

1 revenue, except the General Assembly and committees or
 2 commissions thereof. "Public body" includes tourism boards
 3 and convention or civic center boards located in counties
 4 that are contiguous to the Mississippi River with populations
 5 of more than 250,000 but less than 300,000. "Public body"
 6 includes the Health Facilities Planning Board. "Public body"
 7 does not include a child death review team or the Illinois
 8 Child Death Review Teams Executive Council established under
 9 the Child Death Review Team Act or an ethics commission,
 10 ethics officer, or ultimate jurisdictional authority acting
 11 under the State Gift Ban Act as provided by Section 80 of
 12 that Act.

13 (Source: P.A. 90-517, eff. 8-22-97; 90-737, eff. 1-1-99;
 14 91-782, eff. 6-9-00.)

15 Section 10. The Freedom of Information Act is amended by
 16 changing Section 2 as follows:

17 (5 ILCS 140/2) (from Ch. 116, par. 202)

18 (Text of Section before amendment by P.A. 91-935)

19 Sec. 2. Definitions. As used in this Act:

20 (a) "Public body" means any legislative, executive,
 21 administrative, or advisory bodies of the State, state
 22 universities and colleges, counties, townships, cities,
 23 villages, incorporated towns, school districts and all other
 24 municipal corporations, boards, bureaus, committees, or
 25 commissions of this State, and any subsidiary bodies of any
 26 of the foregoing including but not limited to committees and
 27 subcommittees which are supported in whole or in part by tax
 28 revenue, or which expend tax revenue. "Public body" does not
 29 include a child death review team or the Illinois Child Death
 30 Review Teams Executive Council established under the Child
 31 Death Review Team Act.

32 (b) "Person" means any individual, corporation,

1 partnership, firm, organization or association, acting
2 individually or as a group.

3 (c) "Public records" means all records, reports, forms,
4 writings, letters, memoranda, books, papers, maps,
5 photographs, microfilms, cards, tapes, recordings, electronic
6 data processing records, recorded information and all other
7 documentary materials, regardless of physical form or
8 characteristics, having been prepared, or having been or
9 being used, received, possessed or under the control of any
10 public body. "Public records" includes, but is expressly not
11 limited to: (i) administrative manuals, procedural rules,
12 and instructions to staff, unless exempted by Section 7(p) of
13 this Act; (ii) final opinions and orders made in the
14 adjudication of cases, except an educational institution's
15 adjudication of student or employee grievance or disciplinary
16 cases; (iii) substantive rules; (iv) statements and
17 interpretations of policy which have been adopted by a public
18 body; (v) final planning policies, recommendations, and
19 decisions; (vi) factual reports, inspection reports, and
20 studies whether prepared by or for the public body; (vii) all
21 information in any account, voucher, or contract dealing with
22 the receipt or expenditure of public or other funds of public
23 bodies; (viii) the names, salaries, titles, and dates of
24 employment of all employees and officers of public bodies;
25 (ix) materials containing opinions concerning the rights of
26 the state, the public, a subdivision of state or a local
27 government, or of any private persons; (x) the name of every
28 official and the final records of voting in all proceedings
29 of public bodies; (xi) applications for any contract, permit,
30 grant, or agreement except as exempted from disclosure by
31 subsection (g) of Section 7 of this Act; (xii) each report,
32 document, study, or publication prepared by independent
33 consultants or other independent contractors for the public
34 body; (xiii) all other information required by law to be made

1 available for public inspection or copying; (xiv) information
2 relating to any grant or contract made by or between a public
3 body and another public body or private organization; (xv)
4 waiver documents filed with the State Superintendent of
5 Education or the president of the University of Illinois
6 under Section 30-12.5 of the School Code, concerning nominees
7 for General Assembly scholarships under Sections 30-9, 30-10,
8 and 30-11 of the School Code and (xvi) complaints, results of
9 complaints, and Department of Children and Family Services
10 staff findings of licensing violations at day care
11 facilities, provided that personal and identifying
12 information is not released.

13 (d) "Copying" means the reproduction of any public
14 record by means of any photographic, electronic, mechanical
15 or other process, device or means.

16 (e) "Head of the public body" means the president,
17 mayor, chairman, presiding officer, director, superintendent,
18 manager, supervisor or individual otherwise holding primary
19 executive and administrative authority for the public body,
20 or such person's duly authorized designee.

21 (f) "News media" means a newspaper or other periodical
22 issued at regular intervals, a news service, a radio station,
23 a television station, a community antenna television service,
24 or a person or corporation engaged in making news reels or
25 other motion picture news for public showing.

26 (Source: P.A. 89-681, eff. 12-13-96; 90-144, eff. 7-23-97;
27 90-670, eff. 7-31-98.)

28 (Text of Section after amendment by P.A. 91-935)

29 Sec. 2. Definitions. As used in this Act:

30 (a) "Public body" means any legislative, executive,
31 administrative, or advisory bodies of the State, state
32 universities and colleges, counties, townships, cities,
33 villages, incorporated towns, school districts and all other
34 municipal corporations, boards, bureaus, committees, or

1 commissions of this State, and any subsidiary bodies of any
2 of the foregoing including but not limited to committees and
3 subcommittees which are supported in whole or in part by tax
4 revenue, or which expend tax revenue. "Public body" does not
5 include a child death review team or the Illinois Child Death
6 Review Teams Executive Council established under the Child
7 Death Review Team Act.

8 (b) "Person" means any individual, corporation,
9 partnership, firm, organization or association, acting
10 individually or as a group.

11 (c) "Public records" means all records, reports, forms,
12 writings, letters, memoranda, books, papers, maps,
13 photographs, microfilms, cards, tapes, recordings, electronic
14 data processing records, recorded information and all other
15 documentary materials, regardless of physical form or
16 characteristics, having been prepared, or having been or
17 being used, received, possessed or under the control of any
18 public body. "Public records" includes, but is expressly not
19 limited to: (i) administrative manuals, procedural rules,
20 and instructions to staff, unless exempted by Section 7(p) of
21 this Act; (ii) final opinions and orders made in the
22 adjudication of cases, except an educational institution's
23 adjudication of student or employee grievance or disciplinary
24 cases; (iii) substantive rules; (iv) statements and
25 interpretations of policy which have been adopted by a public
26 body; (v) final planning policies, recommendations, and
27 decisions; (vi) factual reports, inspection reports, and
28 studies whether prepared by or for the public body; (vii) all
29 information in any account, voucher, or contract dealing with
30 the receipt or expenditure of public or other funds of public
31 bodies; (viii) the names, salaries, titles, and dates of
32 employment of all employees and officers of public bodies;
33 (ix) materials containing opinions concerning the rights of
34 the state, the public, a subdivision of state or a local

1 government, or of any private persons; (x) the name of every
2 official and the final records of voting in all proceedings
3 of public bodies; (xi) applications for any contract, permit,
4 grant, or agreement except as exempted from disclosure by
5 subsection (g) of Section 7 of this Act; (xii) each report,
6 document, study, or publication prepared by independent
7 consultants or other independent contractors for the public
8 body; (xiii) all other information required by law to be made
9 available for public inspection or copying; (xiv) information
10 relating to any grant or contract made by or between a public
11 body and another public body or private organization; (xv)
12 waiver documents filed with the State Superintendent of
13 Education or the president of the University of Illinois
14 under Section 30-12.5 of the School Code, concerning nominees
15 for General Assembly scholarships under Sections 30-9, 30-10,
16 and 30-11 of the School Code; (xvi) complaints, results of
17 complaints, and Department of Children and Family Services
18 staff findings of licensing violations at day care
19 facilities, provided that personal and identifying
20 information is not released; and (xvii) records, reports,
21 forms, writings, letters, memoranda, books, papers, and other
22 documentary information, regardless of physical form or
23 characteristics, having been prepared, or having been or
24 being used, received, possessed, or under the control of the
25 Illinois Sports Facilities Authority dealing with the receipt
26 or expenditure of public funds or other funds of the
27 Authority in connection with the reconstruction, renovation,
28 remodeling, extension, or improvement of all or substantially
29 all of an existing "facility" as that term is defined in the
30 Illinois Sports Facilities Authority Act.

31 (d) "Copying" means the reproduction of any public
32 record by means of any photographic, electronic, mechanical
33 or other process, device or means.

34 (e) "Head of the public body" means the president,

1 mayor, chairman, presiding officer, director, superintendent,
2 manager, supervisor or individual otherwise holding primary
3 executive and administrative authority for the public body,
4 or such person's duly authorized designee.

5 (f) "News media" means a newspaper or other periodical
6 issued at regular intervals, a news service, a radio station,
7 a television station, a community antenna television service,
8 or a person or corporation engaged in making news reels or
9 other motion picture news for public showing.

10 (Source: P.A. 90-144, eff. 7-23-97; 90-670, eff. 7-31-98;
11 91-935, eff. 6-1-01.)

12 Section 15. The Children and Family Services Act is
13 amended by changing Section 5.15 as follows:

14 (20 ILCS 505/5.15)

15 Sec. 5.15. Daycare; Department of Human Services.

16 (a) For the purpose of ensuring effective statewide
17 planning, development, and utilization of resources for the
18 day care of children, operated under various auspices, the
19 Department of Human Services is designated to coordinate all
20 day care activities for children of the State and shall
21 develop or continue, and shall update every year, a State
22 comprehensive day-care plan for submission to the Governor
23 that identifies high-priority areas and groups, relating them
24 to available resources and identifying the most effective
25 approaches to the use of existing day care services. The
26 State comprehensive day-care plan shall be made available to
27 the General Assembly following the Governor's approval of
28 the plan.

29 The plan shall include methods and procedures for the
30 development of additional day care resources for children to
31 meet the goal of reducing short-run and long-run dependency
32 and to provide necessary enrichment and stimulation to the

1 education of young children. Recommendations shall be made
2 for State policy on optimum use of private and public, local,
3 State and federal resources, including an estimate of the
4 resources needed for the licensing and regulation of day care
5 facilities.

6 A written report shall be submitted to the Governor and
7 the General Assembly annually on April 15. The report shall
8 include an evaluation of developments over the preceding
9 fiscal year, including cost-benefit analyses of various
10 arrangements. Beginning with the report in 1990 submitted by
11 the Department's predecessor agency and every 2 years
12 thereafter, the report shall also include the following:

13 (1) An assessment of the child care services, needs
14 and available resources throughout the State and an
15 assessment of the adequacy of existing child care
16 services, including, but not limited to, services
17 assisted under this Act and under any other program
18 administered by other State agencies.

19 (2) A survey of day care facilities to determine
20 the number of qualified caregivers, as defined by rule,
21 attracted to vacant positions and any problems
22 encountered by facilities in attracting and retaining
23 capable caregivers. The report shall include an
24 assessment, based on the survey, of improvements in
25 employee benefits that may attract capable caregivers.

26 (3) The average wages and salaries and fringe
27 benefit packages paid to caregivers throughout the State,
28 computed on a regional basis, compared to similarly
29 qualified employees in other but related fields.

30 (4) The qualifications of new caregivers hired at
31 licensed day care facilities during the previous 2-year
32 period.

33 (5) Recommendations for increasing caregiver wages
34 and salaries to ensure quality care for children.

1 (6) Evaluation of the fee structure and income
2 eligibility for child care subsidized by the State.

3 The requirement for reporting to the General Assembly
4 shall be satisfied by filing copies of the report with the
5 Speaker, the Minority Leader, and the Clerk of the House of
6 Representatives, the President, the Minority Leader, and the
7 Secretary of the Senate, and the Legislative Research Unit,
8 as required by Section 3.1 of the General Assembly
9 Organization Act, and filing such additional copies with the
10 State Government Report Distribution Center for the General
11 Assembly as is required under paragraph (t) of Section 7 of
12 the State Library Act.

13 (b) The Department of Human Services shall establish
14 policies and procedures for developing and implementing
15 interagency agreements with other agencies of the State
16 providing child care services or reimbursement for such
17 services. The plans shall be annually reviewed and modified
18 for the purpose of addressing issues of applicability and
19 service system barriers.

20 (c) In cooperation with other State agencies, the
21 Department of Human Services shall develop and implement, or
22 shall continue, a resource and referral system for the State
23 of Illinois either within the Department or by contract with
24 local or regional agencies. Funding for implementation of
25 this system may be provided through Department appropriations
26 or other inter-agency funding arrangements. The resource and
27 referral system shall provide at least the following
28 services:

29 (1) Assembling and maintaining a data base on the
30 supply of child care services.

31 (2) Providing information and referrals for
32 parents.

33 (3) Coordinating the development of new child care
34 resources.

1 (4) Providing technical assistance and training to
2 child care service providers.

3 (5) Recording and analyzing the demand for child
4 care services.

5 (d) The Department of Human Services shall conduct day
6 care planning activities with the following priorities:

7 (1) Development of voluntary day care resources
8 wherever possible, with the provision for grants-in-aid
9 only where demonstrated to be useful and necessary as
10 incentives or supports. By January 1, 2002, the
11 Department shall design a plan to create more child care
12 slots as well as goals and timetables to improve quality
13 and accessibility of child care.

14 (2) Emphasis on service to children of recipients
15 of public assistance when such service will allow
16 training or employment of the parent toward achieving the
17 goal of independence.

18 (3) (Blank). ~~Maximum-employment--of--recipients--of~~
19 ~~public-assistance-in-day-care-centers-and-day-care-homes,~~
20 ~~operated--in--conjunction--with--short-term-work-training~~
21 ~~programs.~~

22 (4) Care of children from families in stress and
23 crises whose members potentially may become, or are in
24 danger of becoming, non-productive and dependent.

25 (5) Expansion of family day care facilities
26 wherever possible.

27 (6) Location of centers in economically depressed
28 neighborhoods, preferably in multi-service centers with
29 cooperation of other agencies. The Department shall
30 coordinate the provision of grants, but only to the
31 extent funds are specifically appropriated for this
32 purpose, to encourage the creation and expansion of
33 child care centers in high need communities to be issued
34 by the State, business, and local governments.

1 (7) Use of existing facilities free of charge or
2 for reasonable rental whenever possible in lieu of
3 construction.

4 (8) Development of strategies for assuring a more
5 complete range of day care options, including provision
6 of day care services in homes, in schools, or in centers,
7 which will enable a parent or parents to complete a
8 course of education or obtain or maintain employment and
9 the creation of more child care options for swing shift,
10 evening, and weekend workers and for working women with
11 sick children. The Department shall encourage companies
12 to provide child care in their own offices or in the
13 building in which the corporation is located so that
14 employees of all the building's tenants can benefit from
15 the facility.

16 (9) Development of strategies for subsidizing
17 students pursuing degrees in the child care field.

18 (10) Continuation and expansion of service programs
19 that assist teen parents to continue and complete their
20 education.

21 Emphasis shall be given to support services that will
22 help to ensure such parents' graduation from high school and
23 to services for participants in any programs the-Prejeet
24 ~~Chance-program~~ of job training conducted by the Department.

25 (e) The Department of Human Services shall actively
26 stimulate the development of public and private resources at
27 the local level. It shall also seek the fullest utilization
28 of federal funds directly or indirectly available to the
29 Department.

30 Where appropriate, existing non-governmental agencies or
31 associations shall be involved in planning by the Department.

32 (f) To better accommodate the child care needs of low
33 income working families, especially those who receive
34 Temporary Assistance for Needy Families (TANF) or who are

1 transitioning from TANF to work, or who are at risk of
2 depending on TANF in the absence of child care, the
3 Department shall complete a study using outcome-based
4 assessment measurements to analyze the various types of child
5 care needs, including but not limited to: child care homes;
6 child care facilities; before and after school care; and
7 evening and weekend care. Based upon the findings of the
8 study, the Department shall develop a plan by April 15, 1998,
9 that identifies the various types of child care needs within
10 various geographic locations. The plan shall include, but
11 not be limited to, the special needs of parents and guardians
12 in need of non-traditional child care services such as early
13 mornings, evenings, and weekends; the needs of very low
14 income families and children and how they might be better
15 served; and strategies to assist child care providers to meet
16 the needs and schedules of low income families.

17 (Source: P.A. 89-507, eff. 7-1-97; 90-236, eff. 7-28-97;
18 90-590, eff. 1-1-99.)

19 Section 20. The Child Death Review Team Act is amended
20 by changing Sections 10, 15, 30, and 35 and by adding Section
21 40 as follows:

22 (20 ILCS 515/10)

23 Sec. 10. Definitions. As used in this Act, unless the
24 context requires otherwise:

25 "Child" means any person under the age of 18 years unless
26 legally emancipated by reason of marriage or entry into a
27 branch of the United States armed services.

28 "Department" means the Department of Children and Family
29 Services.

30 "Director" means the Director of Children and Family
31 Services.

32 "Executive Council" means the Illinois Child Death Review

1 Teams Executive Council.

2 (Source: P.A. 90-239, eff. 7-28-97.)

3 (20 ILCS 515/15)

4 Sec. 15. Child death review teams; establishment.

5 (a) The Director, in consultation with the Executive
6 Council, law enforcement, and other professionals who work in
7 the field of investigating, treating, or preventing child
8 abuse or neglect in that subregion, shall appoint members to
9 a child death review team in each of the Department's
10 administrative subregions of the State outside Cook County
11 and at least one child death review team in Cook County. The
12 members of a team shall be appointed for 2-year terms and
13 shall be eligible for reappointment upon the expiration of
14 the terms.

15 (b) Each child death review team shall consist of at
16 least one member from each of the following categories:

17 (1) Pediatrician or other physician knowledgeable
18 about child abuse and neglect.

19 (2) Representative of the Department.

20 (3) State's attorney or State's attorney's
21 representative.

22 (4) Representative of a local law enforcement
23 agency.

24 (5) Psychologist or psychiatrist.

25 (6) Representative of a local health department.

26 (7) Representative of a school district or other
27 education or child care interests.

28 (8) Coroner or forensic pathologist.

29 (9) Representative of a child welfare agency or
30 child advocacy organization.

31 (10) Representative of a local hospital, trauma
32 center, or provider of emergency medical services.

33 Each child death review team may make recommendations to

1 the Director concerning additional appointments.

2 Each child death review team member must have
3 demonstrated experience and an interest in investigating,
4 treating, or preventing child abuse or neglect.

5 (c) Each child death review team shall select a
6 chairperson from among its members. The chairperson shall
7 also serve on the Illinois Child Death Review Teams Executive
8 Council.

9 (Source: P.A. 88-614, eff. 9-7-94.)

10 (20 ILCS 515/30)

11 Sec. 30. Public access to information.

12 (a) Meetings of the child death review teams and the
13 Executive Council shall be closed to the public. Meetings of
14 the child death review teams and the Executive Council are
15 not subject to the Open Meetings Act (5 ILCS 120/1-~~et~~--seq-),
16 as provided in that Act.

17 (b) Records and information provided to a child death
18 review team and the Executive Council, and records maintained
19 by a team or the Executive Council, are confidential and not
20 subject to the Freedom of Information Act (5 ILCS 140/1-~~et~~
21 seq-), as provided in that Act.

22 Nothing contained in this subsection (b) prevents the
23 sharing or disclosure of records, other than those produced
24 by a Child Death Review Team or the Executive Council,
25 relating or pertaining to the death of a minor under the care
26 of or receiving services from the Department of Children and
27 Family Services and under the jurisdiction of the juvenile
28 court with the juvenile court, the State's Attorney, and the
29 minor's attorney.

30 (c) Members of a child death review team and the
31 Executive Council are not subject to examination, in any
32 civil or criminal proceeding, concerning information
33 presented to members of the team or the Executive Council or

1 opinions formed by members of the team or the Executive
2 Council based on that information. A person may, however, be
3 examined concerning information provided to a child death
4 review team or the Executive Council that is otherwise
5 available to the public.

6 (d) Records and information produced by a child death
7 review team and the Executive Council are not subject to
8 discovery or subpoena and are not admissible as evidence in
9 any civil or criminal proceeding. Those records and
10 information are, however, subject to discovery or a subpoena,
11 and are admissible as evidence, to the extent they are
12 otherwise available to the public.

13 (Source: P.A. 90-15, eff. 6-13-97)

14 (20 ILCS 515/35)

15 Sec. 35. Indemnification. The State shall indemnify and
16 hold harmless members of a child death review team and the
17 Executive Council for all their acts, omissions, decisions,
18 or other conduct arising out of the scope of their service on
19 the team or Executive Council, except those involving willful
20 or wanton misconduct. The method of providing
21 indemnification shall be as provided in the State Employee
22 Indemnification Act (5 ILCS 350/1 et seq.).

23 (Source: P.A. 88-614, eff. 9-7-94.)

24 (20 ILCS 515/40 new)

25 Sec. 40. Illinois Child Death Review Teams Executive
26 Council.

27 (a) The Illinois Child Death Review Teams Executive
28 Council, consisting of the chairpersons of the 9 child death
29 review teams in Illinois, is the coordinating and oversight
30 body for child death review teams and activities in Illinois.
31 The vice-chairperson of a child death review team, as
32 designated by the chairperson, may serve as a back-up member

1 or an alternate member of the Executive Council, if the
2 chairperson of the child death review team is unavailable to
3 serve on the Executive Council. The Inspector General of the
4 Department, ex officio, is a non-voting member of the
5 Executive Council. The Director may appoint to the Executive
6 Council any ex-officio members deemed necessary. Persons
7 with expertise needed by the Executive Council may be invited
8 to meetings. The Executive Council must select from its
9 members a chairperson and a vice-chairperson, each to serve a
10 2-year, renewable term.

11 The Executive Council must meet at least 4 times during
12 each calendar year.

13 (b) The Department must provide or arrange for the staff
14 support necessary for the Executive Council to carry out its
15 duties. The Director, in cooperation and consultation with
16 the Executive Council, shall appoint, reappoint, and remove
17 team members.

18 (c) The Executive Council has, but is not limited to,
19 the following duties:

20 (1) To serve as the voice of child death review
21 teams in Illinois.

22 (2) To oversee the regional teams in order to
23 ensure that the teams' work is coordinated and in
24 compliance with the statutes and the operating protocol.

25 (3) To ensure that the data, results, findings, and
26 recommendations of the teams are adequately used to make
27 any necessary changes in the policies, procedures, and
28 statutes in order to protect children in a timely manner.

29 (4) To collaborate with the General Assembly, the
30 Department, and others in order to develop any
31 legislation needed to prevent child fatalities and to
32 protect children.

33 (5) To assist in the development of quarterly and
34 annual reports based on the work and the findings of the

1 teams.

2 (6) To ensure that the regional teams' review
3 processes are standardized in order to convey data,
4 findings, and recommendations in a usable format.

5 (7) To serve as a link with child death review
6 teams throughout the country and to participate in
7 national child death review team activities.

8 (8) To develop an annual statewide symposium to
9 update the knowledge and skills of child death review
10 team members and to promote the exchange of information
11 between teams.

12 (9) To provide the child death review teams with
13 the most current information and practices concerning
14 child death review and related topics.

15 (10) To perform any other functions necessary to
16 enhance the capability of the child death review teams to
17 reduce and prevent child injuries and fatalities.

18 (d) In any instance when a child death review team does
19 not operate in accordance with established protocol, the
20 Director, in consultation and cooperation with the Executive
21 Council, must take any necessary actions to bring the team
22 into compliance with the protocol.

23 Section 25. The Department of State Police Law of the
24 Civil Administrative Code of Illinois is amended by adding
25 Section 2605-480 as follows:

26 (20 ILCS 2605/2605-480 new)

27 Sec. 2605-480. Statewide kidnapping alert program. The
28 Department of State Police shall develop a coordinated
29 program for a statewide emergency alert system when a child
30 is missing or kidnapped.

31 Section 95. No acceleration or delay. Where this Act

1 makes changes in a statute that is represented in this Act by
2 text that is not yet or no longer in effect (for example, a
3 Section represented by multiple versions), the use of that
4 text does not accelerate or delay the taking effect of (i)
5 the changes made by this Act or (ii) provisions derived from
6 any other Public Act.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law."