

1 TITLE 89: SOCIAL SERVICES
2 CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
3 SUBCHAPTER a: SERVICE DELIVERY
4

5 PART 315
6 PERMANENCY PLANNING
7

8 SUBPART A: PRINCIPLES OF PERMANENCY PLANNING
9

| | | |
|----|---------|---|
| 10 | Section | |
| 11 | 315.10 | Purpose |
| 12 | 315.20 | Definitions |
| 13 | 315.30 | Best Interests Health and Safety of the Child |
| 14 | 315.40 | Accountability |
| 15 | 315.45 | The Need for a Permanent Home |
| 16 | 315.50 | Reasonable Efforts/Reasonable Progress |
| 17 | 315.60 | The Child's Sense of Time |
| 18 | 315.70 | The Critical Decisions |
| 19 | 315.80 | Components of the Permanency Planning Process |
| 20 | | |

21 SUBPART B: ASSESSMENT AND OTHER CASEWORK ACTIVITIES
22

| | | |
|----|---------|--|
| 23 | Section | |
| 24 | 315.100 | Assessment |
| 25 | 315.110 | Worker Interventions and Contacts |
| 26 | 315.120 | Family Meetings |
| 27 | 315.125 | Preservation of Sibling Relationships |
| 28 | 315.130 | Developing the Service -Case Plan |
| 29 | 315.140 | Distributing the Service -Case Plan |
| 30 | 315.150 | Revising the Service Plan |
| 31 | 315.160 | Case Reviews and Court Hearings |
| 32 | | |

33 SUBPART C: SELECTING THE PERMANENCY GOAL
34

| | | |
|----|---------|---|
| 35 | Section | |
| 36 | 315.200 | Selection of the Permanency Goal |
| 37 | 315.205 | Return Home Within Five Months |
| 38 | 315.210 | Return Home Within One Year |
| 39 | 315.215 | Return Home Pending Status Hearing |
| 40 | 315.220 | Substitute Care Pending Court Determination on Termination of Parental Rights |
| 41 | 315.225 | Adoption |
| 42 | 315.230 | Guardianship |
| 43 | 315.235 | Independence |

- 44 315.240 Cannot Be Provided for in a Home Environment
- 45 315.241 Continuing Foster Care
- 46 315.245 Concurrent Planning
- 47 315.250 Applicability of Reunification Services

48

49

SUBPART D: EVALUATION AND DECISIONMAKING

50

51 Section

- 52 315.300 Evaluating Whether Children in Placement Should Be Returned Home
- 53 315.305 When Reunification Is Inappropriate
- 54 315.310 Termination of Services and Planning for Aftercare

55

56 AUTHORITY: Implementing and authorized by the Children and Family Services Act [20 ILCS
57 505], the Abused and Neglected Child Reporting Act [325 ILCS 5], the Adoption Assistance
58 and Child Welfare Act of 1980, amending Section 475 of the Social Security Act (42 USCA 670
59 et seq.), the Juvenile Court Act of 1987 [705 ILCS 405], and the Adoption Act [750 ILCS 50].

60

61 SOURCE: Adopted at 23 Ill. Reg. 2539, effective February 1, 1999; amended at 25 Ill. Reg.
62 11785, effective September 14, 2001; amended at 26 Ill. Reg. 7720, effective May 24, 2002;
63 amended at 26 Ill. Reg. 11765, effective August 1, 2002; amended at 28 Ill. Reg. 8465, effective
64 June 4, 2004; amended at 32 Ill. Reg. 8103, effective May 30, 2008; amended at 35 Ill. Reg.
65 14934, effective September 1, 2011; amended at 36 Ill. Reg. 4073, effective March 5, 2012;
66 expedited correction at 37 Ill. Reg. 19431, effective March 5, 2012; amended at 40 Ill. Reg. 743,
67 effective December 31, 2015; amended at 40 Ill. Reg. 7754, effective May 16, 2016; amended at
68 42 Ill. Reg. 2204, effective January 17, 2018; amended at 48 Ill. Reg. _____, effective
69 _____.

70

71

SUBPART B: ASSESSMENT AND OTHER CASEWORK ACTIVITIES

72

73 **Section 315.130 Developing the ~~Service~~-Case Plan**

74

75 Based on the information gathered during the assessment process described in Section 315.100
76 and through negotiation during the caseworker's contacts, visits, and at the initial family meeting,
77 the caseworker and family shall develop a plan of intervention that is based on the family's
78 strengths and needs and that addresses how the children's needs for health and safety will be met.

79

80 a) Purpose of the ~~Service~~-Case Plan

81 The ~~service-case~~ plan is a written plan that is established between the Department
82 and the children and family served, and any involved service providers. The
83 purpose of the ~~service-case~~ plan is to:

84

- 85 1) formulate goals for the child based on the child's needs for health, safety,
86 and well-being that were identified during the assessment process;

87

- 88 2) identify what actions the family, the caseworker, caregiver, and others will
 89 take to meet the needs of the child and achieve permanency;
 90
 91 3) identify what additional interventions and services will be provided to the
 92 family, the caregiver, and the child in order to meet the child's needs and
 93 achieve permanency; and
 94
 95 4) ensure that the parents and children have frequent visitation and contact
 96 with one another, and that sibling groups develop and/or preserve their
 97 relationships.
 98
- 99 b) State and Federal Requirement
 100 ~~Service-Case~~ plans are required by ~~State~~ the Children and Family Services Act
 101 [20 ILCS 505/6a] and ~~Federal law~~ the Social Security Act (42 ~~USCA~~ U.S.C. 675)
 102 regardless of whether the child and family are served directly by the Department
 103 or through purchase of service providers. The ~~service-case~~ plan must ensure that
 104 the health and safety of the child are the paramount concerns that guide all
 105 service, placement, and planning provisions.
 106
- 107 c) Time Frames
 108
 109 1) Visitation and Contact Plan. The initial Visitation and Contact Plan shall
 110 be completed by the siblings' caseworkers, foster parents and
 111 children/siblings and forwarded to the juvenile court no later than 10 days
 112 after the award of temporary custody when the child has siblings who are
 113 also in substitute care. The Visitation and Contact Plan shall be reviewed
 114 by the caseworker regularly and changed and updated as specified in 89
 115 Ill. Adm. Code 301.220 (Sibling Visitation).
 116
 117 2) ~~Service-Case~~ Plan. The initial ~~service-case~~ plan shall be completed by the
 118 caseworker and forwarded to the juvenile court no later than 45 days after
 119 placement and must be reviewed at least once every six months thereafter.
 120 The ~~service-case~~ plan shall be changed and updated as the child and
 121 family's situation changes and shall be reviewed regularly as specified in
 122 Section 315.150 (Revising the ~~Service-Case~~ Plan).
 123
- 124 d) Contents of the ~~Service-Case~~ Plan
 125 ~~Service-Case~~ plans shall contain the following information:
 126
 127 1) ~~The~~ The names of the children for whom the Department is legally
 128 responsible or to whom the Department is providing services;
 129
 130 2) ~~The~~ The health and safety factors that have resulted in placement of the

- 131 children away from the family home and an identification of any problems
132 that are causing continued placement of the children away from the home;
133
134 3) ~~What~~^{what} outcomes would be considered a resolution to these problems
135 and the strengths the family possesses to achieve these outcomes;
136
137 4) A description of the type of placement, the reasons for the out of home
138 placement; ~~and~~ the reason why the child has been put in ~~his or her~~^{their}
139 current placement, the resources or other support that will be necessary to
140 maintain the placement; ~~and~~, where a residential placement has been
141 deemed necessary, a description of how and when a plan for moving the
142 child to the least restrictive, most homelike placement consistent with the
143 child's best interest can be developed;
144
145 5) ~~The~~^{the} services to be provided to the parents, for each child while in care,
146 and the foster parents (if necessary, when the child is placed in foster care)
147 that may best resolve these problems;
148
149 6) ~~The~~^{the} health care to be provided to the child and the mental health care to
150 be provided to address the child's serious mental health needs as well as a
151 description of the child's physical, developmental, educational or mental
152 disability and any non-educational specialized services the child is
153 receiving or should receive for each disability. If an Individual Treatment
154 Plan (ITP) or Rehabilitative Services Plan exists for the child, it shall be
155 attached to the ~~service~~^{case} plan. To the extent available and accessible,
156 the ~~service~~^{case} plan shall incorporate the health records of the child,
157 including:
158
159 A) the names and addresses of the child's health provider;
160
161 B) a record of the child's immunizations;
162
163 C) the child's known medical problems; and
164
165 D) the child's medications;
166
167 7) ~~A~~^a description of the educational program/services the child is receiving
168 or needs to receive (including information regarding Early Intervention,
169 Head Start, or Pre-Kindergarten services for preschool children). To for
170 ensure educational stability, the placement should take into account the
171 appropriateness and proximity to the child's school, and if unable to
172 remain in the same school, a plan for enrolling in the new school. If an
173 Individualized Education Plan (IEP) or an Individualized Family Service

- 174 Plan (IFSP) exists for a child, the IEP or IFSP shall be included in the
 175 record. To the extent available and accessible, the ~~service~~-case plan shall
 176 incorporate the education records of the child, including:
 177
- 178 A) the names and addresses of the child's educational providers;
 - 179
 - 180 B) the child's grade level performance; and
 - 181
 - 182 C) the child's school record;
 - 183
 - 184 8) ~~Who~~who will provide the services, how often they will be provided, and
 185 an explanation of why these services will meet the needs of the child;
 - 186
 - 187 9) ~~If~~if children placed out of the parents' home are placed a substantial
 188 distance (more than 150 miles) from the home of the parents or in a
 189 different state, the reasons why the placement is in the best interests of the
 190 children;
 - 191
 - 192 10) ~~If~~if children placed out of the parents' home are placed in a different state,
 193 a requirement that the child be visited periodically, but not less frequently
 194 than every six months by a caseworker of the Department or of the state in
 195 which the child has been placed, as required in Section 315.110 (Worker
 196 Interventions and Contacts);
 - 197
 - 198 11) ~~If~~if siblings are placed apart from one another, the reasons why they are
 199 placed apart and what efforts have been and are being made to find a joint
 200 placement for the sibling group;
 - 201
 - 202 12) ~~The~~the permanency goal for each child and the reason for selecting the
 203 goal;
 - 204
 - 205 13) ~~In~~in the case of a child for whom the permanency plan is adoption or other
 206 permanent living arrangement, documentation of the steps the Department
 207 is taking to find an adoptive family or other permanent living
 208 arrangement;
 - 209
 - 210 14) ~~In~~in the case of a child for whom the permanency plan is independence or
 211 for a child 16 years of age or older, as appropriate, a written description of
 212 the programs and services that will help ~~such a~~the child prepare for the
 213 transition from foster care to independent living;
 - 214
 - 215 15) ~~The~~the responsibilities of the family and the child (when appropriate) in
 216 fulfilling the ~~service~~-case plan;

- 217
 218
 219
 220
 221
 222
 223
 224
 225
 226
 227
 228
 229
 230
 231
 232
 233
 234
 235
 236
 237
 238
 239
 240
 241
 242
 243
 244
 245
 246
 247
 248
 249
 250
 251
 252
 253
 254
 255
 256
 257
 258
 259
- 16) ~~The~~the responsibilities of the Department and purchase of service providers, if any, to assist the family in fulfilling the ~~service~~ case plan;
 - 17) ~~When~~when children and families are separated and a court order does not prohibit visitation, ~~the~~a parent-child and/or ~~sibling~~ Sibling Visitation ~~Visitation~~ and Contact Plan, ~~developed with the family~~ in accordance with 89 Ill. Adm. Code 301 ~~(Placement and Visitation Services)~~, ~~if visitation and contact is not prohibited by court order~~. (See Rule 301, Placement and Visitation Services). This plan shall include the time and place of visits, the frequency of visits, the length of visits, and who shall be present at the visits. The plan shall also note the permissible modes of communication siblings may use between visits to stay in contact with one another;
 - 18) ~~Whether~~whether the name, address, and telephone number of the foster parent/relative caregiver may be released to the parent as determined by the assessment conducted in accordance with Section 315.100(b)(3);
 - 19) ~~The~~the time frames for achieving the permanency goal and the objectives to resolve identified problems and the specification of any consequences to the child and family if the time frames are not met;
 - 20) ~~A~~a statement that the parents or children may disagree with the ~~service~~ case plan and that they may have their disagreement recorded; ~~and~~
 - 21) ~~An~~an explanation of how parents or children may request an appeal and fair hearing; ~~and~~ and
- e) Child and Family Teams shall be used when developing the case plan and shall include:
- 1) A statement of the reasonable and good faith effort of the Department to identify and include all the individuals described in 42 U.S.C. 675a(c)(1)(B)(ii) on the child's family and permanency team; (42 U.S.C. 675a(c)(1)(B)(iii)(I))
 - 2) All contact information for members of the family and permanency team, as well as contact information for other family members and fictive kin who are not part of the family and permanency team unless prohibited by provisions found in Section 315.100(b)(3); (42 U.S.C. 675a(c)(1)(B)(iii)(II))

- 260 3) Evidence that meetings of the family and permanency team, including
261 meetings relating to the assessment required under 42 U.S.C.
262 675a(c)(1)(A), are held at a time and place convenient for family; (42
263 U.S.C. 675a(c)(1)(B)(iii)(III))
- 264
- 265 4) If reunification is the goal, evidence demonstrating that the parent from
266 whom the child was removed provided input on the members of the family
267 and permanency team; (42 U.S.C. 675a(c)(1)(B)(iii)(IV))
- 268
- 269 5) Evidence that the assessment required under 42 U.S.C. 675a(c)(1)(A) is
270 determined in conjunction with the family and permanency team; (42
271 U.S.C. 675a(c)(1)(B)(iii)(V))
- 272
- 273 6) A statement regarding the placement preferences of the family and
274 permanency team relative to the assessment that recognizes children
275 should be placed with their siblings unless there is a finding by the court
276 that such placement is contrary to their best interest; and (42 U.S.C.
277 675a(c)(1)(B)(iii)(VI))
- 278
- 279 7) If the placement preferences of the family and permanency team and child
280 are not the placement setting recommended by the qualified individual
281 conducting the assessment under 42 U.S.C. 675a(c)(1)(A), the reasons
282 why the preferences of the team and of the child were not recommended.
283 (42 U.S.C. 675a(c)(1)(B)(iii)(VII)).
- 284
- 285

(Source: Amended at 48 Ill. Reg. _____, effective _____)