

TITLE 89: SOCIAL SERVICES  
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
SUBCHAPTER f: GENERAL ADMINISTRATION

**PART 428**  
**DEPARTMENT ADVISORY**  
**GROUPS**

**Section**

- 428.10 Purpose
- 428.20 Definitions
- 428.30 Children and Family Services Advisory Council
- 428.35 One Church, One Child Advisory Board
- 428.40 State Advisory Committee on Day Care (Repealed)
- 428.50 Child Welfare Advisory Committee
- 428.60 Statewide Citizens Committee on Child Abuse and Neglect
- 428.65 Statewide Foster Care Advisory Council
- 428.70 Illinois Juvenile Justice Commission (Repealed)
- 428.75 African-American Family Commission
- 428.80 Regional Advisory Committees
- 428.90 Regional Youth Planning Committees (Repealed)
- 428.95 Other Advisory Groups
- 428.100 Liaisons to the Department's Advisory Council
- 428.110 Rules of Procedure
- 428.120 Organization
- 428.130 Regular and Special Meetings
- 428.140 Notice of Meetings and Agenda
- 428.150 Compliance with the Opening Meetings Act
- 428.160 Quorum
- 428.170 Compensation
- 428.175 Conflict of Interest
- 428.180 Minutes
- 428.190 Staffing

**AUTHORITY:** Implementing and authorized by Section 5, 17a-1 and 17a-9 of the Children and Family Services Act [20 ILCS 505/5, 505/17a-1, 505/17a-9]; Section 11.7 of the Abused and Neglected Child Reporting Act [325 ILCS 5/11.7] Sections 11.1 through 12 of the Illinois Purchasing Act [30 ILCS 505/11.1 through 12]; and Sections 6.15 and 8 of the Civil Administrative Code of Illinois [20 ILCS 5/6.15 and 5/8].

**SOURCE:** Adopted and codified at 5 Ill. Reg. 7789, effective August 3, 1981; amended at 7 Ill. Reg. 10578, effective September 1, 1983; recodified at 17 Ill. Reg.

## DEPARTMENT ADVISORY GROUPS

December 15, 1997 – P.T. 97.35

21894; amended at 19 Ill. Reg. 1043, effective January 20, 1995; amended at 21 Ill. Reg., effective December 15, 1997.

### Section 428.10 Purpose

This Part describes:

- a) those committees established by State law or by this Part to advise the Department and to provide a forum for exchange between government and community and to encourage long term development and maintenance of systems of social services which are effective, efficient and humane; and
- b) the Illinois Juvenile Justice Commission, created by State law to supervise the administration of the juvenile justice program in Illinois and perform other functions; and
- c) regional youth planning committees, created by State law, to advise the Department in the development and maintenance of more comprehensive and integrated community-based youth services.

(Source: Amended at 19 Ill. Reg. 1043, effective January 20, 1995)

### Section 428.20 Definitions

**"Advisory group"**, as used in this Part, means a council, commission, committee or task force created by statute, executive order, or administrative action of the Director of the Department that, among its functions, provides advice and counsel to the Department regarding its programs and services or monitors Department operations. Such advisory groups may be composed entirely or partially of persons other than Department personnel.

**"Conflict of interest"**, as used in this Part, means an individual uses his or her official position for private gain (other than salary), gives preferential treatment to any entity or person in the conduct of official duties because of personal interest, impedes or adversely affects governmental efficiency or economy because of personal interest, fails to act impartially in the conduct of official duties because of personal interest, or engages in conduct that could adversely affect the confidence of the public in the integrity of the Department of Children and Family Services. The term also means that the circumstances are such that a reasonable person might conclude that an individual's judgment could

## DEPARTMENT ADVISORY GROUPS

December 15, 1997 – P.T. 97.35

be influenced by the nature of the circumstances or the individual(s) involved. Conflicts of interest may be actual or potential.

**"Direct financial interest"** means any type of monetary gain from a Department-funded program, such as that acquired by salaried staff of Department-funded agencies, or Department staff.

**"Geographic regions"** means those groupings of counties designated by the Director for administration of Department programs.

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### Section 428.30 Children and Family Services Advisory Council

- a) In accordance with Section 6.15 of the Civil Administrative Code of Illinois [20 ILCS 5/6.15], there shall be a Children and Family Services Advisory Council to advise the Department with respect to its services and programs for children and adults under its care.
- b) There shall be seventeen members, one of whom shall be a senior citizen age 60 or over, appointed by the Governor, each appointed to a four year term. The terms of one-half of the Council shall expire every two years on the third Monday in January in odd numbered years. The Director shall make reasonable efforts to ensure that the membership of the Council is culturally diverse, representative of the population of the State, and geographically representative of the Department's administrative regions. Members shall continue to serve until their successors are appointed and qualified.
- c) A chairperson and vice chairperson shall be elected by the Council from among its members for a term of one year beginning July 1 of each year. An officer shall be eligible for re-election to the same office held for no more than two consecutive terms.
- d) Notice of meetings and agendas of regular and special meetings shall, in addition to those required in [Section 428.130](#), be sent to the Governor at least seven days prior to a scheduled meeting of the Council.

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

## DEPARTMENT ADVISORY GROUPS

December 15, 1997 – P.T. 97.35

### Section 428.35 One Church, One Child Advisory Board

- a) In accordance with Section 7.1 of the Children and Family Services Act [20 ILCS 505.7.1], *there shall be a One Church, One Child Advisory Board to advise the Department in the placement of children by encouraging black churches to help find permanent homes for black children waiting to be adopted.*
- b) *There shall be twenty-five members appointed by the Governor, with at least one member representing each region of the State as determined by the Department.*

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### Section 428.40 State Advisory Committee on Day Care (Repealed)

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### Section 428.50 Child Welfare Advisory Committee

- a) There shall be a Child Welfare Advisory Committee to advise the Department on programmatic and budgetary matters related to the provision or purchase of child welfare services.
- b) There shall be twenty-five members appointed by the Director of the Department. At least twenty of the members shall be appointed from representatives of the voluntary (not-for-profit) sector of child welfare service providers and the remaining members shall include individuals with training and/or knowledge related to child welfare services. The terms of appointments shall be for three years and expire on January 1. Members shall continue to serve until their successors are appointed.
- c) A chairperson and vice chairperson shall be appointed by the Director from the members of the Committee. A staff member from the Department shall be appointed by the Director to help carry out the functions of the Committee.

(Source: Amended at 19 Ill. Reg. 1043, effective January 20, 1995)

## DEPARTMENT ADVISORY GROUPS

December 15, 1997 – P.T. 97.35

### Section 428.60 Statewide Citizens Committee on Child Abuse and Neglect

- a) In accordance with Section 11.7 of the Abused and Neglected Child Reporting Act [325 ILCS 5/11.7], *there shall be a Statewide Citizens' Committee on Child Abuse and Neglect to advise the Director on setting priorities for the administration of child abuse prevention, shelters and service programs, and to advise the Director on policies and procedures with respect to the medical neglect of newborns and infants.*
- b) There shall be twenty-five members appointed by the Director of the Department, each serving for a term of three years. The terms of one-third of the Committee membership shall expire every year on the 30th days of June. Members shall continue to serve until their successors are appointed. No more than 20% of the membership may have a direct financial interest in any Department funded program.
- c) A chairperson and vice chairperson shall be appointed by the Director of the Department from among its members for a term of one year beginning July 1 of each year. An officer shall be eligible for reappointment to the same office held for no more than two consecutive terms.

(Source: Amended at 21 Ill. Reg.15474, effective December 1, 1997)

### Section 428.65 Statewide Foster Care Advisory Council

- a) In accordance with the Statewide Foster Care Advisory Council Law [20 ILCS 525/5-5], there shall be a Statewide Foster Care Advisory Council to *“advise the Department with respect to all matters involving or affecting the provision of foster care to abused, neglected, or dependent children and their families.*
- b) There shall be 22 members appointed by the Director, each serving for a term of three years. To the extent possible, appointments of members shall be such that the terms of one-third of the members in each category described in subsection (d) below expire every year on June 30th. Further, the Director shall make reasonable efforts to ensure that the membership of the Council is culturally diverse, representative of the population of the state, and geographically representative of the Department's administrative regions.
- c) *Membership of the Council shall consist of 2 foster parents each from the Department's southern and northern regions; 3 foster parents from the*

## DEPARTMENT ADVISORY GROUPS

December 15, 1997 – P.T. 97.35

*Department's central region, and 2 foster parents from each of the Department's Cook County regions (including the current President of the Cook County Foster Parent Advisory Committee); 2 foster parents representing the Child Welfare Advisory Committee (with at least one residing in Cook County); 2 foster care professionals representing the Child Welfare Advisory Committee who represent agencies with whom the Department contracts for foster care services; the current President of the Illinois Foster Parent Association and 4 other non-Department persons recognized for expertise regarding foster care who shall be selected and appointed by the Director of the Department. (Section 5-10 of the Statewide Foster Care Advisory Council Law [20 ILCS 525/5-10])*

- d) Each member shall be appointed for a term of 3 years. No member shall be appointed to more than 2 terms. Members shall continue to serve until their successors are appointed. This provision notwithstanding, the President of the Illinois Foster Parent Association and the President of the Cook County Foster Parent Association may serve as long as they hold office.
- e) *A chairperson and vice chairperson shall be elected by the Council from among its members for a term of one year at a meeting prior to July 1st of each year with those officers assuming the duties of their offices on the first day of July each year. Any officer of the Council shall be eligible for consecutive election to the office held for no more than 2 consecutive one year terms. Further, the immediate past chairperson shall serve as a consultant to the Council for one year. (Section 5-15 of the Statewide Foster Care Advisory Council Law [20 ILCS 525/5-15]).*

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### **Section 428.70 Illinois Juvenile Justice Commission (Repealed)**

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### **Section 428.75 African-American Family Commission**

- a) There shall be an African-American Family Commission to advocate and promote family preservation and community advancement by developing and recommending to the Department culturally specific child welfare policies and practices that will strengthen African-American families and communities.

## DEPARTMENT ADVISORY GROUPS

December 15, 1997 – P.T. 97.35

- b) There shall be thirty members appointed by the Governor, each serving for a term of two years. Members shall be selected on a statewide basis but shall be predominately (85 percent) residents of Cook County. Members shall have a working knowledge of the child welfare system in Illinois, shall be representative of a variety of human service and related disciplines, and shall be representative of a partnership and collaborative effort between child welfare agencies, community based agencies and organizations and leadership from the public/private sector and the community. The Director shall serve as an ex-officio member of the Commission.
- c) The chairperson(s) shall be appointed by the Governor from among the members of the Commission.

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### **Section 428.80 Regional Advisory Committees**

- a) There shall be regional advisory committees within each geographic region as designated by the Director of the Department to provide forums for exchange between government and community and to encourage long term development and maintenance of regional systems for services which are effective, efficient and humane.
- b) There shall be twenty members appointed by the Director to each committee in consultation with the regional administrator, each member serving for a term of three years. The terms of one-third of each Committee membership shall expire every year on the 30th day of June. Members shall continue to serve until their successors are appointed. No more than 20% of each membership may have a direct financial interest in any Department funded program.
- c) A chairperson and vice chairperson shall be elected by the Committee from among its members for a term of one year beginning July 1 of each year. An officer shall be eligible for re-election to the same office held for no more than two consecutive terms.

(Source: Amended at 7 Ill. Reg. 10578, effective September 1, 1983)

## DEPARTMENT ADVISORY GROUPS

December 15, 1997 – P.T. 97.35

### **Section 428.90 Regional Youth Planning Committees (Repealed)**

(Source: Repealed at 21 Ill. Reg., effective December 1, 1997)

### **Section 428.95 Other Advisory Groups**

In addition to the advisory groups named in this Part, the Director may appoint other advisory groups to advise him or her regarding Department programs and services or to comply with statutes or executive orders. Unless otherwise provided by law, such bodies shall comply with [Sections 428.160](#) (Quorum), [428.170](#) (Compensation), [428.175](#) (Conflict of Interest) and [428.180](#) (Minutes) of this Part. The Director may require compliance with other provisions of this Part in creating such bodies.

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### **Section 428.100 Liaisons to the Department's Advisory Council**

The chairpersons of each advisory group designated by the Director shall be designated liaisons to the Children and Family Services Advisory Council and shall meet, as a group, with the Council at least once each year at the call of the chairperson of the Council.

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### **Section 428.110 Rules of Procedure**

Each advisory group shall operate under the Rules of Procedure approved by a majority of its membership.

(Source: Amended at 21 Ill. Reg., effective December 1, 1983)

### **Section 428.120 Organization**

Each advisory group shall organize itself into committees and/or sub-committees for the purpose of carrying out the goals, objectives and strategies determined by the membership. Inter-committee joint task forces may be formed to carry out specific tasks so assigned by the Director or so agreed upon by the respective memberships.

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)



## **DEPARTMENT ADVISORY GROUPS**

December 15, 1997 – P.T. 97.35

### **Section 428.130 Regular and Special Meetings**

Regular meetings of each advisory group shall be held at least quarterly. A schedule of meetings shall be developed by the chairperson for the calendar year, after consultation with the membership and the staff person designated by the Director of the Department. Special meetings of advisory groups may be called by the chairperson or a majority of the members appointed.

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### **Section 428.140 Notice of Meetings and Agendas**

Notice of meetings and agendas of regular and special meetings shall be prepared and distributed to the members of the advisory group and the Director of the Department at least seven days prior to a scheduled meeting.

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### **Section 428.150 Compliance with the Open Meetings Act**

All meetings of the Statewide Foster Care Advisory Council shall be held in compliance with notice and other requirements of the Illinois Open Meetings Act [5 ILCS 120].

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### **Section 428.160 Quorum**

A quorum at any regular or special meeting of an advisory group shall be necessary to transact business. A majority of the advisory group members then holding office must be present at the initial roll call at the commencement of any regular or special meeting and they shall constitute a quorum. The necessary quorum for conducting business of the advisory group shall be determined by a majority of each membership and included in the Rules of Procedure for each body. For the purpose of election of officers, the necessary quorum shall be a majority of the duly appointed members.

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### **Section 428.170 Compensation**

Members of the Department advisory groups shall serve without compensation except that they may be reimbursed for travel and per diem expenses necessary in connection with

## DEPARTMENT ADVISORY GROUPS

December 15, 1997 – P.T. 97.35

meetings and business, in accordance with Illinois Department of Central Management Services rules, as approved by the Governor's Travel Control Board.

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### Section 428.175 Conflict of Interest

- a) No member of a Department advisory group shall solicit or accept gratuities, favors or anything of monetary value in exchange for serving on a body advisory to the Department. Nor shall such members receive preferential treatment in regard to Department services. Nominal tokens of appreciation (such as meals, floral arrangements, plaques, certificates and or similar items) presented in conjunction with meetings shall not be considered a violation of this provision. The value of the token(s) accepted at a single event shall not exceed \$50.
- b) No member of a Department advisory group shall participate in the selection, award or administration of a grant or contract in which the member, a member of his or her immediate family or business partner or associate has a financial interest or which might present a conflict of interest as defined by [Section 428.20](#).
- c) Any advisory group member having a financial interest in a matter under consideration shall make a full disclosure of that interest and shall abstain from discussion, advising or voting on the matter that gave rise to the conflict.
- d) Failure of an advisory group member to disclose a conflict of interest may result in removal from the Council, committee or task force and/or review of the process or decision in which the member participated.
- e) The chairperson or other presiding officer shall refer the following situations to the Department Office of Internal Audits for a review or opinion:
  - 1) A Council, committee or task force member has an association with a grant or contract in a manner that could be considered a conflict of interest in accordance with this Part; or
  - 2) A Council, committee, or task force member appears to have solicited or accepted gratuities, favors or something of value other

## **DEPARTMENT ADVISORY GROUPS**

December 15, 1997 – P.T. 97.35

than the token(s) authorized by this Section in exchange for serving on a body advisory to the Department.

(Source: Added at 21 Ill. Reg., effective December 1, 1997)

### **Section 428.180 Minutes**

Minutes shall be kept of the transactions of each advisory group and those minutes shall be public records filed with the Director of the Department.

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

### **Section 428.190 Staffing**

The Director shall designate a staff person and clerical support for each advisory group to maintain records, prepare notices and agendas for each meeting and otherwise carry out the functions of the group.

(Source: Amended at 21 Ill. Reg., effective December 1, 1997)

**DEPARTMENT ADVISORY GROUPS**

December 15, 1997 – P.T. 97.35

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