



Rep. Thomas Morrison

Filed: 3/1/2022

10200HB5418ham001

LRB102 24881 KTG 37175 a

1 AMENDMENT TO HOUSE BILL 5418

2 AMENDMENT NO. _____. Amend House Bill 5418 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Foster Children's Bill of Rights Act is
5 amended by changing Section 5 as follows:

6 (20 ILCS 521/5)

7 Sec. 5. Foster Children's Bill of Rights. It is the policy
8 of this State that every child and adult in the care of the
9 Department of Children and Family Services who is placed in
10 foster care shall have the following rights:

11 (1) To live in a safe, healthy, and comfortable home
12 where he or she is treated with respect.

13 (2) To be free from physical, sexual, emotional, or
14 other abuse, or corporal punishment.

15 (3) To receive adequate and healthy food, adequate
16 clothing, and, for youth in group homes, residential

1 treatment facilities, and foster homes, an allowance.

2 (4) To receive medical, dental, vision, and mental
3 health services.

4 (5) To be free of the administration of medication or
5 chemical substances, unless authorized by a physician.

6 (6) To contact family members, unless prohibited by
7 court order, and social workers, attorneys, foster youth
8 advocates and supporters, Court Appointed Special
9 Advocates (CASAs), and probation officers.

10 (7) To visit and contact brothers and sisters, unless
11 prohibited by court order.

12 (8) To contact the Advocacy Office for Children and
13 Families established under the Children and Family
14 Services Act or the Department of Children and Family
15 Services' Office of the Inspector General regarding
16 violations of rights, to speak to representatives of these
17 offices confidentially, and to be free from threats or
18 punishment for making complaints.

19 (9) To make and receive confidential telephone calls
20 and send and receive unopened mail, unless prohibited by
21 court order.

22 (10) To attend religious services and activities of
23 his or her choice.

24 (11) To maintain an emancipation bank account and
25 manage personal income, consistent with the child's age
26 and developmental level, unless prohibited by the case

1 plan.

2 (12) To not be locked in a room, building, or facility
3 premises, unless placed in a secure child care facility
4 licensed by the Department of Children and Family Services
5 under the Child Care Act of 1969 and placed pursuant to
6 Section 2-27.1 of the Juvenile Court Act of 1987.

7 (13) To attend school and participate in
8 extracurricular, cultural, and personal enrichment
9 activities, consistent with the child's age and
10 developmental level, with minimal disruptions to school
11 attendance and educational stability.

12 (14) To work and develop job skills at an
13 age-appropriate level, consistent with State law.

14 (15) To have social contacts with people outside of
15 the foster care system, including teachers, church
16 members, mentors, and friends.

17 (16) If he or she meets age requirements, to attend
18 services and programs operated by the Department of
19 Children and Family Services or any other appropriate
20 State agency that aim to help current and former foster
21 youth achieve self-sufficiency prior to and after leaving
22 foster care.

23 (17) To attend court hearings and speak to the judge.

24 (18) To have storage space for private use.

25 (19) To be involved in the development of his or her
26 own case plan and plan for permanent placement.

1 (20) To review his or her own case plan and plan for
2 permanent placement, if he or she is 12 years of age or
3 older and in a permanent placement, and to receive
4 information about his or her out-of-home placement and
5 case plan, including being told of changes to the case
6 plan.

7 (21) To be free from unreasonable searches of personal
8 belongings.

9 (22) To the confidentiality of all juvenile court
10 records consistent with existing law.

11 (23) To have fair and equal access to all available
12 services, placement, care, treatment, and benefits, and to
13 not be subjected to discrimination or harassment on the
14 basis of actual or perceived race, ethnic group
15 identification, ancestry, national origin, color,
16 religion, sex, sexual orientation, gender identity, mental
17 or physical disability, or HIV status.

18 (24) To have caregivers and child welfare personnel
19 who have received sensitivity training and instruction on
20 matters concerning race, ethnicity, national origin,
21 color, ancestry, religion, mental and physical disability,
22 and HIV status.

23 (25) To have caregivers and child welfare personnel
24 who have received instruction on cultural competency and
25 sensitivity relating to, and best practices for, providing
26 adequate care to lesbian, gay, bisexual, and transgender

1 youth in out-of-home care.

2 (26) At 16 years of age or older, to have access to
3 existing information regarding the educational options
4 available, including, but not limited to, the coursework
5 necessary for vocational and postsecondary educational
6 programs, and information regarding financial aid for
7 postsecondary education.

8 (27) To have access to age-appropriate, medically
9 accurate information about reproductive health care, the
10 prevention of unplanned pregnancy, and the prevention and
11 treatment of sexually transmitted infections at 12 years
12 of age or older.

13 (28) To receive a copy of this Act from and have it
14 fully explained by the Department of Children and Family
15 Services when the child or adult is placed in the care of
16 the Department of Children and Family Services.

17 (29) To be placed in the least restrictive and most
18 family-like setting available and in close proximity to
19 his or her parent's home consistent with his or her
20 health, safety, best interests, and special needs.

21 (30) To participate in an age and developmentally
22 appropriate intake process immediately after placement in
23 the custody or guardianship of the Department. During the
24 intake process, the Department shall provide the youth
25 with a document describing inappropriate acts of
26 affection, discipline, and punishment by guardians, foster

1 parents, foster siblings, or any other adult responsible
2 for the youth's welfare. The Department shall review and
3 discuss the document with the child. The Department must
4 document completion of the intake process in the child's
5 records as well as giving a copy of the document to the
6 child.

7 (31) To participate in appropriate intervention and
8 counseling services after removal from the home of origin
9 in order to assess whether the youth is exhibiting signs
10 of traumatic stress, special needs, or mental illness.

11 (32) To receive a home visit by an assigned child
12 welfare specialist, per existing Department policies and
13 procedures, on a monthly basis or more frequently as
14 needed. In addition to what existing policies and
15 procedures outline, home visits shall be used to assess
16 the youth's well-being and emotional health following
17 placement, to determine the youth's relationship with the
18 youth's guardian or foster parent or with any other adult
19 responsible for the youth's welfare or living in or
20 frequenting the home environment, and to determine what
21 forms of discipline, if any, the youth's guardian or
22 foster parent or any other person in the home environment
23 uses to correct the youth.

24 (33) To be enrolled in an independent living services
25 program prior to transitioning out of foster care where
26 the youth will receive classes and instruction,

1 appropriate to the youth's age and developmental capacity,
2 on independent living and self-sufficiency in the areas of
3 employment, finances, meals, and housing as well as help
4 in developing life skills and long-term goals.

5 (34) To be assessed by a third-party entity or agency
6 prior to enrollment in any independent living services
7 program in order to determine the youth's readiness for a
8 transition out of foster care based on the youth's
9 individual needs, emotional development, and ability,
10 regardless of age, to make a successful transition to
11 adulthood.

12 (Source: P.A. 99-344, eff. 1-1-16; 100-189, eff. 1-1-18.)".