

TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER b: PROGRAM AND TECHNICAL SUPPORT

PART 329

LOCATING AND RETURNING MISSING, RUNAWAY, AND ABDUCTED CHILDREN

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AUTHORITY: Implementing the Interstate Compact on Juveniles [45 ILCS 10] and authorized by Section 5 of the Children and Family Services Act [20 ILCS 505/5]. Public Law (P.L.) 117-348 – The Trafficking Victims Prevention and Protection Reauthorization Act of 2022; Section 471(a)(35)(B) of the Social Security Act.

SOURCE: Adopted and codified at 5 Ill. Reg. 5521, effective May 27, 1981; amended at 24 Ill. Reg. 15037, effective October 16, 2000; amended at 48 Ill. Reg. _____, effective _____.

Section 329.20 Definitions

"Abducted child", as used in this Part, means a child who has been concealed, detained, or removed from the jurisdiction of the court in violation of a valid court order granting custody to another.

"Child" or "Youth"~~Children for whom the Department is legally responsible~~ means children for whom the Department has temporary protective custody, custody, or guardianship via court order, or children whose parents have signed an adoptive surrender or voluntary placement agreement with the Department; and for this Part only, includes children for whom the Department has an open case file but who have not been removed from the home, children who have run away from foster care and who have not attained 18 years of age or such older age as determined by the Department on an individual basis, and youth who are not in foster care but are receiving transition to adulthood support services.

44 ~~"Missing child" means that a child or youth is absent from the residence of a~~
45 ~~caregiver or the premises of a child care facility without the knowledge or consent~~
46 ~~of the persons responsible for the child's welfare, the whereabouts of the child or~~
47 ~~youth are unknown, and intent to run away has not been established.~~
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49 "Runaway" means that a child or youth has been absent from the residence of a
50 caregiver or the premises of a child care facility without the knowledge or consent
51 of the persons responsible for the child's welfare, the whereabouts of the child or
52 youth are unknown, and intent to run away has been established. If the child or
53 youth has left a note or other indication of intent to run away, he or she shall be
54 considered a "runaway" immediately.
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56 (Source: Amended at 48 Ill. Reg. _____, effective _____)
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58 **Section 329.30 Reporting Missing, Runaway, and Abducted Children**

59 a) Initial Report

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62 1) Whenever a child or youth ~~child, for whom the Department of Children~~
63 ~~and Family Services has legal responsibility,~~ is believed to be missing or
64 on runaway, or to have been abducted, from a placement facility, the
65 caregiver shall report the incident ~~to Department casework staff no later~~
66 ~~than the next business day. If the child is believed to be at risk due to the~~
67 ~~child's age or degree of vulnerability, the caregiver shall report the~~
68 ~~incident~~ immediately to:

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70 A) Department casework staff, if the incident occurs during normal
71 working hours;
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73 B) the State Central Register during after-hours or on weekends.
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75 2) As soon as the ~~child's~~ caseworker learns the child or youth ~~that a child~~ is
76 missing, the worker shall, within 24 hours of notification, verbally notify
77 the local police authorities (city police or sheriff's office) and follow their
78 procedures for reporting a missing child that include filing a missing
79 person's report at the police station in the district in which the minor most
80 recently resided. The worker shall provide as much identifying
81 information about the child or youth as possible to police authorities,
82 including:

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84 A) a photograph of the child or youth; and
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86 B) whether the child or youth's fingerprints are on file with the Illinois

87 State Police;

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89 C) a description of the child or youth's physical features, such as
90 height, weight, sex, ethnicity, race, eye color; and

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92 D) endangerment information, such as the child or youth's pregnancy
93 status, prescription medications, suicidal tendencies, vulnerability
94 to being sex trafficked, and other health or risk factors.

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96 3) After the police report has been made, the worker shall file an unusual
97 incident report (UIR) in accordance with 89 Ill. Adm. Code 331 (Unusual
98 Incidents Involving Department Clients, Employees, and Facilities).

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100 b) Other Reports

101 In addition to the notification required above in subsection (a), within 24 hours of
102 notification, the caseworker shall also notify:

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104 1) the child's or youth's parents, guardian or legal custodian;

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106 2) the juvenile court of jurisdiction; and

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108 3) the National Center for Missing and Exploited Children (NCMEC) and
109 Child Find of America. The worker shall provide as much identifying
110 information about the child as possible to NCMEC authorities, including:-

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112 A) a photograph of the child or youth;

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114 B) whether the child or youth's fingerprints are on file with the Illinois
115 State Police;

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117 C) a description of the child or youth's physical features, such as
118 height, weight, sex, ethnicity, race, eye color; and

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120 D) endangerment information, such as the youth's pregnancy status,
121 prescription medications, suicidal tendencies, vulnerability to
122 being sex trafficked, and other health or risk factors.

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124 c) Required Follow-up Activities

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126 1) After the required notifications, the caseworker shall attempt to locate the
127 child by:

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129 A) Inquiring of the following persons if they have knowledge of the

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possible location of the child or youth:

- i) past known caregivers who have cared for the child or youth for at least six months within the last two years or any other caregivers with whom the child is known to have had a close relationship;
- ii) relatives, including the child's or youth's parents;
- iii) neighbors and landlord of the child's or youth's last known address;
- iv) close friends and classmates of the child or youth, including any known boyfriends or girlfriends;
- v) teachers, counselors, and other personnel at the school that the child last attended, or at other schools the child or youth attended if there is knowledge that the child or youth had a close relationship with persons at that school; and
- vi) other staff of the Department or purchase of service agency who might have knowledge of the possible location of the minor;

- B) reviewing the Public Aid Client Information Systems screen to seek the location of the minor and any other person with whom the caseworker suspects the minor might be living;
- C) inquiring of local emergency shelters and homeless child or youth programs whether they have any information as to the whereabouts of the child or youth; and
- D) requesting any of the persons contacted above to contact the caseworker if they subsequently receive any information about the child's location.

2) The child's or youth's caseworker shall periodically (no less than once per month) check with the local police, NCMEC, and any other~~or~~ appropriate local law enforcement agency on the status of the report. Whenever the caseworker obtains new information that may lead to the whereabouts of the child, the caseworker shall immediately report the information to the local police, NCMEC, and any other~~or~~ appropriate local law enforcement agency.

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- 3) The caseworker shall also keep the court informed of any changes in the child's status.
- 4) At their monthly supervisory meeting the worker and supervisor shall discuss what is being done to locate the missing child and review what steps are being taken.

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

Section 329.40 Return of Missing, Runaway, and Abducted Children ~~for Whom the Department is Legally Responsible~~

- a) When other resources are not available the Department shall arrange for and pay for the return of a child or youth~~children for whom the Department is legally responsible~~ who ~~has~~have been missing, on runaway, or abducted from their parents' or caretakers' homes.
- b) When a child or youth who has been missing, on runaway, or abducted has been found and returned, the child or youth's~~child's~~ caseworker shall:
 - 1) Conduct a thorough follow-up interview with the child or youth to determine the circumstances behind the child's disappearance.
 - 2) Schedule a medical examination for the child or youth within 24 hours.
 - 3) Determine what needs to be done for the resumption of the child or youth's~~child's~~ educational program.
 - 4) Replace any clothing or personal items the child or youth may need, if these have been lost.
 - 5) Inform the local police, NCMEC, any other appropriate local law enforcement agency,~~the National Center for Missing and Exploited Children,~~ and Child Find of America, and all others who were notified of the absence, that the child or youth has been located and share information pertaining to the child or youth's recovery and circumstances related to the recovery.
 - 6) Complete a report of the incident that can be promptly accessed and reviewed if the child disappears again.

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

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Section 329.50 Placement Considerations

When a child or youth who has been missing, on runaway, or abducted has been found and returned, the child or youth's~~child's~~ caseworker shall determine whether the child or youth should be returned to the placement from which the child or youth disappeared or whether a new placement is in the child or youth's~~child's~~ best interests. New placements must comply with the requirements of 89 Ill. Adm. Code 301 (Placement and Visitation Services).

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

Section 329.70 All Other Runaway Children

- a) When no agency, state, or jurisdiction is legally responsible for children who have run away, the Department is to contact the state from which the children have run and request that state to arrange for and pay for the return of the children according to the provisions of the Interstate Compact on Juveniles. If the state from which the children have run away refuses to arrange for or pay for the children's return, the Department shall arrange for and pay for the return of children from Illinois to another state. However, the Department will not arrange for or pay for the return of an Illinois child who is not a child or youth in the Department's care~~for whom the Department is not legally responsible~~ when the child or youth runs away to another locale in Illinois.
- b) Arranging for the Interstate Return of Runaway Children
The Department is authorized to arrange for the return of runaway children between Illinois and another state when:
 - 1) another agency or jurisdiction is not legally responsible for the child;
 - 2) the child or youth will be returned to his state of legal residence and family or other caretaker; and
 - 3) when the child or youth, or an individual speaking on behalf of the child, consents to his/her/their return.
- c) Paying for the Interstate Return of Runaway Children
The Department is authorized to reimburse another agency or jurisdiction for the return of runaway children between Illinois and another state when:
 - 1) the arrangements for the child or youth's~~child's~~ return meet the conditions above; and

259 2) the agency or individual has obtained Department approval for the
260 expenses before they were incurred.

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