

LICENSING PROCEDURES FOR DAY CARE HOMES

March 31, 2014

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Section 406.1 Purpose

- a) The purpose of these procedures is to issue instructions to licensing representatives of the Department for determining and monitoring day care home compliance with Rule 406 Licensing Standards for Day Care Homes.

These Procedures are formatted with the same headings and numbering schemes as the rules they implement. Some sections of the rules are self-explanatory and do not require

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a corresponding procedure. In these instances, that Section of the procedures will be blank and a double equal signs (= =) will appear in the margin.

- b) **Monitoring and Consultation** – The Department shall offer consultation assistance to applicants and licensees for meeting and maintaining minimum requirements for a license.
- 1) **Documentation** – Documentation of compliance or non-compliance with each standard of the rule/section on initial and renewal assessments of a home shall be made on the **CFS 515, Licensing Compliance Record for Day Care Homes**. The **CS 515** shall be kept in the day care home licensing file in the licensing unit office where a day care home is served.

It is not necessary for the licensing representative to make copies of all the documents presented by the applicant or licensee. Most day care home logs and other operational documents should be kept in the day care home. Annual monitoring shall be recorded on the **CFS 597-C, Licensing Monitoring Record**.

With consent of the licensee, the licensing representative may take pictures, when needed, to document violations of the standards. (See instructions on Procedures 383.35(d).

- 2) **License Monitoring** – The licensing representative shall document compliance or non-compliance with licensing standards for all permit, annual monitoring visits and complaint monitoring on the **CFS 597-C, Licensing Monitoring Record**. All licensing monitoring visits (initial 60-day and annual visits) shall be data entered into the licensing database (LC-35 Interim Day Care/A& License Activity licensing screen). The licensing supervisor shall ensure that licensing monitoring visit dates are accurately entered in the licensing database via the Interim Day Care/A&I License Activities licensing screen.

(Source: PT 2013.10)

Section 406.2 Definitions

“Authorized representative of the Department” means the licensing representative. In general, persons authorized to represent the Department are those staff who, in the course of their official Department business, have reason to interact with the licensing home applicant or licensee. This may include, but is not limited to, day care licensing representatives, supervisors and administrators, child protection investigators, and members of the DCFS Office of the Inspector General.

“CANTS background check” means a name search of persons in the SACWIS database for child abuse or neglect reports. (The term no longer represents its acronym Child Abuse and Neglect Tracking System because that system is no longer in place but the functions have been incorporated in SACWIS.) See “Person Search in SACWIS”.

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“Caregiver” means the individual directly responsible for child care. The applicant is always the primary caregiver.

“Dangerous animal” means a lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, bear, hyena, wolf, or coyote or any poisonous or life-threatening reptile.” [720 ILCS 585, Illinois Dangerous Animals Act]

“Family home” or “family residence” means the location or portion of a location where the applicant and his or her family reside, and may include a basement and attic. It does not include other structures that are separate from the home but considered part of the overall premises, such as adjacent apartments, unattached basements in multi-unit buildings, unattached garages and other unattached buildings.

“Licensing year or anniversary year” Licensing year means the period of time from the date the license was issued until the same date the following year. Anniversary date of the license is the month and day the license was issued but in subsequent years.

“Night care” means a child for whom a majority of his or her care at the home occurs between 6:00 p.m. and 6:00 a.m.

“Person Search in SACWIS” (see also CANTS) is a function in the SACWIS system to search the background of a person in the Department’s State Central Registry (SCR) for child abuse or neglect reports.

“Personal supervision of an assistant” means that the assistant is located in the same area of day care home and is within sight and hearing distance of the licensee. An assistant in the yard of a day care home remains under the personal supervision of the licensee provided that the licensee maintains auditory and visual surveillance of the yard area.

“Persons subject to background check” means child care facilities licensed by DCFS shall use the Department’s fingerprint background check system only for “persons subject to background check” as defined in **Rule 385.20** and not as a means to screen potential employees or staff not employed in a “child care facility”.

“Physician” means a person who is licensed to practice medicine in the State of Illinois or a contiguous state. Contiguous states to Illinois are: Wisconsin, Indiana, Kentucky, Missouri, and Iowa. The Department shall accept adult and child physicals and immunization records signed by a physician licensed as a Doctor of Osteopathy.

“Primate” means a “*nonhuman member of the order primate, including but not limited to; chimpanzee, gorilla, orangutan, bonobo, gibbon, monkey, lemur, loris, aye-aye, and tarsier.*”[720 ILCS 585, Illinois Dangerous Animals Act].

“Related” means any of the following relationships by blood, marriage, or adoption: parent, grandparent, great-grandparent, great-uncle, great-aunt, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, nephew, niece, or first cousin.

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“SACWIS” means the Statewide Automated Child Welfare Information System operated by the Illinois Department of Children and Family Services.

“School age” mean children from 6 to 12 years of age and 5-year-olds who are in full-day kindergarten. A 5 year old child is not considered school age during the summer preceding full-time kindergarten attendance.

“Tummy time” means a supervised period of time when an infant is allowed to lay on his or her abdomen to help strengthen the head, neck and shoulder muscles.

(Source: PT 2013.10)

Section 406.4 Application for License

a) Application File with the Department

1) Day Care Home Initial Inquiry

Hearing Impaired or Limited English Proficiency

The Department shall provide a licensing applicant who is hearing-impaired or who has limited or no English speaking ability assistance in the application process by assigning a bilingual licensing worker who can communicate with the applicant. If a bilingual worker is not available, the Department shall provide an interpreter. When appropriate; assistance devices such as Telecommunication Devices for the Deaf (TDD's), the Illinois Relay Center and the AT&T Language Line Services may be used. Licensing workers shall contact the current language interpreter at:

Propio Language Services

Phone: 1-866-828-3280

When asked by operator – state **DCFS account number 3871**

The following link is a Guide on how to contact this service:

[http://dnet/Admin/Upload/13-11%20Language Interpretation - menu option changes.pdf](http://dnet/Admin/Upload/13-11%20Language%20Interpretation%20menu%20option%20changes.pdf)

Regional Communications Liaisons may be contacted for assistance in obtaining interpreters or for assistance in utilizing other assistive devices or services such as the A T&T Language Lines.

Application Inquiry

Prospective applicants may access the **CFS 599, DCH Self Assessment** form through the Department’s website and decide to request an application from the local licensing office.

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Upon receipt of an oral or written request for a day care home application; the Licensing Unit shall mail to the inquirer the following documents within 5 business days:

- A) An Inquiry Letter;
- B) Instructions to obtain an electronic copy of **Rule 406, Licensing Standards for Day Care Homes**;
- C) Instructions to obtain an electronic copy of a copy of the Child Care Act;
- D) Two copies of the **CFS 597-DCI, Application for Day Care Home/Group Day Care Home License**;
- E) Three copies of the **CFS 718, Authorization for Background Check**;
- F) Two copies of **CFS 560, Child Support Certification**;
- G) Two copies of the **CFS 602, Medical Report of Adult in a Child Care Facility**;
- H) Two copies of the **CFS 600, State Of Illinois Department of Human Services Certificate of Child Health Examination** or instructions for accessing this form electronically through Department's website;

A doctor's examination form may be valid when it contains all the information required in the **CFS 600** and it is attached to the **CFS 600**.
- I) Instructions for enrollment in the Gateways to Opportunity Registry and how to submit all educational and pre-service training credits into the Registry; and
- J) Instructions for how to access the **CFS 599, DCH Self-Assessment** though Department's website or to the phone number of the local licensing office for a copy if one is desired.

2) **Orientation Meeting**

Day care home orientation training is not required for licensure, but should be encouraged, when possible. Participants in this on-line training will receive a certificate for 3 clock hours of pre-service training. These pre-service hours may be credited at the Gateways to Opportunity Registry upon presentation of a certificate of completion. Orientation shall only count for an applicant's pre-service hours, not for in-service training once licensed.

Department licensing staff occasionally may provide On-line Day Care Home Orientation Training to prospective applicants at the local DCFS office; when appropriate.

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The On-line Day Care Home Orientation Training can be accessed at the Department's website under "Training/Virtual Training" or by pressing the following link: <https://www.dcfstraining.org/vtc/account/toLogin.do>

Orientation Training Certificate

At the conclusion of the on-line orientation meeting, a certificate will be issued to each participant. DCFS home licensing units that offer in-house day care home orientation training while working to transition to the on-line orientation shall provide each participant a completed, signed, and dated **CFS 674-3, Certificate of Training**. The Department does not keep a copy of the **CFS 674-3** issued to the perspective applicant.

b) Application Review

The day care home applicant shall send the initial application to the local DCFS licensing Office. The licensing representative shall review the signed and dated **CFS 597-DCI** for accuracy and completeness. The licensing representative shall not make corrections or changes to the application except for minor corrections, so long as they initial the correction.

Incomplete Applications

Applications that are inaccurate, incomplete, unsigned, or are missing required attachments, shall be returned to the applicant within 10 working days after receipt. A **CFS 599-11, DCH Incomplete Initial Application**, shall be attached to the incomplete application indicating what needs to be corrected or completed. The incomplete application and all attachments shall be returned to the applicant. The licensing evaluation process shall not begin until a complete and accurate **CFS 597-DCI** application, with the supporting documents, is received by the Department. The licensing representative shall ensure that a copy of the **CFS 599-11** is filed in the incomplete application file folder.

Processing an Application

1) Complete Application

The licensing worker shall ensure that the complete application includes:

A) Application Form

A signed and dated **CFS 597-DCI, Application for Day Care Home/Group Day Care Home License**;

B) A list of persons who will be working and residing in the daycare home including members of the household age 13 and over;

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C) **Authorization for a Background Check**

A completed, signed and dated **CFS 718, Authorization for a Background Check** for all applicants, employees, and for each member of the household age 13 years or older.

On the **CFS 718**, each individual, including members of the household, assistants, and substitutes, shall have entered either a social security number (SSN) or a Temporary Identification Number (TIN). When TIN cannot be obtained (foreign students who do not work will not be given a TIN), the licensing representative may request the Central Office of Licensing (COOL) to issue a DCFS number. These numbers are for DCFS internal tracking use only and not for payment or any other purpose.

D) **Child Support Certification**

A complete, signed and dated **CFS 560, Child Support Certification** for each applicant.

The licensing representative shall ensure that applicants check “I am not more than 30 days delinquent in complying with a child support order” on the **CFS 560** in order to indicate they are meeting the requirement of child support. If the applicant is more than 30 days delinquent, the licensing representative shall notify the applicant in writing that the application cannot be processed and shall be returned to the applicant indicating the reason for the return.

E) **Character Reference**

The applicant shall provide the names, addresses, and telephone numbers of 3 adults not related to the applicant, nor living in the household who can attest to the applicant’s character and suitability to provide child care. The licensing representative shall ensure the completion and mailing of the **CFS 599-1, Reference Letter** to those individuals listed as references on the **CFS 597-DCI**.

Should the reference provided by the applicant display unfamiliarity with the applicant’s character or suitability to provide child care; the licensing representative may request an additional reference from the applicant.

When there are joint applicants, whether married or in a civil union, the reference letter should include both applicants.

When the applicant has lived in Illinois for less than 3 years, the applicant shall provide the Department with two additional references from the state(s) of previous residence.

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Unfavorable Reference

When an unfavorable character references has been provided for the applicant/licensee, the licensing representative shall:

- A) Call the person who provided the unfavorable character reference and request additional information, if appropriate. The licensing representative should not disclose to the applicant that a particular reference was unfavorable;
- B) Call the applicant and request an additional character reference name; if appropriate; and send to the newly identified reference source the **CFS 599-1**. Document on a **CFS 492, Case Entry Note** any additional reference information;
- C) Seek supervisory consultation when the additional reference letter also returns unfavorable.

No Reference Letter Received

When no reference letters are returned to the Department within 10 calendar days the licensing representative shall call the identified character reference individuals and complete the **CFS 599-1** by telephone interview.

F) Hazard Protection Plan

A written hazard protection plan shall address: adult supervision and physical means required to minimize risk to children from potential hazards within the home, also identifying potential outdoor hazards in areas accessible to children. Examples of risks within either environment are: traffic construction, bodies of water, decorative frog ponds, lily ponds, koi ponds, large bird baths and fountains, above-ground pools regardless of depth, unsecured sheds and barns, open stairwells, neighborhood dogs, or home furnishings that are not child-safe, such as furniture with sharp corners or a television positioned where it could fall onto a child.

G) High School Diploma

The applicant shall submit a copy of their High School diploma or GED certificate. College transcripts may not be substituted for a High School Diploma. If there are doubts or questions regarding the validity of the diploma or certificate, the licensing representative shall consult with their supervisor and the DCFS Licensing Training Manager.

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H) **Training**

The applicant shall submit proof of completion of 15 credits hours of pre-service training per applicant. The training shall have been completed no more than one year prior to application date. The licensing representative may verify these credit hours through observation of the applicant's professional development record from Gateways to Opportunity Registry

Of the 15 pre-service hours required per applicant; each applicant shall complete the following required topics:

- i) Sudden Infant Death (SIDS) and SUID,
- ii) Shaken Baby Syndrome, and
- iii) Department approved Mandated Reporter Training.

I) **Registry Membership**

The applicant shall provide proof of membership in the Gateways to Opportunity Registry and all educational and pre-service training credits entered into the Registry.

Providers/applicants may access the registry at <http://registry.ilgateways.com/> in order to complete and submit the application online, or print, complete and mail the application to INCCRRA/Applications, 1226 Towanda Plaza, Bloomington, IL 61701. For assistance or questions with the Registry, applicants should call (866) 697-8278.

J) **Radon test**

Proof must be documented that the home has been tested for radon within the last 3 years. Radon tests may be self-administered by the provider or conducted by a licensed radon measurement professional. Testing must be done even if a radon mitigation system is already in place. The home provider is responsible to have the home tested and to post the results for parents to see. The law does not presently require day care homes to mitigate the radon levels. However, if a day care home provider would like to mitigate a high level reading, the provider may go to www.radon.illinois.gov for a list of licensed mitigation professionals in Illinois. The Department is to enforce only testing and posting of results.

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2) **Data Entry of a Complete Application**

The licensing representative shall ensure that the initial application has been data-entered on the system prior to making the preliminary search of applicant's background check or sending the applicant to be fingerprinted (See **Section 385.45, Background Check Process**). A Provider ID number is issued automatically at time of data entry.

3) **Continuing Process**

Once the application is data entered, a recommendation to issue a license shall not be issued until the completion of medical examination, training, fingerprinting, licensing study, fire safety inspection and other requirements of the application process are completed. A two month permit may be considered under conditions set forth in **Section 406.7, Provisions Pertaining to Permits**.

c) **Licensing Study**

The licensing representative shall complete the licensing home study within 90 days after receipt of the completed, signed, and dated **CFS 597-DCI**. The licensing study shall consist of:

- 1) The completed **CFS 515, Day Care Home Licensing Compliance Record**.
- 2) A completed **CFS 599-10, DCH Narrative Summary** attached to the **CFS 515** and submitted to the licensing supervisor for approval.
- 3) If the applicant/licensee requests a copy of their licensing study, the licensing representative shall duplicate and mail to the applicant/licensee a copy of the **CFS 515** and the **CFS 599-10** within 10 business days after the request. The cost of duplication of these materials shall be paid for by the applicant/licensee.

d) **Fire Safety Inspection**

1) **Fire Safety Inspection on Initial Applications**

The licensing representative shall request an inspection from the Office of the State Fire Marshall when applicable (see below) upon determination that the application is complete and ready for data entry by the licensing clerical. If an applicant withdraws the application, the licensing representative shall notify the OSFM of the withdrawal to prevent unnecessary inspections.

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2) **Multi-housing Units**

The licensing representative shall access the Illinois Office of State Fire Marshall's (OSFM) website at <http://webapps.sfm.illinois.gov/prequest/> to complete and submit a request for an initial fire safety inspection for an applicant who lives in a multi-housing unit or where child care will be provided in a home other than grade level or with unusual or complex code considerations.

The licensing representative shall place a copy of the OSFM fire safety inspection request in the day care home licensing file. Delays of the fire safety inspection beyond the applicant's or Department's control shall be documented on a **CFS 492-L Licensing Case Entry** note.

3) **Single Floor Homes**

A licensing representative trained to perform fire safety inspections shall complete and sign the **CFS 595-1, Group/Day Care Home Applicant Fire Prevention Checklist** for single floor homes at ground with no unusual or complex code considerations. The **CFS 595-1** shall be filed in the licensing file.

The Department's day care home licensing standards are more stringent and restrictive than the OSFM's life safety code regarding the total number of door releasing mechanisms allowed on any exit door or exit window.

Licensing representatives shall not request the OSFM to conduct a fire safety inspection on homes that are not in compliance with provision requiring that there shall be no more than 2 releasing devices (door knobs, hand-operated deadbolts, thumb-turn locks) on any exit door or exit window (Section 406.8(a)(22)(F)),

4) **Prior to the Issuance of a Permit or License**

The licensing representative shall verify and document that prior to the issuance of a permit or license; the day care home licensing file contains either a completed and approved **CFS 595-1** or written approval from the OSFM indicating that the day care home meets fire safety requirements.

e) **Municipal, and State Regulations**

The licensing representative shall discuss with the applicant/licensee the need for researching and complying with local, municipal, and State regulations. When the applicant is in non-compliance with those required regulations, the home may be prohibited from operating. It is not the responsibility of the licensing representative to enforce local or municipal requirements.

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f) **New Applications**

A new application shall be filed when:

1) **Withdrawn, Surrender or Denied**

A) **Withdrawn**

When the application submitted has been withdrawn after it has been data entered into the system and the applicants wants to reapply for licensure.

B) **Surrender with Cause or Denied**

When the Department has refused to issue a license to a permit holder, or when a license has been surrendered with cause or denied, the Department shall not accept an application for a day care home until at least one year has lapsed from the date of denial, refusal to issue full license or surrender with cause (See **Procedures 383.95**).

The LC07 licensing screen in the CYCIS system will indicate when a license has been previously surrendered with cause or when the Department has refused to issue a full license to a permit holder.

If the licensing study of an application received after 12 months has lapsed and the home continues to be in non-compliance, the *denial of a reapplication for a license must be supported by evidence that the prior revocation renders the applicant unqualified or incapable of satisfying the standards and rules* [225 ILCS 10/6(c)]

2) **Licensed Revoked or Refused to Renew**

When the Department has revoked or refused to renew the license of a day care home and the day care home seeks to reapply for a license, the day care home may do so when at least 12 months have passed since the effective date of the revocation or refusal to renew.

3) **Moving to a New Location**

A) When the licensee anticipates moving to a new location, the licensing representative shall provide a **CFS-597** to the licensee once the Department has been notified of the planned move.

B) The licensee shall submit a **CFS 597** within 14 days of the move.

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The licensing representative shall do the following within 10 days from receipt of a completed application for the change of address:

- C) Conduct an in-person site visit to the day care home's new location.
- D) Follow the fire safety inspection provisions listed in Section 406.4(d). A licensing home study and fire safety inspection shall be conducted before updating the address of the new location on the ILS.
- E) Conduct and complete the address change licensing study that includes the completion of the **CFS 515** and the **CFS 599-10, DCH Narrative Summary**.
- F) Submit the completed licensing file and address change and the **CFS 599-10, DCH** for supervisory review and approval.

Failure to Notify Relocation

The licensee's failure to notify the licensing representative or a representative of the Department within 14 days after a relocation of the day care home shall constitute a surrender of license. A new application shall be required when the licensee wants to reapply after the 14 days have elapsed (See **Procedures 383.90(b)**).

4) **Address Change with no Change in Location**

When there is a change of address, such as the re-numbering of the address for 911 or other purposes, or the street name for the day care home has been changed, a new **CFS 597, DCI** shall be received from the licensee that reflects the new address of the day care home. This application is not data entered as a pending address change and no site visit or study is required. The local licensing clerical staff shall change the day care home's facility address on the PR-02 screen. The local clerical staff shall then contact Central Office of Licensing by e-mail, request the necessary changes be made to the appropriate licensing screens and request that a new copy of the license document, reflecting the change in the address, be forwarded to the licensee.

5) **Name Only Changes**

A name only change is required when an existing license changes his/her name. It does not involve adding or removing a person from an existing license.

In the case of a name only change, the application is updated in the data system and does not affect the provider ID number, nor does it change the effective dates of the license. A name only change does not result in a pending status. The name

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is simply changed in the system based on the information on the application. Changes in usage of SSNs or FEINs are not considered name only changes; they are treated as new entities. A new licensing home study is not required for a name only change.

- A) The licensing representative shall mail to the licensee a **CFS 597-DCI** within five days after receipt of the name change notification from the licensee.
- B) The licensing representative shall initiate the name change process within 10 days after receipt of the completed, signed, and dated name change application (**CFS 597-DCI**).

It is the responsibility of a licensee who cares for wards of the State to notify the DCFS Regional Payment Unit of the change in name so that payment checks reflect the new name. The licensing representative may attach a note to the **CFS 597-DCI** to that effect.

- C) The local licensing clerical staff shall change the licensee's name on the PR-02 screen
- D) Once the day care home's name is changed locally, the Licensing Supervisor shall notify via email the Central Office of Licensing/Springfield and request the issuance of a new license document that reflects the requested name change. A copy of the requesting e-mail shall be attached to the **CFS 597** application.
- E) The licensing supervisor shall instruct the licensing representative to notify the licensee in writing that the name only change process is completed and a new license document will arrive via the U.S. Postal Service. The licensing representative shall file a copy of the confirmation letter in the day care home licensing file.

6) **New Entity - Adding or Removing an Applicant**

- A) When there is a change in the entity on the license or the legal status of a social security number to Federal Employer Identification Number (FEIN); or
- B) When there is a change in the status of joint licensees, such as separation, divorce or death. When a licensee marries or enters into a civil union and the licensee's spouse or partner is added as Applicant B, or when a licensee divorces or dissolves a civil union and the divorced spouse or partner in a civil union was Applicant B; it is considered a new entity and a new application is required.

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- C) It is the responsibility of the licensee to notify the licensing representative of a change in the marital or civil union status and any resulting changes to the members of the household.
- D) Applicant B must meet all requirements, including references, education and pre-service training.
- E) The local licensing clerical staff shall change the day care home's facility name on the PR-02 screen. Adding or removing an applicant (new entity) requires a new application to be submitted and data entered. It is considered a new license and will result in a new provider ID number and effective date for the license. A licensing study with site visit is also required.

g) **Decision on an Application**

The licensing representative shall make a decision to recommend or deny licensure with approval of the Central Office of Licensing (COOL) within 90 days of the receipt of the completed initial application. If more than 90 days have passed since the initial site visit date, written approval from the Regional Licensing Administrator will be necessary prior to submission of the recommendation to COOL.

(Source: PT 2014.07)

Section 406.5 Application for Renewal of License

a) **Renewal Notifications**

The licensing representative shall complete the following steps when considering the day care home's application for renewal of a license:

1) **Six Months (120 Days)**

Six months prior to the expiration date of the day care home's license, the licensing representative shall send to the licensee a day care home license renewal application packet. The day care home renewal application packet consists of: two **CFS 597-DCR, Application for Day Care Home/Group Day Care Home License**, and two **CFS 560, Child Support Certification**. A renewal cover letter (**CFS 599-3, DCH 6 Month Renewal Notification Letter**) shall explain that the day care home must submit the completed application for license renewal to the Department three months prior to the expiration of their license in order to be considered timely. A copy of the renewal letter sent to the day care home shall be maintained in the day care home's licensing file.

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2) **3 Months Prior (90 Days)**

When the day care home licensee has not submitted a complete renewal application to the Department three months prior to the expiration date of the license, the licensing representative shall mail to the day care home licensee a second renewal application packet with a cover letter (**CFS 599-4, DCH 90 Day Renewal Notification Letter**). The cover letter shall state that because the application was not received 90 days prior to the expiration date of the day care home's license that the application, when submitted, will not be considered timely and may affect the renewal date of the license, if granted. A copy of the mailed letter sent to the day care home shall be maintained in the day care home's licensing file.

The licensing representative shall cite the provider for a violation of Rule 406.5(b) following the process outlined in Procedures 383.

3) **Expiration Date**

When the day care home licensee has not submitted a complete renewal application by the license expiration date, the licensing representative, with supervisory approval, shall send a letter (**CFS 599-5, DCH Expire License Notification Letter**) by certified mail, to the day care home licensee stating that the license has expired and the day care home is no longer considered to be licensed and must cease operating immediately. If the day care home wishes to reapply for a license, a new application must be submitted and the application will be treated as any other initial day care home license application. The licensing representative shall send copies of the Cease and Desist letter to the Regional Licensing Administrator; and file a copy in the licensing file.

4) **Expired License**

When an application for a renewal of license has been received after the expiration of the license, a new license shall not be issued until a full licensing study has been completed; the day care home is in full compliance with Rule 406; Licensing Standards for Day Care Homes and issuance of the initial license is approved. **The new license shall not be backdated to cover the gap between the date of the expired license and the effective date of the new license.**

b) **Complete Application for Renewal**

The licensee shall submit the original signed, completed and dated renewal application **CFS 597-DCR, Application for Day Care Home/Group Day Care Home License** and the **CFS 560, Child Support Certification** to the assigned licensing representative. In order for the application for renewal be considered timely and sufficient, the application must be submitted at least 3 months prior to expiration of the current license.

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The licensing representative shall review the renewal application and submit to the licensing clerical for data entry within 5 working days after receipt of the completed renewal application.

Incomplete Renewal Application

When an incomplete application is submitted, the licensing representative shall complete the **CFS 599-6, DCH Incomplete Renewal Application** letter and attach it to the **CFS 597-DCR** along with the other required documents and return it to the licensee for completion. The licensing representative shall make a copy of the **CFS 599-6** for the licensing file.

c) **New Application Required**

A new application is required when the following changes occur:

When a licensee changes their name or address, changes to a FEIN or Social Security number or proposes a change of applicant on the license.

1) **Name Only Change**

If the provider wishes to change their name only at renewal, the licensing representative shall obtain a renewal application with the new name. The licensing clerical shall update the PR-02 screen with the corrected name at the time of data entry. The provider should be notified that it is their responsibility to contact their DCFS Regional Business Office to notify them of the name change if they receive child care payments from the Department.

If a renewal application is already pending at the time the provider notifies the licensing representative of the desired name change, either the pending renewal application can be withdrawn and a new renewal application with the correct name can be data entered both with the same effective dates OR the licensing rep can wait until the renewal is complete and then follow the name only process outlined in 406.4(f)(2).

2) **Marriage, Divorce or Civil Union/Dissolution**

When the licensing representative is notified during the renewal process that there is a change in the status of the licensee(s) either by adding a new applicant or removing an existing applicant, the renewal is no longer considered as such, it is a new entity.

The licensing representative must obtain and data enter a renewal application for the existing license. This action is a safety net ensuring that while the new entity study is being conducted, the existing license carries on “in full force and effect” until the new entity is recommended. A new entity application (which will result in a new provider ID number) must also be secured and data entered as well.

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If new applicants or household members are added, anyone 13 and over must have the proper background clearances. All existing members of the household must be transferred to the new provider ID number generated with the data entry of the pending new entity application. References for any applicants/ household member added will be necessary. A home visit will follow the process for a renewal, unless the new entity is combined with a change of address, in which case, it will be treated similarly to an initial licensing study.

Upon completion of the study, a recommendation to issue the new entity shall be made with the effective day mirroring the expiration date of the previous license AND the pending renewal application shall be withdrawn with the same recommendation date. This ensures that there is no gap in eligibility for ISBE or IDHS payments through a food program or subsidy.

3) **Change of Address but Not Location**

When the licensee, at renewal, notifies the licensing representative that there is a change to the address (but not the actual location), such as the renumbering of the house or a change of street name, the licensing representative shall instruct the local licensing clerical to amend the location address and/or telephone number on the PR02 screen. If the licensee cares for Department wards, the licensing representative shall notify via e-mail the Central Office of Licensing Data Entry Unit in Springfield of the specifics of the changes so that they may initiate the change process for which they are responsible.

4) **Location Change**

When the licensee notifies the licensing representative of an address change while there is a renewal application pending, the licensing representative shall instruct the licensing unit clerical to change the location address to the new address and shall email Central Office of Licensing Data Entry Unit (Springfield) of the address change. The licensing representative shall complete the renewal visit at the new address and thereupon recommend that the license be renewed when the provider is in compliance.

If the address change is required prior to the renewal because the provider has already moved and the renewal is months away, the licensing unit clerical may change the pending renewal application to a pending address change, notifying the COOL as well. The licensing representative may then proceed with the address change.

Under no circumstances should a provider's license expire while waiting for the address change to be completed. If this occurs, the pending address change should be withdrawn and a renewal application immediately data entered to prevent a lapse in licensure. In either case, supervisory consultation is required.

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e) **Training**

The licensee shall provide a copy of their Gateways to Opportunity Registry / to verify compliance with required annual in-service training hours. The licensee shall have completed 15 clock hours of in-service training per period of the licensing year. The licensing representative shall not allow a provider to carry over deficiencies in training which may result in the provider having to complete large amounts of training just prior to renewal. In-service training is to be monitored annually and timely correction plans developed when violations are identified.

Training of caregivers licensed to care for newborns and infants shall include the following topics if not already completed (Per Child Care Act they must have these trainings every 3 years):

- A) Sudden Infant Death Syndrome (SIDS);
- B) Shaken Baby Syndrome; and
- C) Department approved Mandated Reporter training;

The licensing worker should keep in mind that caregivers obtaining clock hours of in-service training in excess of the required 15 clock hours per year may apply up to 5 clock hours to the next year's training requirements.

f) The licensing representative shall verify the written fire emergency, tornado/severe weather emergency, and hazard protective plans.

g) **Fire Inspection**

When prior to initial licensure the Department requested the OSFM conduct a fire safety inspection and there is a written OSFM clearance, the licensing representative shall **not** request the OSFM to conduct a subsequent visit to the facility prior to issuing the renewal license unless there have been structural changes.

The licensing representative shall complete the **CFS 595, Group/Day Care Home Applicant Fire Inspection Checklist** and continue with the licensing home study. However, when there are fire safety concerns that can only be resolved by the OSFM, the licensing representative may request an OSFM fire inspection, with supervisory approval

h) **Licensing Study**

The licensing representative shall complete the renewal licensing study and sign and date the **CFS 515**.

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Prior to the visit to the day care home, the licensing representative shall review all annual monitoring records, licensing complaint files and the BC-11 screen for any concerns or compliance issues specific to the day care home. The renewal study is required to be a scheduled licensing visit. The licensing representative shall document the day care home's compliance with Rule 406 on the **CFS 515**, walk through the entire facility, view the day care home grounds and any areas excluded from the license, and, discuss and review the day care home licensing standards with the licensee and provide consultation as appropriate.

Written Renewal License Narrative Summary

In addition to the completion of the **CFS-515**, the licensing representative shall attach the **CFS 599-10, DCH Narrative Summary** to the **CFS 515** and submit the entire licensing file to the licensing supervisor for approval and filing.

Issuance of Renewal License

- The licensing representative, having determined that the facility and responsible persons are in full compliance with the Rule 406, shall within 5 business days recommend to the licensing supervisor the renewal of the day care home license. The licensing representative shall not recommend the issuance of a renewal license if there are outstanding licensing violations.
- The licensing supervisor shall review the recommendation of licensure within 5 days after receipt of the recommendation and may approve the licensing recommendation by signing the **CFS 515** and the Individual Licensing Study (ILS).
- The licensing supervisor shall ensure that the signed ILS is sent to the Central Office of Licensing within 5 business days after approval.
- The licensing supervisor shall ensure the 3 year license recommendation letter (**CFS 599-8, DCH Issuance Renewal License Letter**) is forwarded to the licensee.
- When the licensing supervisor is not in concurrence with the licensing recommendation, the licensing supervisor shall return the licensing file to the licensing worker within 10 business days with needed written corrections noted. The licensing representative shall complete and correct the licensing file within 10 business days and resubmit the file to the licensing supervisor.

i) Radon Test

The licensee shall provide a copy of radon test performed in the home within the last 3 years.

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Radon tests may be self-administered by the provider or conducted by a licensed radon measurement professional. Testing must be done even if a radon mitigation system is already in place. The home provider is responsible to have the home tested and to post the results for parents to see. The Licensing worker shall provide form **CFS 585-2, Facility's Radon Test Certification** or instructions to access that from on the Department's website. The Department is to enforce only testing and posting of results.

(Source: PT 2014.07)

Section 406.6 Provisions Pertaining to the License

- a) The licensing representative shall review the **CFS 597-DCI** application and verify that the primary caregiver is either applicant A or applicant B.

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- c) **Capacity**

Supervisory Site Visit Waiver – The licensing supervisor may waive the required in-person site visit of a day care home when:

- 1) An amendment would increase the capacity in the home by one child due to the licensee's own child reaching the age of 12;
- 2) The amendment will decrease capacity, remove an already licensed area from the 'area used' description on the license, or reduce the hours of operation; or
- 3) When the increase in hours does not change the operation of the program. For example, when adding additional hours, however the additional hours do not add night care to the license.

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- e) The licensing representative shall verify that child care is only provided in those areas of the home or grounds that are identified on the day care home license.

- f) **Family Residence**

The licensing representative shall verify that the family residence is where the day care services are provided.

The licensing representative shall discuss with the applicant/licensee that the license cannot be transferred to another person or legal entity.

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The family residence refers to the building or portion of the building where the family actually lives. In a multi-unit building, even if the building is owned by the family, the day care home license must be within the unit where the family lives, not in another apartment or in another unit. "Ownership" is not the criteria for location; "residence" is the requirement.

e) **Prominently Displayed**

The licensing representative shall verify that the day care home license document is prominently displayed in an area that is accessible to parents.

(Source: PT 2013.10)

Section 406.7 Provisions Pertaining to Permits

a) A permit may be issued when the licensing representative is confident that within a two months; the applicant will be in full compliance of the requirements of Rule 406. A one-time 2-month permit is granted only to first time applicants and when the applicant has not received a permit before (See Sec. 406.7(g)). The licensing representative may not recommend a permit until:

- 1) A signed, dated and data entered **CFS 597-DCI** by the Department is filed in the day care home licensing file.
- 2) A signed and dated **CFS 718** has been completed by each applicant, member of the household age 13 years and older, assistants, and substitutes, and after the applicant and all members of the household have received background check clearance.
- 3) A completed, signed, and dated **CFS 602, Medical Report on an Adult in a Child Care Facility** has been received for each applicant, substitute, or assistant.

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7) **Site Visit**

An in-person home site visit home study shall be completed within 90 days after receipt of the completed application and no more than 30 days prior to the recommendation date to issue a permit to determine compliance with Rule 406. The **CFS 515** shall reflect the applicant is in compliance with Rule 406 except for the remaining requirements of one character reference per applicant; medical examination reports on members of the household; and well water tests results, if applicable.

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When well water test results have not been received by the Department, the applicants shall submit a **CFS 452, Well Water Agreement**, agreeing to boil all drinking and cooking water and provide only bottled water for children less than 15 months of age. The applicant must comply with this agreement until the well water test results are received by the Department.

During an in-person on-site visit the licensing representatives shall inspect the entire premises, including areas that will not be on the day care home permit license. If the home is in an apartment or other multi-unit building, then the inspection shall include the full apartment, and any common or outdoor areas that children will use or traverse.

(Source: PT 2013.10)

Section 406.8 **General Requirements for Day Care Homes**

The licensing representative shall verify that the applicant/licensee maintains compliance with the following requirements:

a) **Indoor and Outdoor Physical Facilities Safety Requirements**

1) **First Aid Kit**

A first aid kit consisting of adhesive bandages, scissors, thermometer, non-permeable gloves, Poison Control Center telephone number, sterile gauze pads, adhesive tape, tweezers and mild soap.

2) **Fire Extinguisher**

- A, B, and C fire extinguisher in the kitchen
- A charged A, B and C fire extinguisher when the fire extinguisher is of the rechargeable type. The licensing representative shall view the most recent maintenance charge date.
- Operable flashlight light

3) **Electrical Outlets**

Electrical outlets in areas used by the day care, including the bathroom and kitchen, shall have protective coverings.

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4) **Smoke Detector**

There shall be one approved smoke detector in operating condition on every floor level of the structure, including basements and occupied attic. The licensing representative shall have the applicant/licensee test each smoke detector to ensure the smoke detector's operational condition by pressing the 'test' button once to activate the smoke detector's alarm.

- A) The licensing representative shall view and verify that an operational smoke detector:

is installed in each room where children sleep or nap; when installed on the ceiling it shall be a minimum of 6 inches from any wall, or when installed on a wall, it shall be between 4 and 6 inches from the ceiling; and

there is minimally one smoke detector at the beginning and end of each separate corridor or hallway 200 feet or more in length of any occupied story. The licensing representative shall measure the corridor or hallway to determine if the hallway or corridor requires the additional smoke detectors.

- B) *Allowance of* battery operated smoke detector

In homes constructed or substantially remodeled after December 31, 1987, smoke detectors should be wired into the AC power line. However, for those homes remodeled prior to December 15, 2011 that may not have wired installation of the smoke detectors in each room, the Department may allow the installation of a battery operated smoke detector in each room where children nap or sleep and deem the home to be in compliance.

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- D) For homes constructed **after** December 15, 2011, or which undergo substantial remodeling of its structure or wiring system after December 15, 2011, the smoke detectors shall be permanently wired into the structure's AC power line, and, if more than one detector is required to be installed, the detectors shall be wired so that the activation of one detector will activate all the detectors in the facility unit.

5) **Carbon Monoxide Detector**

Day care homes with an attached garage or that use fossil fuels, such as coal, petroleum (oil), and/or natural gas, for heating, ventilation or heating water shall have a minimum of one operational carbon monoxide detector within 15 feet of the rooms where children nap or sleep.

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The applicant/licensee should push the carbon monoxide detector test button in the presence of the licensing representative to test whether the circuitry is operating correctly, not necessarily the accuracy of the sensor.

6) **Maintenance of the Home and Indoor Space**

The home shall be clean, well ventilated; the lighting and heating/cooling systems shall be in good operating conditions and be well maintained. Any observable fire or other hazard shall be documented in the hazard protection plan.

7) **Ambient Temperatures**

A draft free temperature of 65° F to 75° F shall be maintained during the winter months or heating season. When the temperature in the home exceeds 78° F, measures shall be taken to reduce the temperature of the environment and/or to help keep the children cool. When there is concern, the licensing representative shall discuss with the applicant/licensee and document the measures to be taken by the applicant/licensee to keep the children cool when the home exceeds 78 degrees F. For infants and toddlers, a temperature of 68° F to 82° F shall be maintained during warm weather. The licensing representative shall measure the day care home's temperature at least 3' above floor level.

8) **Space Heaters**

Any fixed space heaters, fireplaces, radiators, and other heating sources in areas occupied by children shall be separated by partitions or a sturdy barrier to prevent contact by the children. If there are serious issues related to the safety of the heating system, the licensing representative shall contact the Office of the State Fire Marshall and request an inspection. The licensing representative shall verify that portable space heaters are not used during the hours that child care is provided.

Folding screens, room dividers, grates, pieces of furniture are among measures providing a barrier between sources of heat and the children in care. In determining the acceptability of a barrier, the licensing representative shall determine that the barrier cannot be tipped over; easily removed or circumvented by the child and that the barrier is sufficient distance from the heat source that the barrier itself does not become a source of possible burns or cause a fire.

9) **Wood or grain burning Stoves**

When a wood-burning stove or fireplace is to be used when day care children are present, the written hazard plan shall include how the stove or fireplace will be used and what actions will be taken to ensure the children's safety while in use.

This written hazard plan is submitted at the time of application.

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11) **Walls and Surfaces**

- All walls and surfaces shall be free from chipped and peeling paint, carpeting, fabric or plastic products;
- The outside walls of the residence shall be free from chipped and peeling paint including steps, railings, soffits, fascia, trim, blocks, stonework, and bricks. Also include garages, barns, sheds, fences, decks or other outdoor structures that are accessible to children or are in the area of the facility licensed for use by children;
- Flammable or combustible art work shall not exceed 20% of wall area of all walls in the residence.

The licensing representative shall look for chipped or peeling paint on both interior and exterior surfaces, including railings, steps, and soffits, garage, and other out-buildings. The physical facilities of the home/residence, includes both indoor and outdoor areas.

12) **Lead Free Paint**

All interior paint shall be lead free. Consultation shall be sought from the local health department or from the Illinois Department of Public Health when the licensing representative has reason for concern about lead paint in the home.

13) **Furniture and Equipment**

All furniture and equipment shall be clean, in safe repair, and pose no safety hazard to the day care children. . The home is not required to have separate cots or beds for daytime care of children 5 years of age and older who do not nap while in care.

14) **Dangerous Supplies**

Dangerous household supplies and dangerous tools (see Rule for detailed list) shall be kept in a safe place, inaccessible to children under 12 years of age, during the usage, storage and disposal of said items.

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16) **Handguns**

There shall be no handguns on the premises of the day care home.

Exception: Sworn Peace Officers or as a Condition of Employment

When a hand gun is kept in the home, the licensing representative shall verify that the hand gun owner is a sworn peace officer or other adult who must possess a handgun as a condition of employment **and** who resides in the day care home.

17) **Firearms**

Any firearm, other than a handgun; shall be kept in disassembled state, without ammunition, in locked storage in a closet, cabinet, or other locked place, inaccessible to children. The licensing representative shall physically inspect the firearm and ammunition.

A trigger lock/guard is NOT an acceptable alternative to the required storage. Storing a firearm in a locked gun safe or with a trigger lock, separated from the ammunition, are NOT acceptable alternatives to the requirements that the firearm shall be disassembled.

The licensing representative shall review the written hazard protection plan to ensure that firearms are addressed in the plan.

- A) The licensing representative shall observe and verify that the ammunition for the firearm is stored separately and inaccessible to children.
- B) The licensing representative shall review the child record to verify compliance of parental notification that a firearm and ammunition is stored on the day care home premises.

NOTE: This Section requires the notification of parents /guardians when firearms and ammunition are stored on the day care home premises. The law requires notification, it does not stipulate that the notification must be in writing. Therefore it is up to the licensee to determine the method of notification and documentation.

When a firearm is kept anywhere on the premises of a licensed day care home, a Department licensing representative shall physically inspect the entire premises, if needed, to assure that any firearm or ammunition is kept in accordance with the requirements of the Rule.

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18) **Emergency Evacuations**

There shall be written fire and tornado emergency plans. These plans shall reflect accurate and legible drawings and instructions. Using the fire evacuation plan as a guide the licensing representative shall:

- A) Verify that the fire evacuation plan identifies the exits from each area used for child care and the evacuation route is specified;
- B) Verify the “safe assembly” area outside of the day care home is identified and a nearby indoor location for post evacuation holding is identified; if needed;
- C) Review, discuss with the applicant/licensee, and verify that the written fire evacuation plan describes how the licensee/applicant will evacuate the day care home and then call 911; and
- D) Review written tornado/severe weather plan to verify that the plan includes:

19) **Fire Drills**

Fire drill logs shall indicate that monthly fire drills are conducted and documented by the licensee.

20) **Tornado Drills**

Tornado drill log shall indicate that monthly tornado drills are conducted and documented by the licensee.

21) **Drills Logs**

Monthly fire drills shall be recorded and retained by the licensee for a period of three years. The licensing representative may provide the applicant/licensee a sample of these drill logs.

22) **Escape Routes**

- A) All corridors and escape routes shall be clear of obstructions;
- B) All dead end paths or corridors shall no be longer than 20 feet in length;
- C) Escape routes shall have operable lighting. The licensee/applicant should turn on the escape route light switch;

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- D) Bathroom doors accessible to children shall be capable of being opened from outside of the bathroom. The licensing representative shall request the applicant/licensee to demonstrate her/his ability to unlock the bathroom door from the outside;
- E) The applicant/licensee should demonstrate how the closets can be opened from the inside without the use of a key;
- F) All exit doors and exit windows shall have no more than two releasing mechanisms on any exit door or exit window. Releasing devices include door knobs, hand operated deadbolts, thumb-turn locks.
- G) The applicant/licensee shall operate exit doors and windows to verify that the operation of these exit doors does not require a key, tool, or special knowledge. Such releasing devices must be mounted at a height not exceeding 48 in. above the finished floor; and
- H) All exit doors and exit windows shall be clear of debris and equipment.

23) **Daily Inspections**

A day care home daily inspection log shall contain an accurate record of the date, time, and the full name of person conducting the daily inspection and shall be retained for one year.

24) **Monthly Inspections**

The licensing representative may provide the applicant/licensee a sample of a **Monthly Fire Inspection Provider Self-Inspection Record** that shall indicate that the licensee conducted monthly fire inspections of the day care home.

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26) **Telephone**

An operable telephone shall be present on the licensed day care home premises. An operable cellular telephone may be acceptable as long as it is visibly on the premises when children are present. Backup means of communication should be addressed in the hazard protection plan.

The licensing representative shall verify that the Poison Control Center and other emergency numbers are posted in an area(s) that are readily available in an emergency.

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27) **In Ground Pool**

The licensing representative shall arrange their work load to schedule additional monitoring visit in the month of May or June to day care homes with swimming pools.

In-ground pools shall be fenced and the fence shall be at least 5 feet in height and secured by a locked gate. A 3 ½ foot fence shall be considered in compliance with the rule if the day care home was licensed or permitted on April 1, 2001.

28) **Above Ground Pool**

The licensing representative shall arrange their work load to schedule additional monitoring visits on the month of May or June to day care homes with swimming pools.

All above ground pool's side walls shall be non-climbable and have a minimal high of 4 feet. The height of the above ground pool side wall shall be measured from the ground to the top rim of the pool sidewall. If a pool sidewall is 4 ft high, but is recessed into the ground during the pool set-up, then the final sidewall height will be less than 4 feet, or

When non-climbable walls are less than 4 feet high, the licensing representative shall measure the surrounding fence and verify that it has a minimum height of 5 feet and at least is 36 inches away from the pool's side and that the fence is secured by a locked gate.

Steps to the pool shall be removed from the pool or the steps shall be otherwise protected from access by children when the pool is not in use.

Inflatable pools that are not portable, i.e. pools that stay set up and usually have their own filter system), shall be considered climbable. These pools require fencing, regardless of their height. When the annual visit occurs during off pool season, the licensing representative shall conduct an extra monitoring visit during the pool season to assess compliance with the rule when the pool is set up for usage.

A locked gate requires a key or padlock to open it. When a house wall constitutes one side of the pool enclosure, a locked patio door that can be levered opened or unlocked at door-knob height from the inside is not sufficient to meet the locked gate requirement. Securing the door with a lock at the top that requires adult manipulation, along with a door alarm on the door may serve the "locked" requirement.

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29) **Small Pools**

Discuss with the applicant/licensee that regardless of the pool's circumference, all pools less than two feet six inches (2'6") in depth and are capable of being carried shall be drained, disinfected and air dried daily.

30) **Whirlpools**

All whirlpools, hot tubs, spas, or Jacuzzi located indoor or outdoor areas that are accessible to children shall be either fenced or covered with a locked cover. The fence shall be at least 3 ½ ft high and secured by a locked gate. The locked cover shall have the manufacturer's label or the owner shall have written documentation from the manufacturer that indicates the cover meets the standards for a "safety cover" according to ASTM International (American Society for Testing and Materials, International), F1346-91 Standard Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs.

31) **Cords**

All blinds, shades, or drape cords shall be kept out of the reach of children. Cords shall not dangle in areas where children might become entangled, including at lower levels for drapes, or alongside of cribs, beds, sofas or other furniture on which children might stand on.

- A) All new and replacement window coverings shall be cordless (free of cords in their operation);
- B) All existing window coverings shall be grandfathered in, such that replacement is not required, but such window coverings shall be brought into compliance. All existing window coverings are not required to be replaced until needed. However, all cords shall be affixed so that they do not pose an entanglement hazard.

32) **Radon Test**

All homes shall be tested for radon within the last 3 years. The licensee shall record the results of the radon test on the **CFS 585-2, Facility's Radon Test Certification**. This form contains statutory language informing parents of the risks of radon. It is required that the licensee posts the **CFS 585-2** in an area visible to the parents.

Radon tests may be self-administered by the provider or conducted by a licensed radon measurement professional. Testing must be done even if a radon mitigation system is already in place. The home provider is responsible to have the home

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tested and to post the results for parents to see. The law does not presently require a day care homes to mitigate the radon levels. However, if a day care home provider would like to mitigate a high level reading, the provider may go to www.radon.illinois.gov for a list of licensed mitigation professionals in Illinois. The Department is to enforce only testing and posting of results.

b) **The Kitchen**

The kitchen shall be clean, equipped for preparation, preservation of food, and is safe from hazards. The kitchen electrical outlets that are accessible to children shall be covered.

c) **Garbage**

Garbage and refuse containers in areas used for child care shall be disinfected daily unless plastic liners are used and disposed of daily.

d) **Water Supply**

The day care home shall maintain a safe and sanitary water supply. When a private water supply is used instead of an approved public water supply, the applicant shall supply written records of private water supply or a copy of the well test results indicating the water supply is safe for drinking at initial licensing and at the time of renewal. If nitrate levels exceed 10 parts per million, bottled water shall be used for infants. The licensing representative shall have the licensee/applicant sign the **CFS 452 – Well Water Agreement**, if applicable.

When coliform bacteria have contaminated the water, the applicant/licensee may not use this water for cooking, bathing, hand or face washing, or drinking. The licensing representative shall document how the applicant/licensee will obtain enough water to address the above needs.

e) **Hot Water Regulation**

The day care home that accepts children under age 10 or children who are developmentally disabled shall have a maximum hot water temperature of 115° Fahrenheit from all faucets or sinks designated for children washing hands.

To measure water temperature the licensing representative shall open the hot water faucet, allowing the water to run for not less than three minutes, then place an approved thermometer under the water and hold it there for 90 seconds.

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g) **Pets**

Healthy household pets that present no danger to children shall be permitted on the premises. The licensing representative shall interview the applicant/licensee about their pets with the following questions:

- What happens when one of the pets misbehaves?
- Do any of the pets on the premises (indoors and out) have a history of aggressive behavior such as snapping or biting, etc?
- Who disciplines them? How are they disciplined?
- Have you had other pets? What happened to them?

When probable concern arises regarding these pets based on the answer to the above questions, the licensing representative shall instruct the applicant/licensee to revise the hazard plan to address the day care home's household pet concerns.

The daycare provider shall be knowledgeable about the applicable city, county, and public health ordinances that apply to other dangerous animals and/or exotic animals.

1) **Veterinarian's Certification**

Each animal in the day care home shall have a licensed veterinarian's certification indicating that the animal is free of diseases and each animal has been inoculated for rabies. Illinois law prohibits a pet-owner from administering rabies inoculations and requires rabies vaccination to be administered by a licensed veterinarian.

There is no particular form required for the animal certification. The veterinarian may choose to provide the certification via a note/letter from the veterinarian's office. The certification shall give a clear indication of who provided the service, and shall indicate which specific animal is certified. A billing statement from the vet's office shall not suffice as a healthy pet certification, unless the billing statement also certifies that the animal is healthy.

The healthy animal certification is required at the time of the initial licensure and license renewal. The healthy animal certificates shall be updated annually.

2) **Dangerous Pets**

Animals without certification and animals that might be classified as a breed that is associated with animal fighting, or who have a history of biting or other aggressive behaviors shall be confined at all times in an area inaccessible to children while children are in care.

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- 3) There shall be careful supervision of children who are permitted to handle and care for the animals.

4) **Pet or Animal Bite**

Immediate treatment shall be made available to any child who is bitten or scratched by an animal. Any animal that has bitten a child shall be treated as a dangerous animal and follow procedures in subsection (g)(2) above.

5) **Dangerous Animals**

The presence of monkeys, ferrets, turtles, tortoises, iguanas, psittacine birds (birds of the parrot family) or any wild or dangerous animal is prohibited in areas accessible to children during the hours the day care home is in operation. Wild and dangerous animals include, but are not limited to, venomous and constricting snakes, exotic spiders or tarantulas, undomesticated cats and dogs, raccoons, and other animals determined to be dangerous by local public health authorities.

The licensing representative may advise the provider to contact the local health authorities about the applicable city, county, and public health ordinances that apply to other dangerous animals and/or exotic animals in the area served.

h) **Indoor Space**

When an unsafe condition is observed in a licensed day care home, the licensing representative, in conjunction with the licensee, shall set a reasonable date by which the condition is to be corrected or by which an inspection report is secured by the licensee. The correction plan shall be documented on the **CFS 597** or **CFS-515**. A follow-up visit to the day care home shall be made by the licensing representative to verify that the identified unsafe condition is corrected. When the unsafe condition is not corrected the licensing representative shall follow the enforcement process outlined in **Rule and Procedure 383, Licensing Enforcement**.

The licensing representative shall discuss with the applicant/licensee the planned use of space. This discussion will assist both the licensing representative and the applicant/licensee to identify where barriers are required. The licensing representative shall review the written hazard plan to verify the applicant/licensee addressed the protection of children under 30 months of age and the access to stairs. Stairs leading to second levels, attics or basements shall be fitted with a sturdy gate, door or other barrier. The barrier shall be moveable and shall not impede the evacuation of the area if necessary.

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i) **Areas Used for Child Care**

The licensing representative shall ascertain from the applicant/licensee the areas of the home that will be or are being used to provide day care home services and what ages of children the applicant plans to serve or is currently serving.

The licensing representative may ask questions such as:

- What areas of the home will be used for children?
- Where will the children play?
- Where will the children sleep?
- Do you plan to care for infants and toddlers? If so, how many?
- Will infants and toddlers play and sleep in the same space?

Excluded Areas

When there is a question about the exclusion of a particular space or area, the licensing representative shall seek supervisory guidance. The licensing supervisor shall examine the exclusion of a space or area on a case by case basis.

The day care home license capacity is established for the day care home as a whole, rather than for individual rooms within the home. Usable square footage is calculated for each room and then totaled (See **Appendix F, Calculating Square Footage and Determining Capacity**).

j) **Smoking Prohibited**

The applicant/licensee or other individual shall not smoke tobacco while the day care children are present.

k) **Safe Outdoor Space**

- 1) The outdoor play space shall be safe for children. The licensing representative shall verify and discuss with the applicant/licensee the need for the daily inspection of the safe outdoor play space to ensure that the outdoor area is free of broken bottles, needles, trash, animal excrement, containers with standing water, or other hazards.

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2) **Water Hazards**

Water hazards or other outdoor hazards are included in the written hazard plan.

In assessing the suitability of the play area, the licensing representative shall consider such factors as the age of the children to be cared for, the level of supervision required, the types of any potential hazards, the proximity of any potential hazards, and the effectiveness of the provider's plan to protect children from the hazard.

When ponds are present on the day care home premises or nearby, the children shall be physically separated from the water hazard and shall be under constant, direct adult supervision while outside. Physical barriers can take many forms: tree line, fence, gates, etc. It is the responsibility of the applicant/licensee to plan for and physically separate the children from the water hazards.

3) **Outdoor Play Area**

The outdoor safe play area shall be well drained and maintained. The licensing representative shall look for, but not be limited to the following hazards: broken glass, broken bottles, storage of barbeque equipment, barbeque fuel supply (gas, charcoal, charcoal lighter), broken fencing, barbed wire, cars being repaired, used and discarded electrical appliances (stoves, refrigerator, freezers), animal excrement, migration of wild animals into suburban/urban backyards, poorly maintained patio or deck area, and garbage, etc. The licensing representative shall determine if the yard has low spots where water can collect and pool and the condition of the sidewalk and driveway, if applicable.

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5) **Trampolines**

When the presence of a trampoline has been observed on the premises, the licensing representative shall discuss with the applicant/licensee that the use of trampolines is prohibited by children in day care. Exercise trampoline, bouncer trampoline, mini trampoline are various type of trampolines. An individual exercise-type trampoline or "bouncer", with or without a support bar, is still considered to be a trampoline and shall not to be used by the day care children.. The written hazard plan shall address how day care children will be prevented from using the trampoline.

1) **Other Business on the Premises**

The operation of any other business on the premises shall not interfere with the care of children, whether the business is operated by the applicant/licensee or another member of the household. Foster family home license does not constitute a business.

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m) **Bedridden or Chronically Ill Persons**

Prior to approving the presence of bedridden or chronically ill persons in a day care home, the licensing representative shall review medical reports, clinical evaluations or any other evidence needed to determine that such bedridden or chronically ill person does not have a contagious or communicable disease that could be transmitted to the day care children. This report/evaluation shall also identify that the applicant/licensee will be able to care for or make arrangements for the care of the bedridden or chronically ill person and properly supervise the care of the day care children as well. The review and determination regarding the presence of a bedridden or chronically ill person in the day care home shall be documented in the licensing file.

Bedridden or Chronically Ill individuals are subject to background check requirements. Please consult with your supervisor for guidance if accessibility is an issue.

(Source: PT 2014.07)

Section 406.9 Characteristics and Qualifications of the Day Care Family

- a) All individuals who has access to the children cared for in a day care home, or any employee of the day care home shall have submitted the Authorization for Background Check by signing a **CFS 718, Authorization for Background Check** and follow standards of Rule 385.

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e) **Child Support Certification**

Each applicant/licensee shall have submitted a completed, signed, and dated **CFS 560, Child Support Certification** at both initial application and at each subsequent licensure renewal.

- f) The applicant or licensee who is delinquent or fails to certify compliance with child support shall be denied licensure.

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- l) A high school diploma, General Education Diploma (GED) or equivalency certificate are acceptable proof that the applicant meets the education requirements of Rule 406 (see Sections 406.4(b)(1)(G) of this Procedure) .

m) **Health Examination**

Each applicant/licensee and all members of the household shall be free of reportable communicable diseases. The completed, signed, and dated **CFS 602, Medical Report on an Adult in a Child Care Facility** form for each adult, substitute, or assistant in the household and the **CFS 600, Certificate of Child Health Examination** for each child in the household is on file. All adults shall have the Mantoux TB test results documented on the **CFS 602**.

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n) **CPR Certification**

The applicant/licensee shall be currently certified in first aid, the Heimlich maneuver and infant/child cardio pulmonary resuscitation (CPR) by the American Red Cross or American Heart Association or other entity approved by IDPH. When there are Applicants A and B, both individuals shall obtain the required first aid, CPR, and Heimlich maneuver certifications, even if one applicant may not be active as a primary caregiver on a daily basis. Substitutes shall also be certified in first aid, the Heimlich maneuver and infant/child cardiopulmonary resuscitation (CPR) by the American Red Cross or American Heart Association or other entity approved by IDPH. At least one staff member certified in first aid, the Heimlich maneuver and in cardiopulmonary resuscitation shall be present during the hours of operation. Online CPR certifications are not accepted.

o) **First Aid Certification**

The applicant/licensee shall be certified in First Aid, cardiopulmonary resuscitation (CPR), and the Heimlich maneuver. At least one staff member who is certified in first aid, the Heimlich maneuver and in cardiopulmonary resuscitation shall be present during the hours of operation.

Red Cross CPR Certification

Age Range	Required Certification Type
0 – 1	Infant
1-11	Child
12 years and older	Adult

American Heart CPR Certification

Age Range	Required Certification Type
0 to 1	Infant
1 to 8	Child
8 years and older	Adult

p) **Children with Disabilities Training**

The licensing worker may verify the following certifications by accessing the Gateways to Opportunity Registry. A certificate of completion of 6 or more clock hours of training regarding care of children with disabilities may be kept on file. The course for serving children with disabilities must be approved by the Department. Appendix D (point e) in Rule 406 outlines 5 criteria that an approved course must meet.

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Many disability courses taken at colleges do not meet all of the Appendix D requirements, they most often lack the specific information regarding inclusion of preschool children in the child care setting. College courses often focus on clinical settings and school settings, and the on inclusion of school-age children; the college courses frequently lack the component about inclusion of younger children in the child care setting. Disability Training must be approved individually via documentation supplied by the applicant/licensee.

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r) **Work Outside the Home**

The applicant/licensee shall not work outside of the day care home during hours which child care is being provided.

When the applicant/licensee works outside the home not during day care service hours, the licensing representative shall amend the day care home hours of the license, as appropriate,

Joint Licensee – The licensee must notify the licensing representative orally within 2 business days and in writing within 1 week of **any** licensee getting a job outside of the home Upon a licensee’s oral and/or written notification that one of the licensees, who is not the primary caregiver, obtained outside employment during the day care home hours of operation; the licensing representative shall review the licensing file and determine whether or not the capacity of the day care home needs to be reduced and review that the ratio of supervision is maintained. The licensing representative shall reduce the capacity of the day care home if outside employment of a licensee impacts the number and ages of children served in the day care home. Both licensees must continue to fully meet the requirements as a caregiver.

s) The caregiver shall not sleep during children’s naptime. The licensing representative shall review and discuss that during night care, when children are asleep for the night, the caregiver may sleep according to the provisions of **Section 406.23(h)**.

t) **In-Service Training**

The licensing worker may verify the following certifications by accessing the Gateways to Opportunity Registry. Sections 3, 4, and 5 will be accepted with no documentation other than the training or course being listed on the individual’s Gateways to Opportunity Professional Development Record. Courses or training listed in Section 6, Self-Reported Trainings, requires documentation presented to the licensing representative by the provider in the form of training certificates completed and signed by the trainer at the time of the training.

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The applicants/licensees shall have completed 15 clock hours of in-service training each licensing year. Not having 15 clock hours of in-service training at the end of the licensing year is a rule violation of this Part 406 and should be cited per Procedures 383. The licensing representatives shall monitor in-service training hours during each annual licensing monitoring visit and a recommendation for the renewal of a day care home license should not be made if in-service training hours are not current for the licensee.

The DCFS On-Line Day Care Home Orientation is not appropriate for in-service hours; it is intended for pre-service hours prior to licensure.

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u) **False or Misleading Information**

The licensing representative shall review and discuss with the applicant/licensee that providing false or misleading information to the Department regarding the applicant/licensee compliance with applicable regulations shall result in the Department refusing to issue or renew a license, or shall cause revocation of current day care home license.

(Source: PT 2013.10)

Section 406.10 Qualifications for Assistants

- a) The licensing representative shall review the BC-11 screen to verify that the assistant has background check clearances. If the assistant does not have background check clearances, the licensing representative shall verify that the assistant has been fingerprinted, does not have unsupervised access to children and shall not be out of visual and audible contact of the licensee;
- b) Any assistant employed in the day care home shall be at least 14 years of age, and is at least 5 years older than the oldest child that they supervise. Violation of this standard does not imply that the licensing representative neither monitors nor enforces the child labor laws.
- c) Assistants under age 18 shall work under the direct personal supervision of the licensee at all times.
- d) An assistant 18 years of age or older who transports children shall possess:
 - a valid driver's license; and
 - valid motor vehicular insurance.

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- e) All assistants shall be free of reportable communicable disease and physical or mental conditions that could interfere with their responsibilities as evidenced in have a **CFS 602** on file.

(Source: PT 2013.10)

Section 406.11 Substitutes

- a) The licensee shall document the substitute caregiver's work time. The licensing representative, in conjunction with supervisory approval, may approve the licensee's additional time usage of the substitute in accordance with provisions of this Section of the Rule. A substitute shall not replace a licensee in child care if the licensee works outside of the home during child care hours.

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- c) The licensing representative shall review the substitute file and verify that the substitute meets **all** of the requirements of Section 406.9 of the Rule and is current on the 15 clock hours per calendar year of in-service training requirements. The licensing representative may interview the substitute when appropriate.
- d) The licensing representative shall discuss with the applicant/licensee how the applicant/licensee notifies or is going to notify the parents/guardians and the Department when a substitution of caregiving occurs on a regular or scheduled basis or wherein the caregiver is absent from the home for more than 24 hours during which the children are in care.
- e) Verify the list of names, addresses, and telephone numbers of additional adults available to assist the day care home on an emergency basis.

An adult in an emergency situation shall be a responsible person 18 year of age or older who could be present at the day care home quickly, and would be called by the licensee in the event of an emergency. An adult who assumes responsibility for the day care children on an emergency basis is not required to meet the requirements of a caregiver. An emergency basis is one that is unplanned, unscheduled, and unavoidable. It may be a situation such as the licensee's spouse being severely injured in an auto accident, and the licensee must go immediately to the hospital. It is NOT that the licensee has a routine appointment, or that the licensee is attending a school program. The latter situations are planned, and the licensee should utilize a regular, qualified substitute.

- f) The licensing representative shall review the applicant/licensee's plan regarding parent/guardian notification if the licensee is ill or absent from the home due to an emergency.

(Source: PT 2013.10)

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Section 406.12 Admission and Discharge Procedures

a) Child's Hours of Care

The licensing representative shall review the **CFS 428, Application/Record of Child Information** forms to ascertain that no child remains on the day care home premises for more than 12 hours in any 24-hour period, unless parent's employment schedule requires more than 12 hours of day care.

When a child remains in the day care home longer than 12 hours, the licensing representative shall review the child's record folder and verify that the parental work schedule justifies the child being in day care longer than 12 hours in a 24-hour period.

The licensing representative shall not recommend the issuance of a day care home permit or license for more than 18 hours in a 24-hour period.

b) Prior to acceptance of a child for care

- 1) The licensing representative shall review with the applicant/licensee the process for requiring a parent/guardian to bring a potential child to the day care home prior to enrollment of the child. This shall be done in order for the child to become acquainted with the day care provider, the home and day care program.
- 2) Each child under the age of 6 shall have a completed **CFS 600, Certificate of Child Health Examination** signed and dated by a licensed physician, nurse practitioner, physician's assistant, or Doctor of Osteopathy . This certificate shall include a lead risk assessment, as determined by the physician, for a child residing in an area defined as low risk by IDPH, or a screening for lead poisoning for a child residing in an areas defined as high risk by IDPH. The **CFS 600** form is available on Department's website and at DPH website
- 3) The licensing representative shall review a random sample of notice to the parent/guardian requiring a certified birth certificate or other reliable proof of identity of their child for first time enrollment. The notice shall also contain the required notification to the Illinois State Police if documentation is not provided.

The licensing representative shall discuss with the applicant/licensee:

- A) The certified birth certificate or other documentation of a child's identity shall be copied by the provider and the originals PROMPTLY returned to the parent/guardian. The copy retained by the provider shall be returned to the parent/guardian when the child no longer attends the day care home.

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- D) The licensing representative shall view, if applicable, the flagged record of a child enrolled at the day care who is reported to the Illinois State Police (ISP) as a missing person. The licensing representative shall remind the applicant/licensee the requirement to report to ISP any request concerning flagged records or knowledge as to the whereabouts of any missing child.

c) **Visits by Parent**

Parent/guardian shall be admitted to the home promptly upon arrival at the day care home and without a requirement of prior notice.

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e) **Authorized Person for Pick Up**

When a child is released to a person other than the parent or guardian, the licensee shall verify the identity of the person by checking the day care home's authorization list to ensure the person receiving the child is authorized to do so. The licensee shall require and view the receiving person's driver's license or photo identification card issued by the Illinois Secretary of State.

Unless a court order is on file that bars parental pickup from day care, the provider shall release the child to either known parent. It is helpful in custody situations for the provider to ask specific questions at the time of enrollment, including asking for a copy of the court order if it is said that the other parent or guardian cannot claim the child. If there is a conflict regarding the parent's right to the child, it is advised that the police be called to address the conflict.

f) **List of Designated Persons for Pick Up**

The list of persons designated, in writing by parent/guardian who is authorized to pick up the child at least once per week shall constitute the authorized pick-up list. A contingency list shall be kept in each child's records that documents persons who are authorized to pickup the child less frequently than once per week. The licensing representative shall also discuss with the provider that when someone on the contingency list picks up the child, that the name, date and time, and manner of transportation uses shall be documented.

- g) The licensing representative shall review a school-age child's parent/guardian's written, signed and dated authorization that includes the time that the child is to be released from the day care home and the means of transportation to be used.

- h) The licensing representative shall review the applicant/licensee's clearly written child pick up policy to verify that the signed, dated, written policy is in each day care child's record folder and that it contains all the required information.

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- i) The licensing representative shall view the location of the written daily list of day care children and verify its accessibility for the licensee in case of emergency evacuations or fire drills. The written daily list of children in care shall be readily accessible in the event of emergency evacuation or provider incapacity and may not be kept electronically (computer, cell phone, etc.) only.

(Source: PT 2013.10)

Section 406.13 Numbers and Ages of Children Served

- a) The licensing representative shall review the child record folder, daily attendance log, and day care home's sign-in/sign-out log to verify the numbers and ages of children served within the day care home's licensed capacity.

In determining license capacity, children who have special needs due to physical, mental, and/or emotional disabilities or delays shall be considered at the age level at which they function. The age level at which the child functions for purposes of determining child/staff ratios, shall be determined by the supervising agency in consultation with persons involved in providing care or services for the child (Section 406.20c).

License Capacity

The day care home licensed capacity is the maximum number of day care children cared for who are under 12 years of age and are in the day care home at any given time. The applicant/licensee's own school age children may be counted in the maximum capacity of 8 children and not in the extended capacity of 4 additional children for before and after school care.

Variables that may be considered to impact license capacity when determining capacity

1. Ability of the applicant/licensee to provide satisfactory day care services to children;
2. Ability of the applicant/licensee to evacuate occupants quickly from the day care home in the event of an emergency, fire or tornado;
3. Size of day care home services space;
4. Napping/sleeping arrangements that are appropriate to the ages, numbers, and child's gender;
5. Applicant/licensee's desired age range of children to be served;
6. Willingness or unwillingness of the applicant/licensee to hire an assistant; and
7. Applicant/licensee's willingness or intent to provide day care home services to children with special needs.

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Dually-licensed Day Care/Foster Care Homes

The maximum capacity for a day care home that is also licensed as a foster family home shall be reduced from the basic capacity of 8 children allowed by the number of children under 12 years of age living in the home; whether the children are biological/adopted/related or unrelated children. Any children under age 12 placed in the foster home after the license capacity has been established will require that the capacity of the day care home be amended.

The foster home license capacity shall NOT be deducted from the day care home capacity. The day care home license capacity reduction is determined by the number of children under 12 years of age who reside in the home.

b) Capacity Worksheet

The licensing representative shall verify through discussion with the applicant/licensee that the applicant/licensee comprehends the ages and numbers of children who can receive day care home services at any one time.

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c) A caregiver and an assistant under age 18

1) A caregiver and an assistant under age 18 may care for:

A) One of the groupings in subsection (b) and 4 additional children who are attending school full-time; or

B) A total of 8 children under 5 years of age of which up to 5 children may be under 24 months of age.

2) A caregiver's own full-time school age children may be counted in the additional 4 school-age children provided that the extended capacity has been approved in writing and when there are more than 8 children in care a qualified assistant is present.

3) Care provided for the additional before and after school children is limited to children who attend school full-time and it is limited to before and/or after school, holidays, weekends, during unforeseen school closings, when the provider's own school children come home sick, and during the summer.

(Source: PT 2014.07)

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Section 406.14 Health, Medical Care and Safety

a) Pre-admission Wellbeing Screen

The licensing representative shall ascertain that the applicant/licensee conducts daily pre-admission screening that consists of an informal observation of the child and an exchange of information between the licensee and the parent/guardian while the child is being greeted upon arrival to the day care home.

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c) Medical Examination

The licensing representative shall review each child's file and verify the **CFS 600, Certificate of Child Health Examination** form is on file and dated no earlier than 6 months prior to enrollment. The 6 month prior to enrollment date is required of all children receiving day care services including school-age children. The physical examination report shall be completed, signed, and dated by a licensed physician, licensed nurse practitioner, licensed physician's assistant or licensed Doctor of Osteopathy. There is no "grace period" for this form to allow the child to begin care and parent/guardians submit it shortly afterwards. The medical form shall be on file for each child on the first day of day care services. Chiropractors are not qualified to sign off on immunization records, including "exempting" children from required immunizations.

The DCFS Health Passport, for DCFS wards receiving day care services, is not a substitute for the **CFS 600**.

The **CFS 600** maybe obtained from the Department's website or the Department of Public Health's website. In some cases the doctor's office may have scanned the required form into their computer, and the report is available via an electronic print-out. This type of formatting is acceptable, as long as it is the same **CFS 600** form, and is properly signed.

The licensing representative shall review the child record and verify that:

- 1) Each child's medical information record is updated every 2 years. Updated physicals shall have the immunization record updated, if applicable. A school-age child's physical shall updated in accordance with Section 27.8-1 of the School Code [105 ILCS 5/27-8.1].
- 2) Children living in areas of high risk for tuberculosis as determined by the examining physician shall have received a Mantoux tuberculin skin test either before the first birthday, or no later than the first birthday. The skin test shall be documented on the **CFS 600**.

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- 3) The licensing representative shall review the **CFS 600** to ensure that the physician has completed the Lead Risk Questionnaire section.
- 4) The **CFS 600** shows the child's immunization record. The child's immunization record may be written onto the medical form, or it may be printed from a computer, or on a card from the health department, an immunization clinic, or a doctor's office. The licensing representative shall accept any of these methods as long as the immunization record has the signature of a physician, nurse practitioner, physician's assistant, or Doctor of Osteopathy. The immunization record, TB and/or Lead information shall be written directly onto the **CFS 600**, or other usable format, and stapled to the child's medical form. Children who are being breast fed are not exempt from the immunizations requirements.
- 5) The licensing representative shall review the written, signed, and dated parental religious waiver for immunizations, physical examinations, and/or medical treatment for the applicable child.
- 6) When a physician determines that a child should not be subjected to immunization, TB or other tests for clinical reasons, or determines that a lead screening rather than a lead testing is sufficient, the physician shall document such determination on the child's medical form. If the **CFS 600** does not document this medical exception, the parent shall obtain a written medical exception, signed and dated by the physician that includes the physician's license number. The statement, signed by the physician, shall then be stapled to the child's **CFS 600** and placed in the child's file.

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- e) The licensing representative shall review and verify the written parent/guardian medication instructions in the file.

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- 3) The licensing representative shall review the child's file and verify a signed and dated **CFS 593, Consents to Day Care Providers** form is included.
- 4) The licensing representative shall review the medication dispensation record for each child, if applicable, to verify the logging of the dispensed medication.

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- 6) Exceptions made for children who for medical reasons should not be subjected to immunizations or tuberculin tests shall be so indicated by the physician on the child's medical form.

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f) **Illness of a Child**

The licensing representative shall review the location of an isolation area for a child who becomes ill in the day care home. Discuss with the applicant/licensee her/his plan for observation and supervision of the ill child. If a child is ill, the child shall be actively supervised in the event the child's condition suddenly worsens. The isolation area may be in the main day care service area off to the side or in the corner. If the child is sleeping away from the day care activity, the room in which the child is sleeping shall be immediately accessible to the main activity area, the door shall be open at all times, and the applicant/licensee shall frequently monitor of the child to assess the child's well being.

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h) **Personal Hygiene Standards**

The licensing representative shall verify that:

- 1) Each child shall have his or her own assigned towel, washcloth and drinking cup; single-use disposable articles when used shall be disposed of after each use.
- 2) Effective December 28, 2012, the day care home shall have certification that all cribs used by the home meet or exceed the federal safety standards in 16 CFR 1219 or 16 CFR 1220 depending on the size of the crib. This certification from the manufacturer shall be available for inspection by the licensing representative.

Mats, air beds, floor cushions or similar that lay on the floor shall not be acceptable napping/sleeping arrangements.

The licensing representative shall verify that each child is provided with separate sleeping and napping arrangements. The licensing representative shall discuss with the applicant/licensee that children in day care home settings may nap on sofas or love seats provided the sofa or love seats meet the day care home licensing standards regarding safety and cleaning requirements. Children in night care shall not be allowed to sleep for a full night on the applicant/licenseses' sofas or love seats. Short naps (equivalent time to an afternoon nap) in night care are acceptable on sofas or love seats.

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- B) The licensing representative shall view the location of the family beds that are to be used for the day care child's napping or sleeping. The licensing representative shall view and verify that the room is free from observable hazards and that separate linens are used.

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The licensing representatives shall question the applicant/licensee about the arrangements made for when family beds are used on another level of the home. For daytime napping the applicant/licensee shall sleep on a different level only those children who require less direct supervision. The licensee shall keep those children who are in need of more direct supervision on the same level with the licensee. The licensing representative shall discuss with the licensee the planned frequency and means of monitoring and supervising children who are outside of visual range. The use of monitors, however, shall not replace the requirement for physically observing the child periodically.

- C) The licensing representative shall discuss with the licensee/applicant how “non-permeable” sheets are to prevent bodily fluids from being absorbed into the mattress when a child is a “bed wetter”. The sheet used may be made of rubber, plastic, or other non-permeable materials.

3) **Change of Clothing**

The licensing representatives shall verify that the applicant/licensee requires the parents or guardian of the children enrolled to clothe their children adequately for the weather and to supply a complete change of clothing according to the weather and the child’s age, including underwear, if appropriate. A change of clothing is needed for each child, not just for infants or toddlers who are diapered. Older children might also need to change clothing if they vomit, develop diarrhea, or if clothing is damaged, badly soiled, or soaked during activity. The complete change of clothing may be taken back home with the child at time of daily discharge.

4) **Hand Washing**

The licensing representative shall view the hand washing area and verify that running water, soap, and single-use hand drying materials are available at the hand washing sink. The hand washing area may have a step-stool that would assist the child to reach the hand washing sink. If step stools are not available the licensing representative shall discuss with the applicant/licensee the process by which the child will access running water for hand washing. The licensing representative shall discuss with the licensee the supervision of hand washing activities.

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i) **Washing Toys and More**

The licensing representative shall verify that caregivers take reasonable measures to reduce the spread of communicable disease among children in the facility by observing such procedures as:

- 1) Using only washable toys for diapered children;
- 2) Washing washable toys at least once per day;
- 3) Cleaning facility-provided stuffed toys;
- 4) Washing toys mouthed by one child before the toy is used by another child; and
- 5) Washing pacifiers and other items which a child would normally place in his/her mouth if dropped to the floor or ground.

j) **Emergency Plan When Accident or Sudden Illness**

The licensing representative shall verify that there is an emergency plan for each child in case of injury or sudden illness.

- 1) The licensing representative shall review each child's file and verify that a completed, signed, and dated **CFS 428** form is contained in the file. The **CFS 428** contains the name of the physician and/or medical facility to be contacted if the child is injured or becomes ill while in the day care home. The **CFS 428** also requires the identification of another contact person in case the parent or guardian cannot be reached in the event of an emergency.
- 2) In addition to discussing with the caregiver the importance of maintaining current information on the **CFS 428**, the licensing representative shall discuss with the licensee the location of emergency care the licensee has identified such as the nearest hospital or emergency care.

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- k) The licensing representative shall discuss with the applicant/licensee their plans to protect the children from exploitation, neglect or abuse.

(Source: PT 2013.10)

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Section 406.15 Discipline of Children

- a) The licensing representative shall ascertain the applicant/licensee's discipline practices. The day care home applicant/licensee should be able to articulate developmentally appropriate, non-physical disciplinary techniques to help individual children develop self-control and/assume responsibility for their own acts.

1) **Simple Rules**

The applicant/licensee shall be able to describe the simple behavioral rules and limitations imposed upon the child. The licensing representative shall discuss with the licensee how this information and expectation is going to be communicated and reinforced to the child each day.

2) **Discipline Out of Proportion**

Discipline shall not be out of proportion to the particular inappropriate behavior. The licensing representative shall discuss with the applicant/licensee, when appropriate, other options for changing the behavior of a child including re-directing the child to a new activity, substituting a different toy, or simply telling and demonstrating to the child what behavior is desired ("we're picking up the toys now").

For school-age children, taking away a favorite game for the day may be effective. Children of all ages often need help in sharing and in appropriately socializing. Adult participation in an activity should model the appropriate behavior and engagement in an activity.

Managing children's behavior, including hitting and biting is one area where many caregivers appreciate receiving tips and help. The Child Care Resource and Referral (CCR&R) network throughout the state often offers training sessions and support to caregivers on these topics. Referring caregivers to the CCR&R and to other sources of community training is absolutely appropriate.

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4) **"Time Out"**

The licensing representative shall discuss with the applicant/licensee the disciplinary method of 'removal' or "time out". Time out, when applied appropriately, is a method of providing the child with an opportunity to regain self-control. The use of time out removes the child from activity to a quiet area, and gives the child a chance to "regroup" to allow for a successful re-entry to the activity. While time-out is often designated to a certain area ("the time-out chair"), it does not have to be restricted to a certain chair or to a corner. Any quiet area that allows the child to regain his or her composure will work. If a child is

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often sent to time-out, then this disciplinary method is ineffective for that child and the caregiver should try a new approach. Time out shall only be used for children above the age of 24 months and shall not exceed one minute per year of age of the child.

b) No child shall be subjected to extreme punishment

1) **No Physical Punishment**

The licensing representative shall discuss with the applicant/licensee the definition of physical punishment or corporal punishment.

Corporal punishment is any type of physical punishment, discipline, or retaliation inflicted upon any part of the body of the child including slapping, hitting, punching, spanking, shoving, pinching, or any type of action geared toward inflicting pain or bodily discomfort upon a child. Corporal punishment also includes smacking a child's hands, shaking a child, or placing a noxious substance, including but not limited to Tabasco sauce, soap, or pepper, in a child's mouth. Corporal punishment may also involve the use of an instrument such as a paddle, belt, or switch or using ones hands. Corporal punishment is prohibited.

2) **No Verbal Abuse**

The licensing representative shall discuss with the applicant/licensee that any form of public or private humiliation, including, but not limited to, verbal abuse, threats, or derogatory remarks about a child or a child's family is prohibited.

Shaming or humiliating methods include actions such as calling the child a name making disparaging comments to the child or about the child requiring the child to wear some symbol of shame making the child sit in or wipe up his own body waste, or announcing the child's negative behavior to the other children

3) **No Depriving of Meals**

The licensing representative shall discuss with the applicant/licensee that no child shall be deprived of meals as a form of punishment. Desserts are part of a meal, and any required snacks, are part of the meal service and shall not be deprived as a punishment.

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(Source: PT 2013.10)

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Section 406.16 Activity Requirements

- a) The licensing representative shall observe the applicant/licensee's notes of discussions held with the child's parent/guardian regarding the child's health, development, behavior and activities that will ensure the consistency in planning activities for the child.
- b) The licensing representative shall assess through observation that daily activities are well-balanced and geared to the needs of the children in care. The applicant/licensee should be able to explain how a typical day in the day care home flows: what are the main types of activities provided to the children and the accommodations made for children of various ages, interest/skill levels and special needs.

The licensee may want to search the American Academy of Pediatrics for information at their web link <http://www.healthychildcare.org/> for guidance and education on appropriate activities for children.

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2) Household Activities

The licensing representative shall observe acceptable and age-appropriate learning activities, such as household routines that may include participation in preparing food, setting and cleaning up tables, age-appropriate garden projects or simple garden activities. The applicant/licensee shall not force children to complete household chores. Household activities do not include maintenance/cleaning activities such as cleaning toilets, scrubbing floors, dusting, or landscaping.

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5) Indoors and Outdoors Activities

The licensing representative shall observe that both indoor and outdoor activities that make use of both gross and fine motor skills are carried out on a daily basis.

Consultation

Outdoor play impacts the development of young children in a number of significant ways: movement within a larger space promotes development of large muscles, gross-motor coordination, and spatial relationships; peer active play encourages the growth of social skills and problem-solving abilities. Outdoor play for infants may include riding in a carriage or stroller. However, infants should be offered opportunities for gross motor play outdoors, as well.

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Children should play outdoors daily when weather and environmental conditions do not pose a significant health or safety risk. Weather that poses a significant health risk includes wind chill factors at or below 15°F and a heat index at or above 90°F, as identified by the National Weather Service.

The licensing representative should explain to the applicant/licensee that they should not take children outdoors during prohibitive weather.

- 6) The licensing representative shall observe that a variety of activities that are age and developmentally appropriate are provided to the children.

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- 8) The licensing representative shall discuss with the applicant/licensee that the licensee shall be alert and awake during the children's nap time. The licensee shall not take a nap with the children. Children shall not be left unattended at any time, and the children shall always be within sight and hearing distance of the applicant/licensee.

c) **Materials and Equipment**

The materials and equipment used shall be appropriate to the developmental needs of the children in care in association with the ages and numbers of children served.

Unsafe Products

The applicant/licensee shall not use or have on the premises any unsafe children's product. The signed and dated **CFS 583-B (Homes), Certification of Inspection for Unsafe Children's Products** form must be on file. At the time of renewal the licensing representative shall review, discuss, and require the licensee to sign a new **CFS 583-B** and place the signed document into the day care home licensing file.

The applicant/licensee should be encouraged to join the U.S. Consumer Product Safety Commission (CPSC) free e-mail subscription list of news releases and product safety information, at <https://www.cpsc.gov/cpsclist.aspx>. The licensing representative shall attempt to ensure that providers without Internet access subscribe to receive a hard copy list of unsafe products and their recalls by writing to: US CPSC 4330 East West Highway, Bethesda, MD 20814.

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(Source: PT 2013.10)

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Section 406.17 Nutrition and Meals

- a) When possible, the licensing representative shall observe, that the day care home serves meals that meet the nutritional requirements of **406.Appendix A, Meal Pattern Chart for Children 0-12 Months of Age** and/or **406.Appendix B, Meal Pattern Chart for Children Over One Year of Age**, as applicable. If direct observation during meal time is not possible, the licensing representative shall review the menu for the day.

The licensing representative shall observe that drinking water is readily available to the children and that drinks with high content of sugar, such as sodas or processed drinks, are not be the main source of liquids.

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- g) The licensing representative shall observe and provide consultation to the applicant/licensee regarding the potential choking hazard with of “corn kernels” which are a prohibited food source for children under 2 years of age. The corn kernel definition includes both “whole kernel corn”, “whole corn”, “corn on the cob”, “creamed corn”, and “cream style corn”. The licensing representative shall review and discuss with the applicant/licensee that corn may be fed to children if it is mashed, grated, or pureed. It is encouraged by the Department that only pureed corn is served to infants to avoid a potential choking hazard.
- h) The licensing representative shall review and discuss with the applicant/licensee that peanut butter may not be served in any form to children less than 3 years of age.

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(Source: PT 2013.10)

Section 406.18 Transportation of Children by Day Care Home

- a) When the applicant/licensee, assistants, or substitutes provide transportation to any day care child, the licensing representative shall determine and ensure that the person is 18 years of age or older and that the driver’s license is unrestricted, current and valid.

Parent/Guardian Transporting Children on Field Trips/Outings.

A parent/guardian may transport their own children to field trips and outings. However the parent/guardian may not transport other day care home children. For additional information on parent involvement, see Rule 385.30(k).

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- c) When the day care home transports children, the licensing representative shall review and discuss with applicant/licensee that age-appropriate federally-approved and labeled safety restraint are required for vehicles less than 10,000 pounds.

When applicable; the licensing representative shall view the vehicle that will be used to transport the day care children, and verify the vehicle contains age-appropriate safety seats.

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- 2) When applicable, the licensing representative shall review the child's record folder and verify that there is an identified individual that the parent/guardian has designated to receive the child upon delivery to the home or other facility.

- e) The licensing representative shall discuss and provide consultation to the applicant/licensee that any time a vehicle is being used to transport any children, the driver shall count heads frequently; and shall do a final check of the vehicle after all children have been unloaded, to verify and ensure that no child is left behind in the vehicle.

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- 2) When applicable, the licensing representative shall view and verify that the applicant/licensee, and each assistant, or substitute who transport will be transporting day care children has vehicular insurance in force that meets or exceeds the requirements of Illinois law.

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(Source: PT 2013.10)

Section 406.19 Swimming

- a) The licensing representative shall determine that the applicant/licensee understands the risk of children drowning even in a small amount of water and the critical need for constant supervision when children are swimming. When swimming is available to children, the parent or guardian shall sign a **CFS 595, Consents to Day Care Providers**.

A child can drown in as little as one inch of water, in as little time as 20 seconds. Children are at risk anywhere water collects or is stored: in ditches, garden ponds, bathtubs, quarries, septic tanks, streams and farm ponds. Five-gallon buckets, such as those commonly used in home improvement projects, pose a special concern for toddlers as they have undeveloped upper body muscles and are at risk of being unable to free themselves should they topple over headfirst into the bucket.

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The American Red Cross identifies 4 crucial elements to childhood water safety:

- 1) Maintain constant supervision. Watch children around any water environment (pool, stream, lake, tub, toilet, bucket of water) no matter what skills your child has acquired, and no matter how shallow the water. For younger children, practice "Reach Supervision" by staying within an arm's length.
- 2) Don't rely on safety devices as a substitute for direct supervision. The use of flotation devices and inflatable toys cannot replace adult supervision. Such devices could suddenly shift position, lose air, or slip out from underneath, leaving the child in a dangerous situation.
- 3) The licensee who has a pool in the home shall encourage the parents of the children to enroll their children in a water safety course or Learn-to-Swim classes. Their decision to provide their child with an early aquatic experience is a gift that will have infinite rewards. These courses encourage safe practices. They can also purchase a Water Safety Handbook at a Red Cross Store.
- 4) Parents and caregivers should take a CPR course. Knowing these skills can be important around water and expand the capability to provide care for a child.

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- c) The licensing representative shall verify with the applicant/licensee that a second adult shall be present when there are any water activities such as swimming or wading. The second adult should provide care for any child who is not in the water. This second adult's presence allows the applicant/licensee's focus of attention to remain, uninterrupted, and on those children who are engaged in the water activities.

(Source: PT 2013.10)

Section 406.20 Children with Special Needs

- a) The applicant/licensee provides appropriate and accommodating activities for children with special needs in the day care home. When a special needs service occurs during the day care hours, the licensee may allow the provider to provide services to the child. The parent shall authorize, in writing, such therapy to occur. The written authorization shall be filed in the child's record folder. The applicant/licensee shall agree that the service provider remains in visual and auditory supervision of the applicant/licensee. The service provider shall not be left alone with any child. These service providers are not subject to a background check.

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c) **Ratio and Capacity**

The licensing representative shall consult with the licensing supervisor in the establishment of the child/staff ratios for a day care home that receives and provides services to special needs children. Special needs children shall always be counted in the capacity of the day care home. The day care home license age range shall never exceed 12 years of age, even with special needs children in care.

Other Special Needs Considerations

The licensing representative shall discuss with the applicant/licensee that asthma is considered a special need and when nebulizer treatments are administered, the administration of such treatments shall be recorded and logged, including the dates, times, and dosage of each medical treatment. The licensing representative shall discuss with the applicant/licensee that an infant on an apnea monitor is a child with a special need and any medication required to stimulate breathing or coughing shall be documented as any other medication would be.

((Source: PT 2013.10)

Section 406.21 School Age Children

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- 4) When applicable, the licensing representative shall verify that the child's record folder contains a current, written, signed and dated after school activity permission document.
- 5) The licensing representative shall verify the age-appropriate materials for school age day care children and enough materials for the number of children who receive day care services before and after school.

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(Source: PT 2013.10)

Section 406.22 Children Under 30 Months of Age

- a) The licensing representative shall verify, when possible, that children under 30 months of age are not be permitted in bathrooms, kitchens, or other hazardous areas without the licensee or assistant present.

b) **SIDS**

The licensing representative shall verify that infants are placed on their backs to sleep and that the use of 'sleep positioning' devices is not used.

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When appropriate, the licensing representative may provide consultation and encourage the applicant/licensee to access the Sudden Infant Death Syndrome (SIDS) educational materials and to distribute them to the parents of enrolled children. The applicant/licensee may obtain these documents from following website:

<http://www.sidsillinois.org/materials.php>.

- 1) The licensing representative shall view the child record folder to verify the physician's written instructions are contained therein for all infants who are not placed on their back to sleep due to a disability or illness. Additional verification of the child's disability can be found on the **CFS 428, Application/Record of Child Information** and on the **CFS 600**.

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- 4) The licensing representative shall verify that infants do not sleep on a sofa, or in a car seat or swing. A 'soft mattress' may be defined as a mattress that is so soft and pliable that it presents a risk of entrapment or other injury.
- 5) When appropriate, the licensing representative may discuss with the applicant/licensee the infant's developmental need for 'tummy time' when awake; and the need for the direct supervision of the infant.

- c) The licensing representative shall review the applicant/licensee's daily day care home program for children under 30 months of age.

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- 6) The licensing representative shall verify that the child care program includes taking the children outside on a daily basis weather permitting.

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- 3) The licensing representative shall verify that bottles are never warmed or defrosted in the microwave oven, Bottles shall be warmed by holding them under tap water or by setting it in a bowl of warm water and should be tested on the wrist before feeding.

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- g) 1) **Crib Standard**

The licensing representative shall verify that all cribs comply with federal standards 16 CFR 1219 or 1220. Cribs manufactured and sold after June 2011 must meet these standards. The licensing representative shall ascertain that each crib has the manufacturer's Certificate of Compliance that indicates meeting the

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16 CFR 1219 or 1220 federal standards. The licensing representative shall also verify that playpens or port-a-cribs are safe, sturdy, well-constructed and equipped with good firm, fitted mattresses made of washable waterproof materials. The applicant/licensee shall have sufficient cribs, playpens or port-a-cribs to provide for the ages/numbers served on the day care home license

Bassinets

When an applicant/licensee uses a bassinet, 'Moses' basket, or cradle, the licensing representative shall verify the following basic safety considerations:

- Baby cradles and bassinets should have a sturdy bottom and a wide base for stability.
- Wood or metal cradles should have slats no more than 2 3/8 inches apart. A bigger gap than this can allow the baby's head to slip through, presenting a risk of strangulation.
- All locking devices shall be properly latched before putting the baby in the bassinet or cradle.
- Baby bassinets or cradles shall not be moved while the baby is in it. The baby is to be picked up before moving the basinet or cradle.
- **Don't exceed the recommended age or weight limits for the cradle or bassinet.** The applicant/licensee should cease using a baby cradle, 'Moses' basket or bassinet when the baby is able to roll over or reaches four months of age, whichever occurs first.
- Older children shall not be allowed to hang on the sides of the bassinet.
- The applicant/licensee shall remove the infant from the bassinet when other children are present and the applicant/licensee leaves the room or attention is diverted from the infant in the bassinet.
- If the applicant/licensee uses a bassinet for an infant, the infant shall be removed from the bassinet and engaged in appropriate infant activities when awake.

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- 4) The licensing representative shall verify that positioning devices are not used in a child's bed/crib. Positioning devices include, but are not limited to, soft bedding, bumpers, bolsters, pillows, quilts, comforters, sheepskins, stuffed toys, laundry and other soft products. If a positioning device is used for a child, the licensing representative shall verify that written, signed and dated physician's instructions are in the child record folder. The licensing representative shall discuss with the applicant/licensee "Safe Sleep" procedures.

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- 5) The licensing representative shall verify that washable, safe, and tight fitting bed linens are used on cots, cribs and playpens. The licensing representative shall discuss with the provider the need to frequently monitor the children while napping.

Blankets, loose sheets, pillows, soft coverings, soft toys are PROHIBITED from use in a crib or playpen, regardless of the age of the child. If a child pulls the blanket over their face, the staff shall increase monitoring of the child. The provider or assistant shall not place a blanket on a sleeping child's face.

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- i) The licensing representative shall verify that the day care home's equipment and play materials meet this licensing requirement.

Diaper Bags

The licensing representative shall verify the handling and storage of diaper bags. When appropriate, the licensing representative shall provide consultation to the applicant/licensee regarding the potential consequences of spills from the diaper bag contents.

(Source: 2013.10)

Section 406.23 Night Care

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c) Baths

The licensing representative shall discuss with the applicant/licensee, when appropriate, that a bath is not a requirement for every child enrolled in evening or night care. Children shall be bathed when needed. Bathing is dependent upon the child's activities, time and length of the child's attendance, or the parent/guardian's preference. The licensing representative shall discuss with the applicant/licensee the need to identify the child's bathing requirements with the parent/guardian at the time of enrollment.

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- e) The licensing representative shall verify that any child sleeping overnight at the day care home shall have suitable sleeping garments that are changed into prior to bedtime. The sleeping garment may be supplied by either the child's parent/guardian or by the applicant/licensee.

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Late Night pick-up

The parent/guardian, in conjunction with the applicant/licensee, shall determine the type of clothing the child will wear if the child is laid down before being picked up by the parent/guardian. Consideration shall be given to the child's age and comfort, the time of pick-up and the parent/guardian's plan to transition the child from the day care setting to the child's home and bed.

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- 1) The licensing representative shall verify; when possible, that a double bed is the minimum size for sleeping two children of the same sex as long as both are non-bed-wetters; Use of a larger bed size does not allow for additional children to be placed in the bed for sleeping. The licensing representative shall view the bed to be used for the sleeping of night care children and verify the bed's size.

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- m) The licensing representative shall verify that the child has individual toilet articles that may be supplied by either the parent/guardian or the applicant/licensee. The licensing representative shall view the storage of children's articles and verify the toothbrushes and wash clothes are stored and/or hung in a sanitary manner.

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- 3) Children in day care settings may be allowed to nap on sofas or love seats provided they meet the safety and cleaning requirements required by this part. Children in night time care may not be allowed to sleep for a full night on sofas or love-seats. Short naps (equivalent to an afternoon nap) in night time care would be acceptable.

(Source: PT 2013.10)

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Section 406.24 Records and Reports

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- d) The licensing representative shall view, review, and verify that a valid **CFS 600, Certificate of Child Health Examination** is on file for each child enrolled in the day care home. If a child transfers from one day care facility to another, the **CFS 600** may be used at the new facility if the **CFS 600** is dated no earlier than 6 months prior to the enrollment in the new facility. The sending child care facility shall maintain a copy of the **CFS 600** for the child's sending agency child record file. The sending child care facility shall return the original **CFS 600** to the child's parent/guardian.

- 1) If the medical report is on a school-age child, the licensing representative shall review the medical report and verify it is in compliance with the Illinois School Code requirements.

ILLINOIS LAW REQUIRES that all students entering an early child-hood program, kindergarten, sixth or ninth grades, or transferring from out of state have a physical examination within one calendar year **PRIOR** to the date of entry. The examination must include a complete immunization record and medical history.

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- 3) The licensing representative shall review each child's file and verify that the child was immunized as required by the Illinois Department of Public Health (IDPH) and the immunization record is signed and dated by a licensed physician, licensed physician's assistant, licensed doctor of Osteopathy, licensed nurse practitioner. The required immunizations shall include poliomyelitis, measles, rubella, diphtheria, mumps, pertussis, tetanus, hepatitis B, haemophilus influenza B, varicella (chickenpox) or the provision of proof of immunity according to requirements of 77 I. Adm. Code 695.50 of IDPH. See paragraph h) of this section regarding waivers of immunization for religious reasons.

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- f) **Summary of Licensing Standards**

The licensing representative shall distribute to the applicant/licensee the **CFS 1050-51, Summary of Licensing Standards for Day Care Homes**. The licensing representative shall verify that all parent/guardians enrolling a child for day care services received a copy of the licensing standards summary by verifying the parent/guardian's signature on the last page of the CFS 1050-51.

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The Summary of Licensing Standards for Day Care Homes is a DCFS document, available to licensees on the DCFS website at

http://www.state.il.us/dcf/library/com_communications_sumlicen_dch.shtml

If the applicant/licensee does not have internet access, a supply may be provided by the licensing representative. The CFS 1050-51 is also available in Spanish. The applicant/licensee shall not be cited with a licensing violation if DCFS has been unable to provide the summary

- g) When applicable, the licensing representative shall observe the posting of the substantiated licensing violations and corrective plan documents in an area accessible and visible to parents/guardians who are dropping off and picking up children. The substantiated licensing violations and corrective plan documents shall remain posted until the licensing representative sends written verification to the licensee that every violation has been corrected and the documents may be removed.
- h) When applicable, the licensing representative shall verify the parent's written, signed, and dated waiver to immunizations, physical exams, and/or medical treatment is for religious reasons. There is no provision in the Child Care Act of 1969 for a waiver to be requested based only on parental preference. This waiver is for day care children not children in the day care family.

The licensing representative shall verify that the waivers are attached to the child's medical examination **CFS 600** and documented on the **CFS 593** maintained in the child's file.

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- j) The licensing representative shall verify that all medical reports for caregivers, substitutes, and assistants shall be updated every 3 years. If there are joint licensees (Applicant A and Applicant B), both licensees shall submit new physicals every 3 years to the Department. New medical reports are not required for other members of the household unless the Department requests an updated medical report under Section 406.24(k).

k) **Medical Reports**

The Department has the authority to request an updated medical report as evidence of freedom from communicable disease or illness at any time for members of the day care home household, regular substitutes, and assistants. The licensing representative does not have the authority to require medical updates for members of the day care home household at the time of renewal or at annual licensing monitoring visits. If the licensing representative questions the continued health status of an individual person, the licensing representative has the authority to request that a signed, dated, written updated medical report be provided from a health care professional that the person is free of

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communicable disease or illness. The reasons a licensing representative may question a health status may include, but are not limited to, the observation of a noticeable decline in physical ability, obvious signs of illness, comments made by the licensee that indicate health problems of the household member or employee, or complaints of poor health from the household member or the employee. Prior to requesting the evidence of freedom from communicable disease or illness report, the licensing representative shall discuss and receive permission from the licensing supervisor to request this updated medical report.

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m) **Mandated Reporter**

The licensing representative shall verify the applicant/licensee's signed and dated **CANTS 22, Acknowledgement of Mandated Reporter Status** form filed in the applicant/licensee's licensing file for each employee.

The On-line Mandated Reporter Training is accessible via the DCFS website (www.state.il.us/dcfs) by selecting Mandated Reporter Training. Upon completion of the training, and presentation of the Mandated Reporter Training Certificate, the Gateway to Opportunity Registry shall award the designated clock hours of training credit. The completion of this mandated reporter training will count towards the 15 annual licensing in-service clock hour training requirement.

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p) **Fires and Other Incidents**

Upon verbal notification from the licensee of fires or other incidents resulting in structural damage to the day care home, the licensing representative shall document such notification in the licensing file. No later than 5 business from the date of verbal notification, the licensing representative shall conduct an on-site visit to the licensed facility to determine safety and continued compliance with Rule 406. Within 7 calendar days after verbal notification, the licensing representative shall review the licensing file to verify that the licensee also submitted written notification regarding fires or other incidents resulting in structural damage to the day care home for which the Department previously received verbal notification.

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q) **Changes to the Household Composition**

Prior to an annual licensing monitoring visit and the renewal licensing visits, the licensing representative shall review the licensing file to verify that the licensee submitted in writing any changes to the day care home's household composition. Written notification shall include the addition of any new person into the home, the return of any former household member, or the departure of any household member.

r) If applicable, the licensing representative shall review the substitute caregiver file folder and verify the substitutes' credentials and documentation regarding dates and hours worked.

s) The licensing representative shall review the fire safety records and verify the information recorded by the licensee regarding monthly fire drill reports, monthly fire safety inspections, and clear exit route daily inspection logs as prescribed in Section 406.8.

(Source: PT 2013.10)

Section 406.25 Confidentiality of Records and Information

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b) The licensing representative shall review that individual child information shall be kept confidential and limited to the applicant/licensee, assistants, substitutes, and authorized supervising agency representatives and/or the Department. The disclosure or dissemination of information beyond these identified individuals requires the written permission of the child's parent/guardian,

If the licensee sends to the licensing representative any child information to verify compliance with a corrective action plan, the licensing representative shall note the correction and the method/date of verification on the **CFS 596-01, Confirmation of Substantiated Violations and Corrective Plan** and shall shred the fax or the copy of the child's information in accordance with Departmental confidential material disposal procedures. If the applicant/licensee sends the original document to the licensing representative, the licensing representative shall return the original document to the applicant/licensee via US mail.

The copy of the certified birth certificate may be returned to the parents once the child no longer attend the day care home.

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(Source: PT 2013.10)

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Section 406.26 Cooperation with the Department

- a) The licensing representative shall conduct annual licensing monitoring visits in accordance with Rule and **Procedure 383-Licensing Enforcement**. The annual licensing monitoring visits are required as long as the license is valid. The annual licensing monitoring visits shall be conducted whether or not child care is being provided. If the unannounced annual license monitoring visit cannot be conducted or completed because the licensee was not at home, the licensing representative shall leave a completed and signed **CFS 597-C, Licensing Monitoring Record** that states “No one home – First Attempt” in the licensee’s door. The licensing representative shall conduct a second unannounced annual licensing monitoring visit to verify compliance with Rule 406. If the licensee is not home, the licensing representative shall leave a second completed and signed **CFS 597-C** that states “No one home – Second Attempt” at the door.

Within 3 working days of the second attempted unannounced annual licensing monitoring visit, the licensing representative shall forward a letter to the licensee that identifies the days, dates, and times of the attempted annual licensing monitoring visits, and requires the licensee to call the licensing representative within 7 working days after receipt of the letter. If it is determined during the course of the telephone conversation with the licensee, that day care is being provided and that the licensee’s work hours prohibit the licensee’s presence during the day, the licensing representative shall, with supervisory consultation and approval, schedule an annual licensing monitoring visit.

- b) The purpose of an annual licensing monitoring visit is to observe and verify that the licensee continues to be in compliance with **Rule 406**. The licensee with a valid day care home license shall maintain compliance with Rule 406 whether or not child care is being provided.

(Source: PT 2013.10)

Section 406.27 Severability of This Part

= =Appendix A Meal Pattern Chart for Children 0 to 12 Months of Age

= =Appendix B Meal Pattern Chart for Children Over One Year of Age

= =Appendix C Background of Abuse, Neglect, or Criminal History Which May Prevent Licensure or Employment in a Day Care Home

= =Appendix D In-Service Training

(Source: PT 2013.10)

LICENSING PROCEDURES FOR DAY CARE HOMES
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