**Section 431.70 Denial of Requests to Access Information**

A person shall be denied access to the following material which may be considered personal information:

a) Adoption Records

1) The Department may deny a person his personal information in situations involving adoption when the information would allow that individual to determine the identity of his parents, siblings, or other relatives; or would allow the individual the opportunity to determine the whereabouts of a child which was voluntarily or involuntarily relinquished for adoption. The Director of the Department may release this information following an evaluation if in the Director's opinion releasing the information is in the best interests of all persons involved in the adoption of the child.

2) Parents whose parental rights have been surrendered or legally terminated may indicate in writing whether they would allow their child to have access to their name(s) and information about them at some time in the future. This written statement shall be provided when the child is relinquished for adoption. When the parents have requested that their name(s) and information about them not be released to the child at a later date, their request shall be respected insofar as permissible by state or federal law or regulation. One significant federal law is the Indian Child Welfare Act. Under this law the parent shall be entitled to absolute anonymity in the case of voluntary relinquishment upon request.

3) All requests shall be included both in the parents' and child(ren)'s records.

b) Information Accepted under Promise of Confidentiality

Persons shall be denied access to information which will identify the source of any information obtained during a child abuse or neglect investigation (except as permitted in Section 431.60 above for purposes of conducting an administrative hearing), an adoptive investigation, a licensing investigation, or a study in preparation for a dispositional order under the Juvenile Court Act of 1987 if the information was given before or after the effective date of these rules under the express or implied promise that the identity of the information source would be held in confidence.

c) Information to Locate a Child

An individual may be denied access to information which would allow that person to determine the physical location of a child who was removed from the individual's custody in accordance with the Juvenile Court Act of 1987. This information shall be denied only if:

1) there is reasonable cause to believe that the child, foster parents or others caring for the child will be in danger if the child's whereabouts were known; or

2) the individual is likely to remove the child from the jurisdiction of the court.

d) Confidential Information About a Minor

The Department shall not release the following information without the consent of the minor:

1) information given to the Department by minors under the Department's assurance of confidentiality; and

2) information about a minor's consent to his or her own or his or her children's medical care.

(Source: Amended at 19 Ill. Reg. 17082, effective December 15, 1995)