Section 315.30 Best Interests, Health and Safety of the Child

a) Best Interests, Health and Safety of the Child

Permanency planning is an on‑going process that first and foremost must consider the best interests, health and safety of the child in all planning decisions. Health and safety are the paramount factors that must be considered when determining the best interests of the child. This means that a child is or will be in a living arrangement that meets the placement selection criteria contained in 89 Ill. Adm. Code 301 (Placement and Visitation Services), or for an Indian child, that meets the placement selection criteria contained in 89 Ill. Admin. Code 307 (Indian Child Welfare Services), and that protects the child’s physical health and safety and promotes the child’s emotional, medical, and developmental well-being.

1) When evaluating the best interests of the child, the Department or its purchase of service provider shall consider the following factors as provided in the Juvenile Court Act:

A) *the physical safety and welfare of the child, including food, shelter, health, and clothing;*

B) *the development of the child’s identity;*

C) *the child’s background and ties, including familial and religious,* including the primary method and/or language of communication between the child and the biological parents or any other special communication needs;

D) *the child’s sense of attachments, including:*

i) *where the child actually feels love, attachment, and a sense of being valued (as opposed to where adults believe the child should feel such love, attachment, and a sense of being valued);*

ii) *the child’s sense of security;*

iii) *the child’s sense of familiarity;*

iv) *continuity of affection for the child;*

v) *the least disruptive placement alternative for the child;*

E) *the child’s wishes and long-term goals;*

F) *the child’s community ties, including church, school, and friends;*

G) *the child’s need for permanence, which includes the child’s need for stability and continuity of relationships with parent figures and with siblings and other relatives;*

H) *the uniqueness of every family and child;*

I) *the risks attendant to entering and being in substitute care; and*

J) *the preferences of the persons available to care for the child.* [705 ILCS 405/1-3].

2) The Department and purchase of service providers shall consider the importance of maintaining, preserving and supporting sibling relationships and, when selecting and assessing placements, shall comply with placement selection, visitation and contact requirements set out in 89 Ill. Adm. Code 301 (Placement and Visitation).

b) The child's best interests and health and safety must be considered and documented throughout service intervention and during, but not limited to, the following activities:

1) investigation of allegations of abuse or neglect;

2) completion of safety and risk assessments;

3) completion of the comprehensive assessment;

4) worker/client contacts;

5) service planning;

6) permanency goal selection;

7) family meetings;

8) administrative case reviews;

9) legal screenings; and

10) permanency hearings and other court proceedings; and

11) post-permanency sibling contact.

(Source: Amended at 40 Ill. Reg. 743, effective December 31, 2015)