



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5097

Introduced 2/8/2024, by Rep. Kimberly Du Buclet

SYNOPSIS AS INTRODUCED:

20 ILCS 505/7.3b new

Amends the Children and Family Services Act. Provides that every youth in care must have a Haircare Plan included in their case plan unless the youth explicitly indicates to the youth's caseworker that a Haircare Plan is not needed due to the youth's ability to maintain haircare without assistance. Provides that a caseworker or placement plan specialist must develop the Haircare Plan in consultation with the youth and parents. Provides that at a minimum, the Haircare Plan must address: (1) necessary haircare steps to be taken to preserve the youth's desired connection to their race, culture, gender, religion, and identity; (2) the desires of the youth as it pertains to the youth's hair; (3) the guidance and desires of the youth's parents, unless the parents cannot be contacted; and (4) steps to be taken specific to the youth's hair during emergency situations, including, but not limited to, lice infestations and scalp rashes and infections. Provides that by June 1, 2025, the Department of Children and Family Services must develop training for caregivers on how to provide culturally competent haircare. Provides that each time a youth is placed with a caregiver, the caregiver must sign a declaration stating that the caregiver has reviewed the training materials and will follow the Haircare Plan for the youth. Requires each Department office location to provide a list of affordable, accessible, and culturally competent haircare providers and resources in each of the Department's geographic regions. Requires the Department to adopt rules, by June 1, 2025, to facilitate the implementation of Haircare Plans.

LRB103 38538 KTG 68674 b

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 5. The Children and Family Services Act is amended
5 by adding Section 7.3b as follows:

6 (20 ILCS 505/7.3b new)

7 Sec. 7.3b. Case plan requirements for hair-related needs
8 of youth in care.

9 (a) Purposes. Hair plays an important role in fostering
10 youths' connection to their race, culture, and identity.
11 Haircare promotes positive messages of self-worth, comfort,
12 and affection. Because these messages typically are developed
13 through interactions with family and community members, it is
14 necessary to establish a framework to ensure that youth in
15 care are not deprived of these messages and that caregivers
16 are adequately prepared to provide culturally competent
17 haircare for youth.

18 (b) Definitions. As used in this Section:

19 (1) "Haircare" means all care related to the
20 maintenance of hair, including, but not limited to, the
21 daily maintenance routine, cutting, styling, or dying of
22 hair.

23 (2) "Race" means those traits associated with race,

1 including, but not limited to, hair texture and protective
2 hairstyles such as braids, locks, and twists.

3 (3) "Culture" means the norms, traditions, and
4 experiences of a person's community that inform that
5 person's daily life and long-term goals.

6 (4) "Identity" means the memories, experiences,
7 relationships, and values that create one's sense of self.
8 This amalgamation creates a steady sense of who one is
9 over time, even as new facets are developed and
10 incorporated into one's identity.

11 (5) "Caregiver" means a person with whom the youth is
12 placed in out-of-home care or a designated official for
13 child care facilities licensed by the Department under the
14 Child Care Act of 1969.

15 (c) Haircare plan. Every youth in care must have a
16 Haircare Plan included in the youth's case plan unless the
17 youth explicitly indicates to the youth's caseworker that a
18 Haircare Plan is not needed due to the youth's ability to
19 maintain haircare without assistance. A caseworker or
20 placement plan specialist must develop the Haircare Plan in
21 consultation with the youth and the youth's parents. At a
22 minimum, the Haircare Plan must address:

23 (1) necessary haircare steps to be taken to preserve
24 the youth's desired connection to their race, culture,
25 gender, religion, and identity;

26 (2) the desires of the youth as it pertains to the

1 youth's hair;

2 (3) the guidance and desires of the youth's parents,
3 unless the parents cannot be contacted; and

4 (4) steps to be taken specific to the youth's hair
5 during emergency situations, including, but not limited
6 to:

7 (A) lice infestations; and

8 (B) scalp rashes and infections.

9 (d) A youth's Haircare Plan must be reviewed at the
10 same time as the case plan review required under Section
11 6a.

12 (e) By June 1, 2025, the Department must develop training
13 for caregivers on how to provide culturally competent
14 haircare. Each time a youth is placed with a caregiver, the
15 caregiver must sign a declaration stating that the caregiver
16 has reviewed the training materials and will follow the
17 Haircare Plan for the youth. Each Department office location
18 must provide a list of affordable, accessible, and culturally
19 competent haircare providers and resources in each of the
20 Department's geographic regions.

21 (f) By June 1, 2025, the Department must adopt rules to
22 facilitate the implementation of Haircare Plans. The rules
23 must address at a minimum, the following:

24 (1) the responsibilities of caseworkers and placement
25 plan specialists in developing the Haircare Plan;

26 (2) a plan for engaging parents regarding the haircare

1 needs of the youth and procedures to follow if the parents
2 cannot be contacted;

3 (3) factors to consider in granting youth increased
4 autonomy over haircare decisions;

5 (4) required culturally competent training
6 incorporated into foster home and residential home
7 licensing processes; and

8 (5) the cost associated with providing haircare and
9 who will be responsible for paying for the youth's
10 haircare under the Haircare Plan.