**Section 301.70 Sibling Placement**

a) It is the policy of the Department to place siblings together unless:

1) it is in the best interests of one or more of the children to be placed apart or to remain apart from his or her siblings;

2) the Department has been unable to locate a joint placement for the siblings, despite a diligent search by the Department as defined in subsection (f);

3) a court has ordered that the siblings be placed apart; or

4) it is in the best interests of the child or his or her siblings to be placed with a relative and the relative is not willing to accept all the children.

b) When the caseworker determines it is in the best interest of one or more siblings in substitute care to be placed apart or to remain apart from his/her siblings, the caseworker shall select a placement where the caregiver is willing and able to be actively involved in supporting the sibling relationship to the extent that doing so is in each child's best interest.

c) When an examination of case records or consultation with the child's parents reveals that a sibling of the child was adopted, was placed in subsidized guardianship, or is emancipated, the caseworker shall determine, in consultation with the child's parents, whether it would be in the child's best interests to explore placement with an adopted sibling, a sibling in guardianship, or an emancipated sibling who is at least 21 years of age. Unless the parent objects, if the caseworker determines it is in the child's best interest to explore the placement, the caseworker shall contact the adoptive parent or guardian of the sibling or emancipated sibling to determine whether that person is willing to be considered as a placement resource for the child and, if so, determine whether it is in the best interests of the child to be placed in the home with the sibling.

d) A determination that it is not in a child's best interest to be placed with a sibling is a critical decision that requires supervisory approval. The decision shall be documented in the child's case record and on the Visitation and Contact Plan.

e) It shall be in the best interests of a child to be placed apart from his or her siblings only if:

1) the child has special medical, educational, behavioral, or emotional needs that require the child to be placed apart from his or her siblings and the child has been placed or accepted at a placement intended to address those needs;

2) the child is at risk of physical, mental, or emotional harm if placed with his or her siblings and the specific risk and the basis for assessing that risk are documented in the child's case file; or

3) placement of the child with his or her siblings would require that the child be removed from a current foster home and it is in the best interests of the child to remain in that foster home rather than move to a joint placement with his or her siblings.

f) A diligent search to locate a joint placement for siblings shall consist of written documentation that:

1) the Department has asked the siblings' parents and known relatives whether there are any relatives who may be willing to become relative foster parents for the siblings;

2) the Department has asked any current foster parents of a child already in Department custody or guardianship whether they can accommodate the child's siblings in accordance with licensing standards; and

3) the Department has asked the adoptive parents or legal guardians of any siblings who were wards of the Department and adopted or placed in legal guardianship whether they can accommodate the child's siblings; and

4) the Department has conducted a search of vacant Department and private agency foster care placements and other appropriate placements within reasonable proximity to the child's home (when the permanency goal is to return home) to identify those placements that can provide a joint placement for the sibling group and that meet the placement requirements for all Department cases as set forth in this Subpart.

g) If siblings have not been placed together at the time the Department is awarded custody of one or more of the siblings, the diligent search to locate a joint placement for siblings shall be conducted:

1) not later than 30 days after the Department is awarded custody of a sibling group or of any child who has a sibling in placement;

2) when the Department changes the placement of any child with a sibling, unless it is in the best interests of the child or sibling to be placed apart, as delineated in subsection (b). Nothing in this Part shall preclude removal of a child from a placement with a sibling when such removal is necessary due to an emergency. An emergency includes but is not limited to situations such as a fire or natural disaster destroying the caregiver's home, behavior on the part of the child which poses a threat to the child or to others in the home, incidents of abuse or neglect which put the child at imminent risk of harm, etc.

h) The placement decision can prove to be critical in the life of a case. When a sibling group must be removed from its home, the Department should do everything in its power to place the children together in substitute care. This includes:

1) Selecting a foster family or relative caregiver who can accept all of the children for placement. This may require the caseworker to conduct a diligent search for family members or a licensed foster family home that will accept all of the children. While it is preferable for children to be placed together in one home, the placing worker shall consider a plan for placement with two or more relatives when the relatives indicate that they are willing and able to develop, nurture and support sibling relationships.

2) Placing step-siblings who enter care together initially, and re-evaluating continued joint placement after the Integrated Assessment.

3) If the children must be separated, identifying relative caregivers or foster family homes that will support frequent sibling contact and visitation.

i) When a child enters substitute care or requires a new placement, the Department shall determine whether a sibling of that child is in the custody or guardianship of the Department.

1) If the Department determines that a sibling is in its custody or guardianship, the Department shall then determine whether it is in the best interests of each of the siblings for the child needing placement to be placed with the sibling.

2) If the Department determines that it is in the best interest of each sibling to be placed together, and the sibling's caregiver is able and willing to care for the child needing placement, the Department shall place the child with the sibling.

j) When siblings are placed apart, the caseworker shall develop a Visitation and Contact Plan.

1) The Visitation and Contact Plan shall set forth future contact and visits between the siblings to develop, preserve and nurture the siblings' relationships. The Plan shall set forth the role of the caregivers and others in implementing contact and visitation among the siblings. The caseworker shall ensure that the Plan meets the minimum standards regarding frequency of in-person visits provided in Sections 301.220 and 301.230.

2) The Department shall document in the Visitation and Contact Plan why the siblings were placed apart and the efforts made to place siblings together.

3) The assigned caseworker shall file the Visitation and Contact Plan with the Juvenile Court within 10 days, excluding weekends and holidays, after temporary custody is awarded to the Department. The initial Visitation and Contact Plan must be filed within 10 days after temporary custody is awarded, whether or not a caseworker has been assigned to the case.

4) The Visitation and Contact Plan shall be modified if one of the children moves to a new placement, or as necessary to meet the needs of the children.

5) The Visitation and Contact Plan may include contact and visitation with other siblings not in the custody or guardianship of the Department, only with the consent and participation of the parent or guardian of those siblings, or the siblings themselves if over 18 years of age.

k) If an entire sibling group is not placed together, the Department shall place as many siblings of the group together as possible, considering their relationship and the best interests of the children.

l) If the Department determines it is not in the best interests of the child to be placed with his or her siblings, the Department shall identify in the child's case plan the reasons why the siblings were placed apart. If siblings have been placed apart pursuant to subsection (a), the Department shall document in the case file the efforts made to place siblings together.

m) If an entire sibling group cannot be placed together, the Department shall make reasonable efforts to place siblings within reasonable proximity to one another, taking into account the placement requirements for all Department cases as set forth in this Part. The Department may place a child at greater distance from his or her siblings if his or her treatment needs require placement farther away.

n) If the Department places siblings apart or siblings remain placed apart after a change in placement, the efforts made to place siblings together and the reasons why the siblings are placed apart shall be documented on the Visitation and Contact Plan and specifically reviewed at the first administrative case review following the placement to ensure compliance with the requirements of this Section.

o) The Department shall provide training for all DCFS and purchase of service permanency workers, and their supervisors and managers, regarding the importance of maintaining sibling relationships, the child's sense of attachment to his/her siblings, the importance of maintaining sibling relationships over the child's lifespan, and the impact on the child if those relationships are severed.

(Source: Amended at 40 Ill. Reg. 666, effective December 31, 2015)