

1 AN ACT concerning State government.

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

4 Section 1. Short title. This Act may be cited as the  
5 Advisory Commission on Reducing the Disproportionate  
6 Representation of African-American Children in Foster Care  
7 Act.

8 Section 5. Findings. The General Assembly finds the  
9 following:

10 (1) In 1994 the African-American Family Commission was  
11 created by Executive Order to assist the Department of  
12 Children and Family Services in developing and  
13 implementing programs and public policies that affect the  
14 State's child welfare system.

15 (2) However, in 2004 the Commission was renamed and  
16 its role expanded to focus on the development of services  
17 and programs that aim to strengthen and preserve the  
18 social and economic well-being of African-American  
19 families.

20 (3) This holistic approach to strengthening  
21 African-American families and communities, though  
22 necessary, has yet to adequately address the  
23 disproportionate number of African-American children in

1 foster care.

2 (4) According to a 2017 fact sheet published by Child  
3 Trends, in 2015 African-American children represented 50%  
4 of Illinois' foster care population even though they only  
5 make up 15% of the State's general child population.

6 (5) In contrast, white children represented 38% of the  
7 foster care population in 2015 even though they make up  
8 52% of the State's general child population.

9 (6) Hispanic children are underrepresented in  
10 Illinois' foster care system as they only accounted for 9%  
11 of the foster care population in 2015 despite making up  
12 24% of the general child population.

13 (7) Unfortunately, the disproportionate number of  
14 African-American children in foster care is a national  
15 dilemma.

16 (8) According to an April 13, 2020 report published by  
17 the Annie E. Casey Foundation's KIDS COUNT Data Center,  
18 even though "the share of children who are black and in  
19 foster care remains much smaller than it was nearly a  
20 decade ago . . . black children are still overrepresented  
21 among youth in foster care relative to the general  
22 population" as they account for 23% of all kids in foster  
23 care even though they only represent 14% of the total  
24 child population in the United States.

25 (9) In light of these grim statistics, the General  
26 Assembly finds the need for a separate advisory commission

1           that is exclusively focused on identifying those causes  
2           and factors that contribute to the overrepresentation of  
3           African-American children in Illinois' foster care system  
4           and the policy measures needed to safely reduce the number  
5           of African-American children in foster care and keep them  
6           with their families.

7           Section 10. Advisory Commission on Reducing the  
8           Disproportionate Representation of African-American Children  
9           in Foster Care.

10          (a) The Advisory Commission on Reducing the  
11          Disproportionate Representation of African-American Children  
12          in Foster Care is created and shall have the following  
13          appointed members:

14                 (1) One member appointed by the Governor or his or her  
15                 designee.

16                 (2) One member appointed by the Speaker of the House  
17                 of Representatives or his or her designee.

18                 (3) One member appointed by the Minority Leader of the  
19                 House of Representatives or his or her designee.

20                 (4) One member appointed by the President of the  
21                 Senate or his or her designee.

22                 (5) One member appointed by the Minority Leader of the  
23                 Senate or his or her designee.

24                 (6) The Department on Aging, the Department of  
25                 Children and Family Services, the Department of Human

1 Services, the Department of Juvenile Justice, the  
2 Department of Commerce and Economic Opportunity, the  
3 Department of Healthcare and Family Services, the  
4 Department of Public Health, the State Board of Education,  
5 the Board of Higher Education, the Illinois Community  
6 College Board, the Department of Human Rights, the Capital  
7 Development Board, the Department of Corrections, and the  
8 Department of Labor shall each appoint a liaison to serve  
9 ex officio on the Commission.

10 (7) One member from the Task Force on Strengthening  
11 Child Welfare Workforce for Children and Families.

12 (8) One member from the Child Endangerment Risk  
13 Assessment Protocol Advisory Committee.

14 (9) Two members representing nonprofit organizations  
15 that advocate for African-American children or youth to be  
16 appointed by the Governor or his or her designee.

17 (b) The Governor or his or her designee shall appoint the  
18 chairperson or chairpersons.

19 (c) Each member appointed to the Commission shall have a  
20 working knowledge of Illinois' child welfare system. The  
21 members shall reflect regional representation to ensure that  
22 the needs of African-American families and children throughout  
23 the State of Illinois are met.

24 (d) Members shall be appointed within 60 days after the  
25 effective date of this Act. The Advisory Commission shall hold  
26 its initial meetings within 60 days after at least 50% of the

1 members have been appointed.

2 (e) Vacancies on the Advisory Commission shall be filled  
3 in the same manner as initial appointments. Appointments to  
4 fill vacancies occurring before the expiration of a term shall  
5 be for the remainder of the unexpired term. Members shall  
6 serve without compensation but may be reimbursed for actual  
7 necessary expenses incurred in the performance of their  
8 duties.

9 (f) The Department of Children and Family Services shall  
10 provide administrative support to the Advisory Commission.

11 Section 15. Duties. The Advisory Commission shall be a  
12 coordinating and advocating body that acts on behalf of the  
13 interests of African-American children who are at risk of  
14 placement within the State's child welfare system. The  
15 Advisory Commission shall advise the Governor and the General  
16 Assembly, as well as work directly with State agencies, to  
17 identify those causes and factors that contribute to the  
18 overrepresentation of African-American children in foster  
19 care. In addition, the Advisory Commission shall collaborate  
20 with State agencies and other social services organizations to  
21 develop effective strategies, policies, services, and programs  
22 that are aimed at providing African-American children and  
23 their families with the resources and preventive services they  
24 need to stay out of foster care and the child welfare system  
25 generally. The Advisory Commission shall also assist in the

1 development of child welfare policies and practices that  
2 advance more equitable outcomes for African-American children  
3 and their families who have contact with the Department of  
4 Children and Family Services. In furtherance of these  
5 purposes, the Advisory Commission shall do the following:

6 (1) Regularly track and analyze State and local data  
7 on the racial disproportionality of children in foster  
8 care in order to develop effective policies to prevent  
9 African-American children's placement in foster or  
10 substitute care.

11 (2) Examine and develop strategies and policies to  
12 address the 2018 data released by the University of  
13 Illinois' Children and Family Research Center, School of  
14 Social Work, which showed racial disproportionality during  
15 5 key stages of the child welfare decision-making process:  
16 investigated maltreatment reports; protective custody;  
17 indicated maltreatment reports; entries into substitute  
18 care; and timely exits from substitute care.

19 (3) Assist in the development of cultural competency  
20 training programs for child welfare caseworkers to  
21 eliminate racial bias and cultural misconceptions about  
22 African-American families and communities during the child  
23 welfare decision-making process.

24 (4) Monitor and comment on existing and proposed  
25 legislation that affects African-American children who are  
26 at risk of placement in the child welfare or juvenile

1 justice systems.

2 (5) Identify best practices to safely increase the  
3 number of family or relative placements for  
4 African-American children who enter the child welfare  
5 system.

6 (6) Collaborate with other State agencies and social  
7 services agencies in the development of programs that  
8 improve African-American families access to preventive and  
9 supportive services, including, but not limited to, mental  
10 health and substance use disorder services, medical care,  
11 legal assistance, housing assistance, and family  
12 counseling.

13 Section 20. Reporting requirements. The Advisory  
14 Commission shall submit an initial report on its findings and  
15 recommendations to the Governor and the General Assembly one  
16 year after it convenes its first meeting and every 2 years  
17 thereafter.

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.