

AN ACT concerning State government.

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

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

(20 ILCS 521/5)

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

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

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

(3) To receive adequate and healthy food, adequate clothing, and, for youth in group homes, residential treatment facilities, and foster homes, an allowance.

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

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

(6) To contact family members, unless prohibited by court order, and social workers, attorneys, foster youth

advocates and supporters, Court Appointed Special Advocates (CASAs), and probation officers.

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

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

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

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

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

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

(13) To attend school and participate in

extracurricular, cultural, and personal enrichment activities, consistent with the child's age and developmental level, with minimal disruptions to school attendance and educational stability.

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

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

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

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

(18) To have storage space for private use.

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

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

(21) To be free from unreasonable searches of personal

belongings.

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

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

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

(25) To have caregivers and child welfare personnel who have received instruction on cultural competency and sensitivity relating to, and best practices for, providing adequate care to lesbian, gay, bisexual, and transgender youth in out-of-home care.

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

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

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

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

(30) To participate in an age and developmentally appropriate intake process immediately after placement in the custody or guardianship of the Department. During the intake process, the Department shall provide the youth with a document describing inappropriate acts of affection, discipline, and punishment by guardians, foster parents, foster siblings, or any other adult responsible for the youth's welfare. The Department shall review and discuss the document with the child. The Department must document completion of the intake process in the child's records as well as giving a copy of the document to the child.

(31) To participate in appropriate intervention and

counseling services after removal from the home of origin in order to assess whether the youth is exhibiting signs of traumatic stress, special needs, or mental illness.

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

(33) To be enrolled in an independent living services program prior to transitioning out of foster care where the youth will receive classes and instruction, appropriate to the youth's age and developmental capacity, on independent living and self-sufficiency in the areas of employment, finances, meals, and housing as well as help in developing life skills and long-term goals.

(34) To be assessed by a third-party entity or agency prior to enrollment in any independent living services program in order to determine the youth's readiness for a

transition out of foster care based on the youth's individual needs, emotional development, and ability, regardless of age, to make a successful transition to adulthood.

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