



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3267

Introduced 2/19/2021, by Rep. Mary E. Flowers

SYNOPSIS AS INTRODUCED:

New Act

Creates the Advisory Commission on Reducing the Disproportionate Representation of African-American Children in Foster Care Act. Creates the Advisory Commission on Reducing the Disproportionate Representation of African-American Children in Foster Care. Provides that the Commission shall be a coordinating and advocating body that acts on behalf of the interests of African-American children who are at risk of placement within the State's child welfare system. Requires the Commission to advise the Governor and the General Assembly, as well as work directly with State agencies, to identify factors contributing to the overrepresentation of African-American children in foster care; to collaborate with State agencies and other social services organizations to develop effective strategies, policies, services, and programs that are aimed at providing African-American children and their families with the resources and preventive services they need to stay out of foster care and the child welfare system; and to assist in the development of child welfare policies and practices that advance more equitable outcomes for African-American children and their families who have contact with the Department of Children and Family Services. Sets forth specific duties including: examining and developing strategies and policies to address reported racial disproportionality during key stages of the child welfare decision-making process; assisting in the development of cultural competency training programs for child welfare workers; and identifying best practices to safely increase the number of family or relative placements for African-American children. Contains provisions on Commission membership; meetings; and reporting requirements. Effective immediately.

LRB102 15033 KTG 20388 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Advisory Commission on Reducing the Disproportionate
6 Representation of African-American Children in Foster Care
7 Act.

8 Section 5. Findings. The General Assembly finds the
9 following:

10 (1) In 1994 the African-American Family Commission was
11 created by Executive Order to assist the Department of
12 Children and Family Services in developing and
13 implementing programs and public policies that affect the
14 State's child welfare system.

15 (2) However, in 2004 the Commission was renamed and
16 its role expanded to focus on the development of services
17 and programs that aim to strengthen and preserve the
18 social and economic well-being of African-American
19 families.

20 (3) This holistic approach to strengthening
21 African-American families and communities, though
22 necessary, has yet to adequately address the
23 disproportionate number of African-American children in

1 foster care.

2 (4) According to a 2017 fact sheet published by Child
3 Trends, in 2015 African-American children represented 50%
4 of Illinois' foster care population even though they only
5 make up 15% of the State's general child population.

6 (5) In contrast, white children represented 38% of the
7 foster care population in 2015 even though they make up
8 52% of the State's general child population.

9 (6) Hispanic children are underrepresented in
10 Illinois' foster care system as they only accounted for 9%
11 of the foster care population in 2015 despite making up
12 24% of the general child population.

13 (7) Unfortunately, the disproportionate number of
14 African-American children in foster care is a national
15 dilemma.

16 (8) According to an April 13, 2020 report published by
17 the Annie E. Casey Foundation's KIDS COUNT Data Center,
18 even though "the share of children who are black and in
19 foster care remains much smaller than it was nearly a
20 decade ago . . . black children are still overrepresented
21 among youth in foster care relative to the general
22 population" as they account for 23% of all kids in foster
23 care even though they only represent 14% of the total
24 child population in the United States.

25 (9) In light of these grim statistics, the General
26 Assembly finds the need for a separate advisory commission

1 that is exclusively focused on identifying those causes
2 and factors that contribute to the overrepresentation of
3 African-American children in Illinois' foster care system
4 and the policy measures needed to safely reduce the number
5 of African-American children in foster care and keep them
6 with their families.

7 Section 10. Advisory Commission on Reducing the
8 Disproportionate Representation of African-American Children
9 in Foster Care.

10 (a) The Advisory Commission on Reducing the
11 Disproportionate Representation of African-American Children
12 in Foster Care is created and shall have the following
13 appointed members:

14 (1) One member appointed by the Governor or his or her
15 designee.

16 (2) One member appointed by the Speaker of the House
17 of Representatives or his or her designee.

18 (3) One member appointed by the Minority Leader of the
19 House of Representatives or his or her designee.

20 (4) One member appointed by the President of the
21 Senate or his or her designee.

22 (5) One member appointed by the Minority Leader of the
23 Senate or his or her designee.

24 (6) The Department on Aging, the Department of
25 Children and Family Services, the Department of Human

1 Services, the Department of Juvenile Justice, the
2 Department of Commerce and Economic Opportunity, the
3 Department of Healthcare and Family Services, the
4 Department of Public Health, the State Board of Education,
5 the Board of Higher Education, the Illinois Community
6 College Board, the Department of Human Rights, the Capital
7 Development Board, the Department of Corrections, and the
8 Department of Labor shall each appoint a liaison to serve
9 ex officio on the Commission.

10 (7) One member from the Task Force on Strengthening
11 Child Welfare Workforce for Children and Families.

12 (8) One member from the Child Endangerment Risk
13 Assessment Protocol Advisory Committee.

14 (9) Two members representing nonprofit organizations
15 that advocate for African-American children or youth to be
16 appointed by the Governor or his or her designee.

17 (b) The Governor or his or her designee shall appoint the
18 chairperson or chairpersons.

19 (c) Each member appointed to the Commission shall have a
20 working knowledge of Illinois' child welfare system. The
21 members shall reflect regional representation to ensure that
22 the needs of African-American families and children throughout
23 the State of Illinois are met.

24 (d) Members shall be appointed within 60 days after the
25 effective date of this Act. The Advisory Commission shall hold
26 its initial meetings within 60 days after at least 50% of the

1 members have been appointed.

2 (e) Vacancies on the Advisory Commission shall be filled
3 in the same manner as initial appointments. Appointments to
4 fill vacancies occurring before the expiration of a term shall
5 be for the remainder of the unexpired term. Members shall
6 serve without compensation but may be reimbursed for actual
7 necessary expenses incurred in the performance of their
8 duties.

9 (f) The Department of Children and Family Services shall
10 provide administrative support to the Advisory Commission.

11 Section 15. Duties. The Advisory Commission shall be a
12 coordinating and advocating body that acts on behalf of the
13 interests of African-American children who are at risk of
14 placement within the State's child welfare system. The
15 Advisory Commission shall advise the Governor and the General
16 Assembly, as well as work directly with State agencies, to
17 identify those causes and factors that contribute to the
18 overrepresentation of African-American children in foster
19 care. In addition, the Advisory Commission shall collaborate
20 with State agencies and other social services organizations to
21 develop effective strategies, policies, services, and programs
22 that are aimed at providing African-American children and
23 their families with the resources and preventive services they
24 need to stay out of foster care and the child welfare system
25 generally. The Advisory Commission shall also assist in the

1 development of child welfare policies and practices that
2 advance more equitable outcomes for African-American children
3 and their families who have contact with the Department of
4 Children and Family Services. In furtherance of these
5 purposes, the Advisory Commission shall do the following:

6 (1) Regularly track and analyze State and local data
7 on the racial disproportionality of children in foster
8 care in order to develop effective policies to prevent
9 African-American children's placement in foster or
10 substitute care.

11 (2) Examine and develop strategies and policies to
12 address the 2018 data released by the University of
13 Illinois' Children and Family Research Center, School of
14 Social Work, which showed racial disproportionality during
15 5 key stages of the child welfare decision-making process:
16 investigated maltreatment reports; protective custody;
17 indicated maltreatment reports; entries into substitute
18 care; and timely exits from substitute care.

19 (3) Assist in the development of cultural competency
20 training programs for child welfare caseworkers to
21 eliminate racial bias and cultural misconceptions about
22 African-American families and communities during the child
23 welfare decision-making process.

24 (4) Monitor and comment on existing and proposed
25 legislation that affects African-American children who are
26 at risk of placement in the child welfare or juvenile

1 justice systems.

2 (5) Identify best practices to safely increase the
3 number of family or relative placements for
4 African-American children who enter the child welfare
5 system.

6 (6) Collaborate with other State agencies and social
7 services agencies in the development of programs that
8 improve African-American families access to preventive and
9 supportive services, including, but not limited to, mental
10 health and substance use disorder services, medical care,
11 legal assistance, housing assistance, and family
12 counseling.

13 Section 20. Reporting requirements. The Advisory
14 Commission shall submit an initial report on its findings and
15 recommendations to the Governor and the General Assembly one
16 year after it convenes its first meeting and every 2 years
17 thereafter.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.