

AN ACT concerning children.

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

Section 5. The Children and Family Services Act is amended by changing Sections 7.3a and 35.10 as follows:

(20 ILCS 505/7.3a)

Sec. 7.3a. Normalcy parenting for children in foster care; participation in childhood activities.

(a) Legislative findings.

(1) Every day parents make important decisions about their child's participation in extracurricular activities. Caregivers for children in out-of-home care are faced with making the same decisions.

(2) When a caregiver makes decisions, he or she must consider applicable laws, rules, and regulations to safeguard the health, safety, and best interests of a child in out-of-home care.

(3) Participation in extracurricular activities is important to a child's well-being, not only emotionally, but also in developing valuable life skills.

(4) The General Assembly recognizes the importance of making every effort to normalize the lives of children in out-of-home care and to empower a caregiver to approve or

not approve a child's participation in appropriate extracurricular activities based on the caregiver's own assessment using the reasonable and prudent parent standard, without prior approval of the Department, the caseworker, or the court.

(5) Nothing in this Section shall be presumed to discourage or diminish the engagement of families and guardians in the child's life activities.

(b) Definitions. As used in this Section:

"Appropriate activities" means activities or items that are generally accepted as suitable for children of the same chronological age or developmental level of maturity. Appropriateness is based on the development of cognitive, emotional, physical, and behavioral capacity that is typical for an age or age group, taking into account the individual child's cognitive, emotional, physical, and behavioral development.

"Caregiver" means a person with whom the child is placed in out-of-home care or a designated official for child care facilities licensed by the Department as defined in the Child Care Act of 1969.

"Reasonable and prudent parent standard" means the standard characterized by careful and sensible parental decisions that maintain the child's health, safety, and best interests while at the same time supporting the child's emotional and developmental growth that a caregiver shall use

when determining whether to allow a child in out-of-home care to participate in extracurricular, enrichment, cultural, and social activities.

(c) Requirements for decision-making.

(1) Each child who comes into the care and custody of the Department is fully entitled to participate in appropriate extracurricular, enrichment, cultural, and social activities in a manner that allows that child to participate in his or her community to the fullest extent possible.

(2) Caregivers must use the reasonable and prudent parent standard in determining whether to give permission for a child in out-of-home care to participate in appropriate extracurricular, enrichment, cultural, and social activities. Caregivers are expected to promote and support a child's participation in such activities. When using the reasonable and prudent parent standard, the caregiver shall consider:

(A) the child's age, maturity, and developmental level to promote the overall health, safety, and best interests of the child;

(B) the best interest of the child based on information known by the caregiver;

(C) the importance and fundamental value of encouraging the child's emotional and developmental growth gained through participation in activities in

his or her community;

(D) the importance and fundamental value of providing the child with the most family-like living experience possible; and

(E) the behavioral history of the child and the child's ability to safely participate in the proposed activity.

(3) A caregiver is not liable for harm caused to a child in out-of-home care who participates in an activity approved by the caregiver, provided that the caregiver has acted as a reasonable and prudent parent in permitting the child to engage in the activity.

(d) Rulemaking. The Department shall adopt, by rule, procedures no later than June 1, 2017 that promote and protect the ability of children to participate in appropriate extracurricular, enrichment, cultural, and social activities.

(e) The Department shall ensure that every youth in care who is entering his or her final year of high school has completed a Free Application for Federal Student Aid form, if applicable, or an application for State financial aid on or after October 1, but no later than November 1, of the youth's final year of high school.

(Source: P.A. 99-839, eff. 8-19-16.)

(20 ILCS 505/35.10)

Sec. 35.10. Documents necessary for adult living. The

Department shall assist a youth in care in identifying and obtaining documents necessary to function as an independent adult prior to the closure of the youth's case to terminate wardship as provided in Section 2-31 of the Juvenile Court Act of 1987. These necessary documents shall include, but not be limited to, any of the following:

- (1) State identification card or driver's license.
- (2) Social Security card.
- (3) Medical records, including, but not limited to, health passport, dental records, immunization records, name and contact information for all current medical, dental, and mental health providers, and a signed certification that the Department provided the youth with education on executing a healthcare power of attorney.
- (4) Medicaid card or other health eligibility documentation.
- (5) Certified copy of birth certificate.
- (6) Any applicable religious documents.
- (7) Voter registration card.
- (8) Immigration, citizenship, or naturalization documentation, if applicable.
- (9) Death certificates of parents, if applicable.
- (10) Life book or compilation of personal history and photographs.
- (11) List of known relatives with relationships, addresses, telephone numbers, and other contact

information, with the permission of the involved relative.

(12) Resume.

(13) Educational records, including list of schools attended, and transcript, high school diploma, or high school equivalency certificate.

(14) List of placements while in care.

(15) List of community resources with referral information, including the Midwest Adoption Center for search and reunion services for former youth in care, whether or not they were adopted, and the Illinois Chapter of Foster Care Alumni of America.

(16) All documents necessary to complete a Free Application for Federal Student Aid form, if applicable, or an application for State financial aid.

If a court determines that a youth in care no longer requires wardship of the court and orders the wardship terminated and all proceedings under the Juvenile Court Act of 1987 respecting the youth in care finally closed and discharged, the Department shall ensure that the youth in care receives a copy of the court's order.

(Source: P.A. 100-680, eff. 1-1-19.)