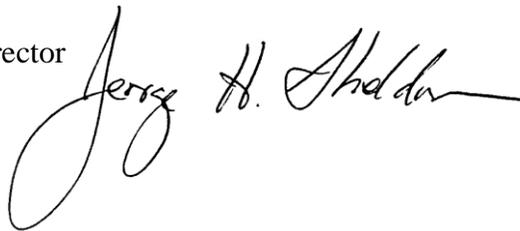


DEPARTMENT OF CHILDREN AND FAMILY SERVICES

POLICY GUIDE 2016.06

LEGISLATIVE UPDATE FOR RULES 329, LOCATING AND RETURNING MISSING, RUNAWAY, AND ABDUCTED CHILDREN

DATE: May 11, 2016
TO: All DCFS and Private Agency Child Protection, Permanency Workers and Supervisors, and Residential Administrators and Staff
FROM: George H. Sheldon, Director
EFFECTIVE: Immediately



I. PURPOSE

The purpose of this Policy Guide is to inform staff of several amendments in Illinois law affecting child welfare practice made in **Public Act 99-0351**. In the coming weeks, DCFS will propose amendments to **Rules 329, Locating and Returning Missing, Runaway, and Abducted Children** to reflect these statutory changes.

II. PRIMARY USERS

The primary users of this Policy Guide are POS and DCFS DCP and permanency workers, staff of Residential Facilities, their supervisors and managers.

III. SUMMARY OF LEGISLATIVE CHANGES

Public Act 99-0351 became effective January 1, 2016 and amends Section 10 of the Safeguard our Children Act to include the following:

Section 10. Duty to report. Any child or person in the care of the Department who is placed in a residential facility under contract with the Department pursuant to the Children and Family Services Act shall be reported as missing to the local law enforcement agency within whose jurisdiction the facility is located, if:

- (1) there is no contact between an employee of the residential facility and the child or person within a period of 12 hours; and*
- (2) the child or person is absent from the residential facility without prior approval.*

The operator of the residential facility shall inform the child's or person's caseworker that the child or person has been reported as missing to the appropriate local law enforcement agency. The operator of the residential facility shall also report the child or person as missing to the National Center for Missing and Exploited Children (NCMEC) 1-800-THE-LOST (1-800-843-5678) and shall make a subsequent telephone notification to the sheriff of the county in which the residential facility is located.



The operator of the residential facility making the missing persons report to the local law enforcement agency within whose jurisdiction the facility is located shall report that the missing person is a ward of the Department and shall inform the law enforcement agency taking the report to include the following statement within the missing persons report, in the field of the Law Enforcement Agencies Data System (LEADS) known as "Miscellaneous":

"This individual is a ward of the Illinois Department of Children and Family Services (DCFS) and, regardless of age, shall be released only to the custody of DCFS. Contact the 24-hour hotline: 866.503.0184."

Rules 329 will be amended to comply with the new requirements, including, but not limited to, the requirement that, effective immediately in accordance to PA 99-0351, residential facilities are required to report, in full compliance of the Safeguard Our Children Act, missing children who meet the above criteria to the local law enforcement agency and subsequently to NCMEC.

IV. QUESTIONS

Questions regarding this Policy Guide may be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook at OCFP – Mailbox. Non Outlook users may e-mail questions to cfpolicy@idcfs.state.il.us.

V. FILING INSTRUCTIONS

File this Policy Guide immediately following, Procedures 329, Locating and Returning Missing, Runaway, and Abducted Children.