**Section 309.130 Placement Considerations**

a) Consideration of the Child's Needs

The child's needs and best interests shall be the primary consideration when selecting an adoptive family for a child. The factors to be considered shall include, but are not limited to:

1) the wishes of the child under 14 years of age, who demonstrates the maturity and cognitive ability to participate in the decision;

2) the physical, mental, and emotional needs of the child;

3) the child's need for stability and continuity of relationship with parent figures;

4) the interaction between the child and the prospective adoptive parent;

5) the prospective adoptive parent's ability to meet the physical, mental, and emotional needs of the child;

6) the prospective adoptive parents' ability and willingness to support, maintain and continue to be sensitive to the child's significant relationships with the child's extended family, siblings, and any other significant persons who played an important part in the child's life or to whom the child has established significant emotional ties;

7) the results of an assessment of the child's capacity for attachment conducted in accordance with subsection (b)(7);

8) the consent of a child 14 years of age or older; and

9) the prospective adoptive family's willingness to help and support the child in developing a relationship with his/her siblings, including siblings with whom the child does not yet have a relationship, and recognition of the value of preserving family ties between the child and his/her siblings, including the child's need for stability and continuity of relationships with siblings, and the importance of sibling contact in the development of the child's identity.

b) Other Placement Considerations

The following factors must also be considered when selecting an adoptive placement for a child:

1) Siblings: Sibling groups shall be placed together whenever possible. A decision to place siblings apart shall be based on a carefully documented and reviewed determination that such a separation will be in the best interests of all the siblings involved. While it is preferable for children to be placed together in one home, the Department shall consider a plan for adoptive placement with two or more relatives when the relatives indicate that they are willing and able to develop, nurture and support sibling relationships. When it is not possible to place all of the children together, the Department shall encourage the prospective adoptive families to encourage and facilitate contact among the siblings.

2) Foster Parent Preference: In accordance with the Adoption Act, licensed foster parents who have cared for a child for a continuous period of one year or more shall be given preference and first consideration over all other applicants for the adoption of that child in their home when adoption is the permanency goal, the child is legally free for adoption and adoption is in the child's best interests.

3) Consideration of Relatives: The Department may consider relatives as a potential adoptive resource for children who do not have an identified adoptive resource and are not going to be adopted by their current caregiver.

4) Parenting Capacity of Adoptive Parents: Adoptive parents shall be selected who are likely to retain their parenting capacities or are effectively able to adapt to the needs of the child as they grow, change and develop. Assessments shall include such information as the family's future plans for financial security, child care and supports for child rearing in the event of a significant illness or death of the adoptive parents.

5) Religion: The best interests of the child shall be the prime consideration in the placement of a child for adoption. A child shall be placed, whenever possible, with adoptive parents holding the same religious belief as that of the child. (See 750 ILCS 50/15.)

6) Communication Needs: In the case of a child who is hearing impaired, the child shall be placed in a home where one of the members is able to communicate in the child's preferred mode of communication; e.g., sign language. In the case of a limited/non-English speaking child, the child shall be placed in a home where at least one person speaks the child's primary language. In an otherwise suitable adoptive home, placement shall not be denied if the prospective adoptive parents have enrolled in a language course to learn the method of communication used by the child prior to finalization of the adoption.

7) Level of Attachment: When there is some question about a child's level of or capacity for attachment, the Department shall assess the child's level of or capacity for attachment in making an adoptive placement decision. Such assessments require prior supervisory approval after consultation with Department adoption staff.

(Source: Amended at 40 Ill. Reg. 720, effective December 31, 2015)