

AN ACT concerning State government.

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

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

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

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

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

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

foster care.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

members have been appointed.

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

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

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

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

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

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

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

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

justice systems.

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

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

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

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