**Section 431.85 Public Disclosure of Information Regarding the Abuse or Neglect of a Child**

a) *The Director or designee may disclose to the public information regarding the abuse or neglect of a child, if he or she determines that such disclosure is not contrary to the best interests of the child, the child's siblings, or other children in the household, provided one of the following factors is present:*

1) *the subject of the report has been criminally charged with committing a crime related to the child abuse or neglect report; or*

2) *a law enforcement agency or official, a State's Attorney, or a judge of the State court system has publicly disclosed in a report, as part of his or her official duty, information regarding the investigation of a report or the provision of services by the Department; or*

3) *an adult subject of the report has knowingly and voluntarily made a public disclosure concerning a Child Abuse and Neglect Tracking System (CANTS) report; or*

4) *the child named in the report has been critically injured or has died.*

b) *The following information may be disclosed:*

1) *the name of the alleged abused or neglected child;*

2) *the current status of the investigation, including whether a determination of credible evidence has been made;*

3) *identification of child protective or other services provided or actions taken regarding the child named in the report and the child's family as a result of the report;*

4) *whether there have been past reports of child abuse or neglect involving this child or family, or both. Any such reports shall be clearly identified as being "Indicated", "Unfounded", or "Pending".*

5) *whether the Department has a current or past open service case with the family, and a history of what types of services have been, or are being, provided;*

6) *any extraordinary or pertinent information concerning the circumstances of the report, if the Director determines such disclosure is consistent with the public interest.*

c) *Any disclosure of information pursuant to this Section shall not identify the name of or provide identifying information regarding the source of the report.*

d) *In determining whether disclosure will be contrary to the best interests of the child, the child's siblings, or other children in the household, the Director shall consider the interest in privacy of the child and the child's family and the effects that disclosure may have on efforts to reunite and provide services to the family.*

e) *Except as it applies directly to the cause of the abuse or neglect of the child, nothing in this Section shall be deemed to authorize the release or disclosure of the substance or content of any psychological, psychiatric, therapeutic, clinical, or medical reports, evaluations, or like materials pertaining to the child or the child's family. Prior to the release or disclosure of any psychological, psychiatric, or therapeutic reports pursuant to this subsection, the Deputy Director of Clinical Services shall review such materials and make recommendations regarding its release. Any disclosure of information pursuant to this Section shall not identify the health care provider, health care facility or other maker of the report or source of any psychological, psychiatric, therapeutic, clinical, or medical reports, evaluations, or like materials.*

f) *Regarding child abuse or neglect reports which occur at a facility licensed by the Department, only the following information may be disclosed or released:*

1) *the name of the facility;*

2) *the nature of the allegations of abuse or neglect;*

3) *the number and ages of the child victims involved, and their relationship to the perpetrator;*

4) *actions the Department has taken to ensure the safety of the children during and subsequent to the investigation;*

5) *the final finding status of the investigation.* [325 ILCS 5/11.1a]

(Source: Added at 23 Ill. Reg. 677, effective January 15, 1999)