



THE JOHN MARSHALL LAW SCHOOL

Protection of Minors on Campus

1. **Purpose and Overview:** The protection of minors—defined as any person under the age of 18 years—especially from physical or sexual abuse, is consistent with the core values of The John Marshall Law School. This policy has been developed to inform JMLS community members of their reporting obligations about instances of suspected child abuse or neglect and to establish training, certification, and security clearance procedures that members of the JMLS community must follow before participating in any JMLS-related event that involves minors.
2. **Reporting Obligations:** The Illinois Abused and Neglected Child Reporting Act (ANCRA) states that all “personnel of institutions of higher education” are mandated reporters and must immediately report any instance where there is reasonable cause to believe that a child known to them in their official capacity may be abused or neglected. This means that all JMLS employees are mandated reporters. Students who participate in JMLS-related events in which minors are involved are also obligated to report.

Every JMLS employee is mandated by virtue of his or her employment to report under ANCRA, and, upon employment, will sign a statement to the effect that the employee knows about and understands the reporting requirements of this Act. Employees who have not yet signed a statement will be required to comply with this policy within 60 days of its effective date. Each employee must return the signed statement to Human Resources, who will retain the signed copy in the employee’s personnel file.

3. Reporting Procedures

- a. JMLS community members may report suspected child abuse or neglect to the Illinois Department of Children and Family Services (DCFS) hotline (1-800-25-ABUSE) or in person followed by a written report submitted to DCFS within 48 hours. DCFS will direct the reporter how to file a written report with the nearest DCFS field office.
- b. The duty to report is absolute and rests with the individual identifying the suspected abuse or neglect. DCFS recommends that, if in doubt about whether to report, an individual should report the suspected abuse or neglect. The DCFS hotline is staffed 24 hours a day, 365 days a year.

- c. Before the call or promptly thereafter, the reporter must notify his or her immediate supervisor, or in the alternative, the General Counsel and Assistant Dean for Human Resources, that a report has been made and must disclose the underlying circumstances that compelled the report.
- d. If a child is in imminent danger, the reporter should seek immediate protection for the child by calling JMLS Security at 501 or the Chicago Police Department at 911.

4. Failure to Report

- a. Failure by a mandated reporter to immediately report suspected instances of child abuse or neglect to DCFS constitutes a Class A misdemeanor. Reporting suspicions to a co-worker, supervisor, other management employee, or other available JMLS hotline—but not DCFS—does not satisfy the legal duty to report.
- b. Any JMLS employee who fails to report suspected child abuse or neglect, or who fails to cooperate with the investigating agency or police in accordance with this policy, may be subject to discipline up to and including discharge. Knowingly transmitting a false report or, in the case of a mandated reporter, a knowing and willful failure to report can also result in criminal sanctions.
- c. Illinois law protects the identity of all mandated reporters and gives them immunity from liability as a result of good faith reports. But any mandated reporter who fails to report an instance of child abuse or neglect commits a crime and may be prosecuted. More importantly, failing to report child abuse or neglect means that a child may continue to be abused or neglected.

- 5. JMLS Events Involving Minors:** The JMLS employee who is hosting or leading the event is responsible for ensuring compliance with this section, which includes coordinating the timely completion of all training, certification, and security clearance procedures.

No later than five business days before a JMLS-affiliated event in which minors are involved, whether scheduled to take place on or off campus, any JMLS student, faculty, staff, volunteer, or contractor who plans to participate in the event must complete all steps below. No individual may participate in any JMLS-affiliated event unless each step is successfully and timely completed. Failure to adhere to the requirements of this section may result in discipline, up to and including termination. An individual who successfully completes each requirement in this section will be eligible to participate in JMLS-affiliated events involving minors for five years, after which each

training, certification, and security clearance requirements contained in this section must be renewed.

- a. Complete the DCFS Online Training for Mandated Reporters. This online training can be accessed at <https://mr.dcfstraining.org/UserAuth/Login!loginPage.action>. Following completion of this training program, each individual must submit a copy of the certificate of completion that is automatically generated at the end of the program to the General Counsel and Assistant Dean for Human Resources or the Associate General Counsel and Chief Compliance Officer;
- b. Review and execute an Acknowledgment of Mandated Reporter Status and return the completed form to the General Counsel and Assistant Dean for Human Resources or the Associate General Counsel and Chief Compliance Officer. The necessary form is located at <https://www.illinois.gov/dcf/aboutus/notices/Documents/cants22.pdf>; and
- c. Successfully complete a background check, which will include a review of a participant's criminal history and a review of the individual against the Illinois Sex Offender and Murder and Violent Offender Against Youth registries. In some instances, completion of the necessary background check process may take up to 72–96 hours. It is the responsibility of the JMLS employee who is hosting or leading the event to submit a list of all JMLS students, faculty, staff, volunteers, and contractors who will be participating in the event to the Director of Campus Safety & Security sufficiently in advance of the scheduled event to allow for the completion of the background check process. The Director of Campus Safety & Security will then contact each participant to complete the background check and registry review process.

6. Electronic and Information Technology

- a. Under AN CRA section 4.5, employees and their employers are required to immediately report any child pornography images discovered on electronic and information technology equipment to local law enforcement. Complying with AN CRA fulfills the concurrent obligation under Title 42 U.S. Code § 13032, which offers the additional reporting option through the cyber-tipline at the National Center for Missing and Exploited Children (<http://www.cybertipline.com>).
- b. Any employee who discovers possible child pornography on JMLS electronic and information technology equipment must report the discovery immediately to the General Counsel and Associate Dean for

Human Resources and the Director of Information and Technology Services (ITS), who together will notify law enforcement authorities. The General Counsel and Associate Dean for Human Resources may also initiate an internal investigation in appropriate circumstances.

- c. JMLS will immediately disable the account of any user whose computer is reported as a source of possible child pornography and will refer the matter to the ITS Director secure the hard drive and history for further investigation.
- d. Any JMLS employee who fails to report possible child pornography on a JMLS electronic and information technology equipment may be subject to discipline up to and including discharge.

Administrative policy adopted February 20, 2018; effective immediately.