**Section 402.13 Background Inquiry**

a) As a condition of issuance or renewal of a license by the Department, foster parents shall furnish information of:

1) any offenses (other than minor traffic violations) for which they have been convicted; and

2) the disposition of the convictions.

The Department shall make a determination concerning the suitability of the foster parents in working with the child in accordance with this Part and 89 Ill. Adm. Code 385 (Background Checks).

b) Licensed foster parents shall have access to reliable, legal and safe transportation, which may include public transportation.

1) All members of the foster family who transport foster children shall submit to annual verification of their driver's license, automobile liability insurance, and driving records.

2) Any vehicle used to transport foster children shall be equipped with safety restraints in accordance with Section 4b of the Child Passenger Protection Act [625 ILCS 25/4b].

3) Any foster family member transporting foster children shall comply with the child passenger restraint requirements of the Child Passenger Protection Act and any other state and local vehicle safety laws or ordinances and shall ensure that all foster children wear required safety restraints at all times while being transported.

c) Persons who have been convicted of an offense shall not be automatically rejected as foster parents unless the offense is one of those listed in Part 402.Appendix A. Otherwise, the Department shall consider the following:

1) the type of crime for which the individual was convicted;

2) the number of crimes for which the individual was convicted;

3) the nature of the offenses;

4) the age of the individual at the time of conviction;

5) the length of time that has elapsed since the last conviction;

6) the relationship of the crime and the capacity to care for children;

7) evidence of rehabilitation; and

8) opinions of community members concerning the individual in question.

(Source: Amended at 44 Ill. Reg. 6019, effective April 1, 2020)