made (social worker, school psychologist, school nurse, principal, HR director, superintendent, parents, student(s), teacher(s), other support staff)
- An outline explaining the communication protocols with DCFS, CAC, parents, police, and staff while maintaining the confidentiality of the student(s).
- An outline explaining the partnering with outside organizations while maintaining the confidentiality of the student(s)
- A suicide at-risk assessment to determine the student's safety. The assessment should include calling SASS if needed
- Provide school counseling services is needed for the student (victim)
- An assessment to determine if "home" is a safe place before releasing the student to their parent/guardian
- If the alleged perpetrator is a staff member, determine the protocol of the staff member's employment during the investigation; if the alleged perpetrator is a student, determine the protocol of the student's enrollment status and/or accessibility to the student (victim) during the investigation

Stakeholders of Importance: The Stakeholders of Importance under Recommendation No. 1, above, plus representatives from DCFS, CACs, and institutions of higher education.

Legislative Changes Needed: To be determined by stakeholder group.

Budget Implications: Cost for training; Certification exams.

Recommendation #6: *Contingent upon the provision of adequate state funding, create capacity within ROEs to provide training (in conjunction with the local CAC) for school-level Title IX investigations and similar investigations of sexual misconduct in which the victim was a student and the perpetrator was another student or a school-affiliated adult.*

Brief Explanation: School districts have an obligation to investigate sexual misconduct matters, but given the nature of those investigations, including the potential for re-traumatizing victims and the potential for concurrent law enforcement or DCFS investigations, adequate training for those school investigators is crucial. CACs have the expertise to assist with this training, and ROEs are well-situated across the state to facilitate this training for schools in their respective regions.

Stakeholders of Importance: The Stakeholders of Importance under Recommendation No. 1, above, plus representatives from ROEs and CACs.

Legislative Changes Needed: None.

Budget Implications: Additional funding for added staffing at ROEs.

B. Best Practice Sexual Harm Prevention

Recommendation #7: Amend Erin’s Law to make the training required instead of recommended, require that training be implemented in school districts by end of January of each school year, ensure proper funding is attached, include a mechanism for the Ill. State Board of Education (ISBE) and/or Regional Offices of Education (ROEs) to monitor and enforce compliance, and integrate it for functionality with other relevant sections of the Illinois School Code.

Brief Explanation: Erin’s Law currently applies to pre-Kindergarten through 5th grade students and recommends curriculum delivery to students, training for staff, and educational information for parents/guardians. Most schools are focusing on education to students and leaving out the adults within schools. If adults get education, it may only be about the curriculum being delivered to students and not about their own role in prevention.

In an article discussing the importance of comprehensive sex education for the prevention of sexual violence, Schneider and Hirsch (2018) note that there is a need to combine sexual violence prevention programming into what is already happening in schools: “Currently, most school-based [sexual violence (SV)] programs are independent from any [comprehensive sex education (CSE)] program, and many CSE programs fall short of their potential to comprehensively address SV perpetration”. Current Illinois law, as written, causes confusion and makes the two seem separate. Laws should reflect both a strong sexual violence prevention program for students within a strengthened and comprehensive sex education curriculum that is mandatory.

Students deserve to learn accurate information about all aspects of their development, including healthy sexual development and relationships that are free from harm and violence. When schools model communicating about sexual health and safety by teaching these concepts, we can help prevent feelings of shame or embarrassment about bodies and sex that often allow abuse to thrive.

Stakeholders of Importance: The Stakeholders of Importance under Recommendation No. 1, above, plus representatives from CACs, Rape Crisis Centers (RCCs), and DCFS.

Legislative Changes Needed: To be determined by stakeholder group.

Budget Implications: In order for this law to be truly successful, funding would need to be attached to it. Costs for implementation are reflected in Recommendation #8, below.

Recommendation #8: Contingent upon the provision of adequate state funding, standardize what constitutes compliance with Erin’s Law training by requiring schools to use evidence-based or evidence-informed programs⁷ in the implementation of Erin’s Law. Evidence-based or evidence-informed curriculum should include adult, student, and parent-focused interventions, in partnership with community experts in the provision of sexual harm prevention, and should be adapted to different student populations and their unique needs. Evidence-based or evidence-informed curriculum should be developed by stakeholders, including but not limited to: ISBE, the Illinois Coalition Against Sexual Assault (ICASA), CACs, and RCCs.

⁷ Evidence-based refers to a coherent set of clearly described treatment components and specified linkages among components designed to produce a set of desired outcomes that have been demonstrated to be effective during randomized controlled trials or similar rigorous testing published in the peer-reviewed literature. Evidence-informed refers to modalities that were created utilizing components of evidenced-based treatments or curriculums.

Brief Explanation: Prevention education and training should contain core components, but be flexible enough to be relevant for diverse cultural communities. Much of our prevention content is based on what we know about perpetration and abuse (D. Finkelhor, et al.), including research done with sex offenders (A. Salter, C Jewell-Jensen; S. Wuertle; F. Berkower, et. al). Schools should partner with local organizations to look at their own data about how, when, where and with whom sexual abuse is occurring in their community - such as with CACs, RCCs, or police departments.

Research on exactly what constitutes best practices for student-focused sexual abuse prevention education is limited. Making something evidence-based is expensive and time-consuming. The Crimes Against Children Research Center (Finkelhor, et al.) agrees on the following items as being critical to high-quality student-focused prevention education:

- Education is multi session
- Education involves parents including information being sent home and parents being asked to come to meetings/sessions for parents
- Education includes active participation of learners: Role plays are included in the education to students

Research from Between Friends, a Chicago-based domestic violence and prevention organization, on best practices in prevention compiled from research (these articles are listed in the references at bottom):

- Multiple sessions in a prevention curricula found to be more effective than single sessions.
- Shorter sessions averaging about 50 minutes found to be more effective than longer sessions.
- Addressing the warning signs of abusive and unsafe relationships.
- Presenting relevant (updated and geographical) statistics
- Incorporating skills for developing healthy relationship behavior.
- Small-group discussion among students found to be effective in increasing participation.
- Activities to engage students in creative format through role playing hypothetical scenarios, or acting out a scripted play.
- Including take home activities for students to complete on their own.
- Tailoring content of the program to fit the population served; including local community norms and common beliefs.
- Curriculum content and format are most successful when they are delivered by staff who demonstrate experience, confidence and commitment while maintaining a positive rapport with students.
- Long-term follow-up measures that focus more on behavioral change of participants are key to determine program effectiveness. Many programs only post-test immediately or one week after the program has ended.

Other best practices include:

- Language equity: Written materials and all accompanying materials available in Spanish or any other prominent language, delivered by competent Spanish speaker
- Students with disabilities are included, educators seek out consultation about making any necessary modifications for these students (they may not need modification)
- LGBTQ+ inclusive

Stakeholders of Importance: The Stakeholders of Importance under Recommendation No. 1, above, plus representatives from CACs, Rape Crisis Centers (RCCs), and DCFS.

Legislative Changes Needed: To be determined by stakeholder group.

Budget Implications: The Chicago Prevention Alliance created a comprehensive funding model with approximate costs ranging from \$17,000 to \$30,000 per year for an elementary school of 500 children or a high school of 1300 students. A long term plan would reduce costs since consistent annual education would reduce intensity of training needs over the life of a student. A budget estimate would be \$25,000 per school for a comprehensive prevention education program inclusive of the recommendations made in this report. There are 852 public school districts in Illinois and 3,872 schools. There are an additional 1133 non-public schools associated with ISBE. Based on these numbers, a conservative estimate of the cost of implementing sexual harm education across the state would be \$125 million.

C. Resources and Supports

Recommendation #9: Create a centralized hub of resources and community partners, made available and communicated to schools through ISBE and the ROEs. ISBE should create and maintain a list of evidenced-based or evidenced-informed practices on its website, along with a list of CACs, RCCs, and other relevant service providers. ROEs should establish and maintain a network of community partners who are experts in sexual harm and child abuse prevention and intervention (including but not limited to local CACs and RCCs). This network shall conduct periodic needs assessments and shall be apprised of the efforts of schools in sexual abuse prevention.

Brief Explanation: A comprehensive up-to-date resource list is critical to ensuring that all schools have the resources and connections they need.

Stakeholders of Importance: Representatives from ISBE, ROEs, CACs, RCCs, and DCFS.

Legislative Changes Needed: None.

Budget Implications: None specific to this.

Recommendation #10: Create a School Resource Guide for local school boards and school administrators with sample policies, procedures, and guidelines for keeping students safe that can be adapted to each district/school's unique context. Utilize ISBE and the ROEs to disseminate via the centralized resource hub noted in Recommendation #9, above. Topics to be covered in the School Resource Guide shall include (but are not limited to):

- Professional staff/student boundaries
- Student and staff acceptable use policies
- Reporting of child abuse, neglect, and inappropriate relations between adults and students
- Student Code of Conduct
- Sample safety plans and guidelines
- Reintegration for school community members after unfounded allegations

The School Resource Guide should be reviewed annually by the stakeholders identified below and updated as necessary.

Brief Explanation: Schools play a significant role in the identification and reporting of cases of suspected child abuse. Schools provide various training opportunities to school personnel. This training

helps to ensure that children are safe and supported. It is important for school districts to adopt policies, procedures, and guidelines that ensure the safety of everyone. See Appendix A for examples.

Stakeholders of Importance: The Stakeholders of Importance under Recommendation No. 1, plus representatives from ROEs.

Legislative Changes Needed: None.

Budget Implications: There will be costs associated with maintaining the information contained in the School Resource Guide, which should be reviewed annually by the stakeholders identified and updated as necessary.

Recommendation #11: Engage stakeholders to create a Parent Resource Guide to help parents understand their rights and resources available to them and their families when their child has reported that being a victim of sexual abuse. At a minimum, the Parent Resource Guide shall include (but is not limited to) information regarding:

- CACs, locations, and services provided
- Medical evaluations for sexual abuse
- Mental Health services for children and families who have experienced abuse
- Legal issues related to child abuse, including criminal prosecutions and civil proceedings

The Parent Resource Guide will be available in English and Spanish, and will include checklists, flow charts, and narratives to assist parents in accessing and understanding the materials. Schools shall be required to distribute the Parent Resource Guide to enrolled families at the start of each academic year. The Parent Resource Guide should be reviewed annually by the stakeholders identified below and updated as necessary.

Brief Explanation: Awareness of victim services is a major barrier to meeting the needs of victims of crime. Without an Advocate or someone to guide them through the process, victims and family members often feel lost and unsure of what to do next. According to research conducted by the Illinois Criminal Justice Information Authority (ICJIA), among past victims of crime, more than half (58%) reported they did not know where to access victim services. Almost one-third (30%) of victims of violent crime completing the ICJIA survey said “no one” informed them of resources available to victims. The lack of information may directly or indirectly jeopardize the safety and well-being of child victims of abuse and their families.

Schools play an important role in the identification and reporting of cases of suspected child abuse, and may help ensure that children and families receive the information and support they need by helping connect them with appropriate community resources.

Stakeholders of Importance: The Stakeholders of Importance under Recommendation No. 1, plus representatives from ROEs, CACs, DCFS, and parent groups.

Legislative Changes Needed: None.

Budget Implications: There will be costs associated with maintaining the information contained in the Parent Guide, posting this on school district websites, translating the materials in Spanish and printing materials for those parents who may not have access to online resources.

D. Administrative and Procedural

Recommendation #12: ISBE or another entity shall develop and release best hiring practices guidelines designed to prevent sexual abuse. Guidelines shall be based on Centers for Disease Control and Prevention guidance and shall go above and beyond background checks.

Brief Explanation: The CDC recommends that interview screening questions address the candidates' views on and knowledge about child protection and child sexual abuse prevention. Reference checks are very important for prevention and must be done over the phone to capture nuance. The CDC lists suggested questions for reference checks – namely – if given the opportunity, would you hire this person again?⁸ Consider how to incorporate this into recommendations for school districts who have parents volunteer in their schools.

Stakeholders of Importance: The Stakeholders of Importance under Recommendation No. 1.

Legislative Changes Needed: None.

Budget Implications: None specific to this.

Recommendation #13: ISBE shall develop and release best practice guidelines based on its Code of Ethics for Illinois Educators (23 Ill.Admin.Code Part 22). Guidelines shall address educator conduct in all types of learning environments, including remote education and extracurricular activities, and may include templates for district use. The guidance shall be reviewed and revised annually.

Brief Explanation: Many leading experts, insurance companies and the CDC, recommend youth serving organizations, including schools, have guidelines for interactions between individuals which are often called a “Code of Conduct.” For example, Chicago Public Schools have defined the appropriate and reasonable boundaries for staff members and students in its “Standards of Conduct for Maintaining Professional Boundaries between Staff and Students.”⁹ In order to address the concerning behaviors that escalate if not addressed and build up to sexual abuse, often called grooming, the task force recommends that Illinois implement legislation to mandate districts to have a “Code of conduct” for interactions between individuals in schools. There are already codes of conduct for students, but districts need them for staff to reinforce that grooming behaviors are not permissible, in addition to abuse not being permissible.

Experts from Enough Abuse state “Most incidents that require reporting to police and child protection authorities have been preceded by many grooming behaviors that, if identified early, would have prevented the escalation of misconduct to a legally reportable offense. There are many physical and psychological boundaries that adults must not cross in their interactions with children and teens. Many of the behaviors are universally accepted as being inappropriate. Other boundaries, however, need to be considered and discussed in the context of the school’s or organization’s mission.”

Stakeholders of Importance: The Stakeholders of Importance under Recommendation No. 1, plus representatives from CACs, RCCs, and DCFS.

⁸ <https://www.cdc.gov/ViolencePrevention/pdf/PreventingChildSexualAbuse-a.pdf>

⁹ This document, which was formerly known as the “Guidelines Regarding Maintaining Professional Staff/Student Boundaries,” is available at <https://www.cps.edu/globalassets/cps-pages/about/protecting-chicagos-students/student-protections-standards-of-conduct-for-maintaining-professional-boundaries.pdf>.

Legislative Changes Needed: None.

Budget Implications: None specific to this.

Recommendation #14: *Allocate state funds to Children’s Advocacy Centers of Illinois (CACI) and ICASA to be distributed to National Children’s Alliance accredited CACs in Illinois and local ICASA Centers to cover the costs of transportation for suspected child victims of abuse, and/or their non-offending parents or caregivers to access CACs or ICASA services at any point in the investigation or treatment of reported cases of child abuse. Funds will be provided as reimbursement for expenses incurred by individual centers who provide transportation, pay for taxi or ride share services, or provide gas cards for agency clients.*

Brief Explanation: Overall, there is little published research on the needs of victims of crime. Most reports focus on crime statistics, but few conduct primary research among victims of crime or their family members. Among the studies reviewed, transportation and emergency shelter/housing were repeatedly identified as needs, particularly for underserved populations. In a study conducted by the Illinois Criminal Justice Information Authority (ICJIA), more than one quarter (29%) of victims of violent crime in Illinois say there are no service providers nearby or they did not have transportation to reach providers (23%). A separate ICJIA document titled “Comprehensive Legal Services for Victims of Crime” reported “Victim service providers find that a lack of transportation options impedes a victim’s ability to receive legal advocacy or legal services from a provider and to attend court proceedings.” Victims encounter two transportation-related barriers: financial resources and the reliability of public transit. Some victims do not have the financial resources to pay for transportation. Providers want to offer victims bus cards or other forms of transportation assistance, but do not have funding to meet this need. Other victims do not have access to convenient or reliable public transportation. A Cook County services provider said “(victims) have to take three or four buses and still catch a cab” to get to court.

Stakeholders of Importance: Parents/caregivers of and child victims of abuse, CACI and individual CACs, ICASA and individual sexual assault centers.

Legislative Changes Needed: A change would be required in order to allocate funds for client transportation to Children’s Advocacy Centers of Illinois and to ICASA.

Budget Implications: This recommendation calls for an allocation of funds to support the cost of transporting clients to CACs and ICASA programs in Illinois. It is estimated that costs may total \$300,000 to \$500,000 annually.

Recommendation #15: *Fully fund the Sexual Assault Services and Prevention Fund by amending the Live Adult Entertainment Facility Surcharge Act (35 ILCS 175/) (Act) to ensure the full collection of funding guaranteed by the Act by including penalties for tax preparers who knowingly, recklessly, or negligently assist with fraudulent tax returns. Further amend the Act to require that city and state departments responsible for business audits conduct a minimum percentage of audits on adult entertainment facilities annually.*

Brief Explanation: To address the need to fully fund the Sexual Assault Services and Prevention Fund by amending the Live Adult Entertainment Facility Surcharge Act (35 ILCS 175/) (Act). Need to ensure the full collection of funding guaranteed by the Act.

Stakeholders of Importance: Representatives from CACs.

Legislative Changes Needed: Amend 35 ILCS 175/30 as follows:

Sec. 30. Rules. The Department may adopt and enforce any reasonable rule to administer and enforce the surcharge imposed by this Act. The Department will require city and state departments responsible for business audits to conduct audits on adult entertainment facilities annually.

Amend 35 ILCS 175/45 as follows:

Sec. 45. Penalty. Any operator who fails to make a return or who makes a fraudulent return is guilty of a Class 4 felony. Additional penalties to tax preparers who knowingly, recklessly or negligently assist fraudulent tax returns imposed by the Department.

Budget Implications: To be determined by stakeholders.

Recommendation #16: *Legislative action acknowledging that, in order for school districts to meet their obligations to conduct investigations into sexual abuse, some cases may require that school investigators conduct a subsequent interview of a child victim following a CAC forensic interview. However, those subsequent interviews should be avoided whenever possible, and in such cases when they are necessary, the school investigators must provide law enforcement and the CAC with reasonable notice of their plan to conduct a subsequent interview so that there is appropriate coordination between the school investigators and the multi-disciplinary team to help ensure that the victim is protected as much as possible. Additionally, schools or other designated entities conducting investigations for schools shall enter into memoranda of understanding with local CACs that establish the protocol for ongoing communication and coordination between schools and the multi-disciplinary team during the course of the investigations, including the manner in which the school investigators should notify the multi-disciplinary team when they plan to conduct a subsequent interview of a victim. For smaller school districts, ROEs could serve as a liaison and resource that facilitates this coordination with the CAC.*

Brief Explanation: There is growing concern about re-traumatizing the victim by conducting subsequent interviews following the initial CAC interview. While we understand districts are obligated under federal law to investigate certain allegations pursuant to Title IX, subsequent interviews of victims should be avoided whenever possible. If an additional interview is needed, the multi-disciplinary team should be notified to ensure that the subsequent interview is conducted in the most trauma-informed manner possible and to avoid interference with any criminal investigation.

Furthermore, school districts are reminded that calling DCFS about suspected child abuse when first learning of the suspected abuse does not relieve a school (or other mandated reporters) from: 1) sharing new material information with any assigned investigator, if the school knows that an investigation was initiated; or 2) calling DCFS back and citing to the initial DCFS intake number if new information is uncovered that triggers a new report under 325 ILCS 5/4, even if DCFS did not open a case after the original report.

Stakeholders of Importance: The Stakeholders of Importance under Recommendation No. 1, plus victims and representatives from CACs, law enforcement, DCFS, and ROEs.

Legislative Changes Needed: Legislative additions to 105 ILCS 5/22-85.

Budget Implications: None.

Recommendation #17: *Contingent on the provision of adequate state funding, ROEs should develop the capacity to serve as a resource for school-level Title IX investigations and similar investigations of sexual*

misconduct in which the victim was a student and the perpetrator was another student or a school-affiliated adult. Particularly for ROEs serving small districts that lack sufficient resources for an internal investigative body, those ROEs should have funding to serve an investigatory function for those districts.

Brief Explanation:

For many school districts across the state, meeting their Title IX obligations is particularly difficult given their size and their lack of resources to develop an adequate investigative body for responding to such matters. Schools could better meet these obligations if investigatory resources were pooled in ROEs capable of serving multiple schools, rather than having every school devote funding for investigatory personnel.

Stakeholders of Importance: The Stakeholders of Importance under Recommendation No. 1, plus victims and representatives from ROEs.

Legislative Changes Needed: To be determined by stakeholder group. Possibly repeal 23 Ill.Admin.Code Part 200. See footnote 6 above.

Budget Implications: Significant funding for ROEs.

Recommendation #18: *DCFS should review and amend Rule 300 to provide a basis for grooming to be an allegation of abuse.*

Brief Explanation: The recommendation would add the allegation of grooming as an allegation of child maltreatment that would be investigated by DCFS. Grooming would be defined as knowingly, in person, or through verbal communication, or by use of a computer on-line service, Internet service, local bulletin board service, or any other device capable of electronic data storage or transmission to seduce, solicit, lure, or entice, or attempt to seduce, solicit, lure, or entice, a child to engage in any unlawful sexual conduct.

Stakeholders of Importance: School districts; and DCFS.

Legislative Changes Needed: None.

Budget Implications: None.

Recommendation #19: *ISBE should create a state-wide tracking and database system that manages school employee information specific to grooming, physical or sexual abuse, pending investigation(s), and/or accusation(s) so that when a school employee seeks to change employers in the state, there is a way to inform the prospective employing school of the prospective employee's history.*

Brief Explanation: The purpose of this recommendation is to eliminate the opportunity for teachers who are under pending investigation for child maltreatment to transfer to another school district and to hold those teachers accountable.

Currently, many school districts/schools conduct background checks to ensure a potential hired candidate is a good fit for the position. Usually, questions asked are about the candidate's background knowledge, experience in a classroom/school, their passion for teaching and learning, their ability to meet the needs of diverse learners, and their willingness to do extracurricular activities.

Part of the background check should include that the prospective school district asks the previous school district whether the potential hired candidate has ever been the subject of a sexual and/or physical abuse investigation, grooming investigation, and/or child maltreatment investigation. In addition, the current school district should be forthcoming with any information regarding child maltreatment when asked to complete a background check on an existing employee.

To ensure truthfulness of candidates, new hires should complete and sign a form with their prospective hiring district indicating that he/she/they is not under pending investigation for child maltreatment, sexual or physical abuse and/or grooming behavior towards a child, and/or has never been accused of child maltreatment, physical or sexual abuses and/or grooming behavior of a child, and/or does not have any information in their personnel file indicating child maltreatment, sexual or physical misconduct, and/or grooming behavior of a child.

Stakeholders of Importance: The Stakeholders of Importance under Recommendation No. 1.

Legislative Changes Needed: To be determined by stakeholder group.

Budget Implications: Cost of creating and maintaining a state-wide data system; and expanding employee roster and salary cost.

E. Criminal Code

Recommendation #20: *Expand the statutory definition of “Grooming” in the Illinois Criminal Code to include conduct beyond electronic communication.*

Brief Explanation: Conduct intended to seduce, solicit or entice a child to engage in improper conduct of a sexual nature can occur in many different forms, whether through electronic communication, in person or other means. The current Illinois statute on “grooming” limits the scope of prosecution to electronic communications. See 720 ILCS 5/11-25.

House Bill 2997 was introduced by State Representative C.D. Davidsmeyer on February 15, 2019 and referred to the Rules Committee on March 25, 2019 would have expanded the Illinois “grooming” statute by amending the language to include “in person” conduct. The Task Force recommends adoption of legislation similar to HB 2997 as set forth below to cover “grooming” conduct undertaken outside of electronic means. This legislative action would allow law enforcement to target prosecution of grooming activities that may occur in many contexts regardless of the means of communication.

Stakeholders of Importance: Representatives of law enforcement and the Illinois judicial system.

Legislative Changes Needed: Supplement 720 ILCS 5/11-25 with a new section (a-5) as follows:

(a-5) A person commits grooming when he or she knowingly in person, through direct communication or conduct through a third-party performs an act to seduce, solicit, lure, or entice, or attempt to seduce, solicit, lure, or entice, a child, a child's guardian, or another person believed by the person to be a child or a child's guardian, to commit any sex offense as defined in Section 2 of the Sex Offender Registration Act, to distribute photographs depicting the sex organs of the child, or to otherwise engage in any unlawful sexual conduct with a child or with another person believed by the person to be a child.

Budget Implications: None.

Recommendation #21: Increase the victim age for the offenses of Criminal Sexual Abuse and Criminal Sexual Assault to cover victims between 18 and 22 years old as an additional tool for law enforcement to combat targeting of students by individuals in positions of trust, authority or supervision of the victim in connection with any education or athletic program or activity regardless of the location of the offense.

Brief Explanation: Under current law, certain provisions of the Illinois Criminal Code applicable to sexual misconduct premised upon the age of the victim require that the victim must be under the age of 18. See, e.g., 720 ILCS 5/11-1.20 (Criminal Sexual Assault) and 720 ILCS 5/11-1.50 (Criminal Sexual Abuse).

Senate Bill 3570 was introduced on February 14, 2020 by Senator John F. Curran and referred to the Assignments Committee on April 12, 2020. The bill amends the Criminal Code of 2012 and provides that a person commits aggravated criminal sexual assault if that person commits an act of sexual penetration with a victim who is at least 18 years of age, but under 20 years of age if the act was committed against a victim who is a student attending classes at a public or private secondary school and the accused held a position of trust, authority, or supervision over the victim at the same school. The legislation further provides that this offense would be punishable as a Class X felony.

Additionally, the bill provides that a person commits criminal sexual abuse if that person commits an act of sexual conduct with a victim who is at least 18 years of age, but under 20 years of age if the act was committed against a victim who is a student attending classes at a public or private secondary school and the accused held a position of trust, authority, or supervision in relation to the victim at the same school. This offense would be punishable as a Class 4 felony under the proposed legislation.

The Task Force believes there is a significant gap in Illinois law regarding the ability to hold individuals accountable for sexual misconduct in a school setting in circumstances under which the victim is still a student but has reached the age of 18. The Task Force recommends adoption of legislation similar to Senate Bill 3570 to close the enforcement gap and bring accountability to individuals who may use a position of trust, authority or supervision in a school setting, even if the victim is older than 18 years of age.

We recommend that the Criminal Sexual Abuse and Criminal Sexual Assault statutes be amended to add a provision similar to Senate Bill 3570 with an age range which includes victims between the ages of 18 and 22. This range would include students participating in special or transitional education programs. The Task Force recommends that the offense of criminal sexual assault under this new provision would be punishable as a Class 1 felony consistent with other sections of the current criminal sexual assault statute. 720 ILCS 5/11-1.20. Likewise, the proposed new section of the Criminal Sexual Abuse statute would make a violation punishable as a Class A misdemeanor consistent with existing provisions of the statute.

The proposed amended criminal sexual assault statute, with the addition of a new sub-section (a)(5) would read as follows:

(720 ILCS 5/11-1.20) (was 720 ILCS 5/12-13)

Sec. 11-1.20. Criminal sexual assault.

(a) A person commits criminal sexual assault if that person commits an act of sexual penetration and:

(1) uses force or threat of force;

(2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent;

(3) is a family member of the victim, and the victim is under 18 years of age; or

(4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.

(5) is at least 18 years of age, but under 22 years of age if the act was committed against a victim who is a student attending classes at a public or private secondary school and the accused held a position of trust, authority, or supervision over the victim in connection with any education or athletic program or activity regardless of the actual location of the offense.

An increased age range and similar amendment of the substantive language of the Criminal Sexual Abuse statute is also recommended as set forth below.

(720 ILCS 5/11-1.50) (was 720 ILCS 5/12-15)

Sec. 11-1.50. Criminal sexual abuse.

(a) A person commits criminal sexual abuse if that person:

(1) commits an act of sexual conduct by the use of force or threat of force; or

(2) commits an act of sexual conduct and knows that the victim is unable to understand the nature of the act or is unable to give knowing consent.

(b) A person commits criminal sexual abuse if that person is under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who is at least 9 years of age but under 17 years of age.

(c) A person commits criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is less than 5 years older than the victim.

(d) A person commits criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 18 years of age, but under 22 years of age if the act was committed against a victim who is a student attending classes at a public or private secondary school and the accused held a position of trust, authority, or supervision over the victim in connection with any education or athletic program or activity regardless of the actual location of the offense.

(e) Sentence. Criminal sexual abuse for a violation of subsection (b), (c) **or** (d) of this Section is a Class A misdemeanor. Criminal sexual abuse for a violation of paragraph (1) or (2) of subsection (a) of this Section is a Class 4 felony. A second or subsequent conviction for a violation of subsection (a) of this Section is a Class 2 felony. For purposes of this Section it is a second or subsequent conviction if the accused has at any time been convicted under this Section or under any similar statute of this State or any other state for any offense involving sexual abuse or sexual assault that is substantially equivalent to or more serious than the sexual abuse prohibited under this Section.

Stakeholders of Importance: Representatives of law enforcement and the Illinois judicial system.

Legislative Changes Needed: See Senate Bill 3570 and above modifications.

Budget Implications: None.

V. APPENDICES

APPENDIX A

Sample policies include, but are not limited to, the following examples cited in each area:

- Professional and Staff Boundaries:
 - Berwyn School District 100: 5:120 Employee Ethics; Conduct; and Conflict of Interest (https://boardpolicyonline.com/?b=berwyn_100&s=72278)
 - Addison School District 4: 5:120 Employee Ethics; Conduct; and Conflict of Interest (https://boardpolicyonline.com/?b=addison_4&s=71471)
- Student and staff acceptable use policies:
 - Addison School District 4: 5:125 Personal Technology and Social Media; Usage and Conduct (https://boardpolicyonline.com/?b=addison_4&s=71472)
 - CPS Acceptable use policies (<https://policy.cps.edu/download.aspx?ID=203>)
 - CPS Staff policies (<https://www.cps.edu/about/policies/acceptable-use-policy/staff-policy/>)
- Reporting of child abuse, neglect, and inappropriate relations between adults and students:
 - West Chicago SD 33: 5:90 Abused and Neglected Child Reporting (https://www.boardpolicyonline.com/?b=west_chicago_sd33)
 - Hinsdale CCSD 181: 5:90 Abused and Neglected Child Reporting (https://www.boardpolicyonline.com/?b=hinsdale_181&s=335611)
 - Addison School District # 4: 5:90 Abused and Neglected Child Reporting (https://boardpolicyonline.com/?b=addison_4&s=71468)

Any District employee who suspects or receives knowledge that a student may be an abused or neglected child shall: (1) immediately report or cause a report to be made to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873)(within Illinois); 1-217-524-2606 (outside of Illinois); or 1-800-358-5117 (TTY), and (2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Any District employee who believes a student is in immediate danger of harm, shall first call 911. The employee shall also promptly notify the Superintendent or Building Principal that a report has been made. The Superintendent or Building Principal shall immediately coordinate any necessary notifications to the student's parent(s)/guardian(s) with DCFS, the applicable school resource officer (SRO), and/or local law enforcement.

Negligent failure to report occurs when a District employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act (ANCRA) and he or she, without willful intent,

fails to immediately report or cause a report to be made of the suspected abuse or neglect to DCFS.

Any District employee who discovers child pornography on electronic and information technology equipment shall immediately report it to local law enforcement, the National Center for Missing and Exploited Children's Cyber Tipline 1-800-THE-LOST (1-800-843-5678) or online at report.cybertip.org/ or www.missingkids.org. The Superintendent or Building Principal shall also be promptly notified of the discovery and that a report has been made.

Any District employee who observes any act of hazing that does bodily harm to a student must report that act to the Building Principal, Superintendent, or designee who will investigate and take appropriate action. If the hazing results in death or great bodily harm, the employee must first make the report to law enforcement and then to the Superintendent or Building Principal. Hazing is defined as any intentional, knowing, or reckless act directed to or required of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members are or include other students.

Abused and Neglected Child Reporting Act (ANCRA), School Code, and Erin's Law Training

The Superintendent or designee shall provide staff development opportunities for District employees in the detection, reporting, and prevention of child abuse and neglect.

All District employees shall:

1. Before beginning employment, sign the Acknowledgement of Mandated Reporter Status form provided by DCFS. The Superintendent or designee shall ensure that the signed forms are retained.
2. Complete mandated reporter training as required by law within three months of initial employment and at least every three years after that date.

The Superintendent will encourage all District educators to complete continuing professional development that addresses the traits and identifiers that may be evident in students who are victims of child sexual abuse, including recognizing and reporting child sexual abuse and providing appropriate follow-up and care for abused students as they return to the classroom setting.

The Superintendent or designee will display DCFS-issued materials that list the DCFS toll-free telephone number and methods for making a report under ANCRA in a clearly visible location in each school building.

Alleged Incidents of Sexual Abuse: Investigations

An alleged incident of sexual abuse is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A, that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity. If a District employee reports an alleged incident of sexual abuse to DCFS and DCFS accepts the report for investigation, DCFS will refer the matter to the local Children's Advocacy Center (CAC). The Superintendent or designee will implement procedures to coordinate with the CAC.

DCFS and/or the appropriate law enforcement agency will inform the District when its investigation is complete or has been suspended, as well as the outcome of its investigation. The existence of a DCFS and/or law enforcement investigation will not preclude the District from conducting its own parallel investigation into the alleged incident of sexual abuse in accordance with policy 7:20, *Harassment of Students Prohibited*.

Special Superintendent Responsibilities

The Superintendent shall execute the requirements in Board policy 5:150, Personnel Records, whenever another school district requests a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to DCFS.

The Superintendent shall notify the State Superintendent and the Regional Superintendent in writing when he/she/they has reasonable cause to believe that a license holder was dismissed or resigned from the District as a result of an act that made a child an abused or neglected child. The Superintendent must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the license holder.

Special School Board Member Responsibilities

Each individual Board member must, if an allegation is raised to the member during an open or closed Board meeting that a student is an abused child as defined in ANCRA, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with ANCRA's requirements concerning the reporting of child abuse.

If the Board determines that any District employee, other than an employee licensed under 105 ILCS 5/21B, has willfully or negligently failed to report an instance of suspected child abuse or neglect as required by ANCRA, the Board may dismiss that employee immediately.

LEGAL REF.:

105 ILCS 5/10-21.9.

20 ILCS 1305/1-1 et seq., Department of Human Services Act.

325 ILCS 5/, Abused and Neglected Child Reporting Act.

720 ILCS 5/12C-50.1, Criminal Code of 2012.

CROSS REF.: 2:20 (Powers and Duties of the Board of Education; Indemnification), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Terminations and Suspensions), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

• Student Code of Conduct:

- West Chicago SD 33 7:190 Student Behavior (https://www.boardpolicyonline.com/?b=west_chicago_sd33)
- Hinsdale CCSD 181 7:190 Student Behavior (https://www.boardpolicyonline.com/?b=hinsdale_181&s=335694)

- CPS Student Code of Conduct (https://www.cps.edu/about/policies/student-code-of-conduct-policy/#a_chicago-public-school-student-rights---responsibilities-booklet--including-the-scc-)
- Sample safety plans and guidelines:
 - Sample Personal Safety Plan (pages 153-157) (<https://www.sccgov.org/sites/bhd/Services/SP/Documents/2017/heard-toolkit-07-01-17.pdf>)
 - Sample Individual Student Safety Plan (https://studentservices.madison.k12.wi.us/files/stusvc/Individual_Student_Safety_Plan_Form_0.pdf)
- Reintegration for school community members after unfounded allegations:
 - Addison School District #4: 5:290 Employment Termination and Suspensions (https://boardpolicyonline.com/?b=addison_4&s=71489)
 - West Chicago SD 33: 5:240 Suspension (https://www.boardpolicyonline.com/?b=west_chicago_sd33)
 - Hinsdale CCSD 181: 7:20 Harassment of Students Prohibited (https://www.boardpolicyonline.com/?b=hinsdale_181&s=335695)

Any District employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action up to and including discharge. Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the behavior policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.