
RULE 407, LICENSING STANDARDS FOR DAY CARE CENTERS

Proposed Amendments to Day Care Center Rules

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The following is a summary of the proposed amendments to Rule 407, Licensing Standards for Day Care Centers:

Updated Definitions and New Definitions – Proposed language includes updates to some existing definitions, including expanding the definition of Background Check, Child Care Staff, Day Care Center, Initial Background Check, and Swimming Pool; and adds new definitions for: Cannabis, Cannabis-infused Product, Firearm, Homeless Children and Youths, Persons Subject to Background Checks, Pre-service Training, Probationary Day Care Employee, and State Central Register.

Application for License – Applicants or Licensees must certify they are no more than 30 days delinquent in a child support order, and must verify on a form prescribed by the Department that they will comply with Illinois statutes regarding prohibition of cannabis use and storage on the premises. In addition, day care centers must pass a fire safety inspection prior to issuance of a permit.

Application for Renewal – During the renewal process, the Department shall conduct random surveys of parents whose children are enrolled in a day care center in order to assess the quality of care.

Provisions Pertaining to the License – Day care centers may operate for 24 hours, may provide care for a child up to 12 hours if the parent's employment requires such shifts, and a 10-hour period elapses between day care visits.

Planned Closures – Requires licensees to notify DCFS prior to a planned closure or temporary interruption of day care services that will exceed 2 weeks, or of a permanent closure.

Pre-Service Training – Training topics are included for those trainings to be completed prior to staff working with children.

Notification of Disasters – A Disaster Initial Assessment Tool will need to be completed by the licensee or DCLR when a disaster occurs at a facility.

Emergency and Disaster Preparedness and Response Plan – An expanded emergency preparedness and response plan resulting from a natural disaster or a man-caused event (such as violence at a child care facility) to be part of the risk management plan. The updated plan will include provisions for: evacuation, relocation, shelter-in-place, lock down procedures, procedures for communication and reunification with families, continuity of operation, and accommodations of infants and toddlers, children with disabilities, and children with chronic medical conditions. Staff members are to receive training annually on the plan.

In-Service Training – Includes required training topics for all child care staff within 90 days of hire: prevention and control of communicable diseases, administration of medicine, prevention and response to food and allergic reactions, building and physical premises safety, emergency preparedness and response planning, handling and storage of hazardous materials, precautions for transporting children (if applicable). All current staff to have one year to complete the training after adoption of final rules.

Includes requirement for training on early childhood social emotional learning, infant and early childhood mental health, early childhood trauma, or adverse childhood experiences within 90 days of hire and every 3 years after.

Includes revisions to Mandated Reporter training (must include a section on implicit bias) to be completed within 90 days after hire. Training must be completed every 3 years.

Staff Immunizations – Includes requirements for MMR (or proof of immunity) and Tdap vaccines, and acceptable proof/documentation of those immunizations.

Background Checks – Includes all federal Child Care and Development Block Grant Act (CCCDBG) components of a criminal history check and explains the requirement for probationary employees (must have results of either ISP, FBI, or criminal history check from the state where employee resides). Probationary employees must always be supervised by someone with a full background check clearance within the past 5 years. Staff cannot be left alone with children until a full comprehensive background check, with qualifying results, is received.

Early Childhood Assistant/School Age Assistant Qualifications – Includes acceptance of proof of other education achievement in lieu of a high school diploma or equivalency certificate: Gateways to Opportunity Credentials: ECE Level 2 or higher, ITC Level 2 or higher, FCC Level 2 or higher, and the SAYD Level 2 or higher.

Firearms – Posting of “No Firearms” signage in the building (and adding statement to Parent Handbook).

Homeless Children and Youths – Homeless families, including asylum seekers and migrant families, will have 90 days to provide a birth certificate and required medical exams/immunizations.

Extended Hours of Care – Provides for children to be in care for up to 12 hours due to parent or guardian employment or training purposes.

Health Requirements for Children – A medical action plan is required when necessary for children with asthma or allergies. Updated requirements for handling of infectious disease cases. Adds a requirement for a plan for anaphylactic shock, including at least one person present at all times with training in recognizing and responding to anaphylaxis.

Child Immunizations – Adds required vaccination for invasive pneumococcal disease.

Food Handler Training – All caregivers and staff who work with unpackaged food will be required to complete ANSI or IDPH approved food handler training every three years. Meal Pattern Charts were updated to align with USDA Food Program components.

Napping – Includes no blankets for infants (to comply with most up to date SIDS recommendations).

Fire Safety – New requirement for monthly fire safety inspections.

Emergency Drills – New requirement for drills based on active threats of violence twice annually.

No Smoking – Additional no smoking language includes no smoking of tobacco products including use of e-cigarettes, vape pens, other electronic nicotine delivery systems in any area of a day care center, including outside of times of operation or in vehicles while transporting children.

Possession or use of cannabis – Prohibits possession or use of marijuana/cannabis, or cannabis-infused products on the premises or in any vehicle.

Unsafe Children's Products – Centers must document there are no unsafe children's products on the premises.

Disposable Gloves – Gloves used for meal service, diaper changing, first aid kits, etc. must be non-latex.

First Aid Kits – Removed requirement for coins in a travel first aid kit. Classroom first aid kits shall accompany the classroom when using an on-site outdoor play area.

Outdoor Play Fence Requirements – If a center is sold and a playground fence was installed prior to January 1, 1998, the new owner must meet current fence height requirements.

Minimum Equipment & Supplies – May use audio equipment capable of playing music in lieu of a phonograph, cassette player or CD player. And may use the digital equivalent to records, cassettes, or CD's for an age-appropriate music source. May use a magnetic board in lieu of a flannel/Velcro board.

New APPENDIX I Pre-Service and Orientation Training – Lists Pre-service and Orientation training requirements, timeframes of completing training, if there is an approved training on the Gateways Registry (and title of training), and how often the training is to be completed.

Please note: The above is a summary of proposed changes and does not include all changes or proposed rule language in its entirety. See the full context of proposed changes at the link listed below.

FIRST NOTICE COMMENT PERIOD

On April 2, 2025, the Secretary of State published proposed amendments in Volume 49, Issue 16, of the *Illinois Register*. Copies are available in local libraries and on the Secretary of State's website at:

<https://www.ilsos.gov/departments/index/register/home.html>

Copies are also available at the DCFS website at:

<https://dcfs.illinois.gov/about-us/notices/pr-policy-rulemaking.html>

Copies may be requested from, and comments may be sent to:

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The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as much. Comments will be accepted until June 02, 2025.