OCFP Office of Child and Family Policy	Department of Children and Family Services	
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	Approved by:	

Interpretation

Question: **Does a foster parent or relative caregiver have the right to appeal when a child is moved to be placed with another sibling in care?**

Applicable To: **Foster Parents and Relative Caregivers**

Policy Citation: **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 (c) of this Section;

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 sibling(s) to be placed with a relative and the relative is not willing to accept all the children.

(Source: Added at 20 Ill. Reg. 9518, effective July 5, 1996)

Section 337.70   **What May Be Appealed**

b)   By Foster Parents and Relative Caregivers

      1)   Foster parents may appeal the following issues:

           D)   a change in the child's substitute care placement. This does not include placement with the biological or adoptive parent(s), or sibling(s), placements for purposes of adoption as ordered by the court, or return to an individual(s) with whom the child resided prior to entering substitute care.

      2)   Relative caregivers may appeal the following issues:

           D)   a change in the child's substitute care placement. This does not include placement with the biological or adoptive parent(s), placements for purposes of adoption as ordered by the court, or return to an unrelated individual(s) with whom the child resided prior to entering substitute care.

(Source: Amended at 19 Ill. Reg. 10557, effective July 1, 1995)

Discussion: Sections 301.70 and 337.70 recognize the importance of keeping sibling groups together. The best interest of a child is usually served by living with close relatives, especially siblings. Section 301.70 is clear that keeping sibling groups together is of primary importance. This section provides for only four situations that would allow siblings to be placed apart.

Subsection 337.70(b)(1)(D) is clear in stating that foster parents may not appeal a change in the child's substitute care placement when the change is for the purposes of placing a child with another sibling or with a sibling caregiver. The intent is to facilitate placement of siblings together. Subsection 337.70(b)(2)(D) does not include clear language exempting from appeal placement changes to place siblings together. However, it is clearly the policy of the Department, as outlined in subsection 301.70(a) to place siblings together unless one of the four limited situations listed is present. Therefore, it is contrary to policy to allow relative caregivers to

appeal a change in placement which results in siblings being placed together.

Response: **Foster parents and relative caregivers may not appeal a move to place a foster child in the same setting as another sibling or with a sibling caregiver.**

Foster parents or relative caregivers who have concerns about the appropriateness of moving a foster child to be placed with a sibling or a sibling caregiver may contact the Advocacy Office for Children and Families at 800/232-3798 or 217/524-2029.