

ILLINOIS REGISTER

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Permanency Planning
- 2) Code Citation: 89 III. Adm. Code 315
- 3) 

<u>Section Numbers:</u>	<u>Proposed Actions</u>
315.20	Amendment
315.30	Amendment
315.45	Amendment
315.70	Amendment
315.120	Amendment
315.125	New Section
315.130	Amendment
- 4) Statutory Authority: The Children and Family Services Act [20 ILCS 505], the Abused and Neglected Child Reporting Act [325 ILCS 5], the Adoption Act [750 ILCS 50], and Public Act 96-1513 and the Illinois Religious Freedom Protection and Civil Union Act [750 ILCS 75].
- 5) A Complete Description of the Subjects and Issues Involved: These changes implement Public Act 97-1076 concerning contact between siblings who are placed apart (foster care and post permanency).

Sections affected:

- **Rule 315.20** - Definition of “sibling” is broadened to comply with legislation. “Contact between siblings” and “visitation” are defined. Definitions that have been quoted verbatim from statute have been updated.
- **Rule 315.30** – “Best interests” also requires that workers comply with placement selection, visitation and contact requirements in Rule 301 (Placement and Visitation), and that workers encourage contact among siblings after permanency has been attained.
- **Rule 315.45** – When placing a sibling group, priority shall be given to a placement that can accept all of the members of the sibling group. When possible, priority shall be given to placement with a sibling who is already in substitute care, an adoptive placement or private guardianship.
- **Rule 315.70** – Deciding whether children shall be placed apart from siblings who are also placed in substitute care is a critical decision.
- **Rule 315.120** – Visitation and contact plans are developed and updated by the Child and Family Team at Family Meetings.

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- **Rule 315.125 (new)** – When a child enters substitute care or requires a placement change, the placing worker shall consider the development and preservation of sibling relationships.
  - **Rule 315.130** – Describes the SACWIS Visitation and Contact Plan.
- 6) Published studies and reports, and sources of underlying data used to compose this rulemaking: None
- 7) Will these proposed amendments replace an emergency rule currently in effect? No
- 8) Do these proposed amendments contain an automatic repeal date? No
- 9) Do these proposed amendments contain incorporations by reference? No
- 10) Are there any other amendments pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand the state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. Comments should be submitted to:

Jeff Osowski  
Office of Child and Family Policy  
Department of Children and Family Services  
406 E. Monroe, Station #65  
Springfield, Illinois 62701-1498

Telephone: (217) 524-1983  
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The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

- 13) Initial Regulatory Flexibility Analysis: The Department has determined that the proposed amendments will not have an economic impact on small businesses.
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2014

The full text of the Proposed Amendments begins on the next page.