

ORP Office of Rules and Procedures	Department of Children and Family Services	
	Index No: 98-25	Issuance Date: September 15, 1998
	Origin of Request: Central Office of Licensing	
	Distribution: Licensing Staff, Administrative Staff (A,L,P)	
	Key Words: 89 IAC 407, Licensing Standards for Day Care Centers, Articles of Incorporation	
	Approved by:	

Interpretation

Applicable To: **Licensing Standards for Day Care Centers**

Policy Citation: 407.50(b)(1): Only complete applications shall be processed. Incomplete or unsigned applications shall be returned for completion and signature. For the application to be considered complete, the following shall be attached to the application form:

- 1) Articles of incorporation and by-laws, if incorporated, indicating that the center's corporate status is in good standing with the Illinois Secretary of State;

407.55(b): The application for the renewal of a day care center license must be completed, signed by the governing body or its authorized representative, and submitted to the Department three months prior to the expiration date of the current license in order for the application to be considered timely and sufficient. In addition, revisions in items required by Section 407.50(b) which have not been submitted previously to the Department shall accompany the application for the renewal of a license.

Question: **Is a statement of good standing from the Illinois Secretary of State necessary at time of license renewal?**

Discussion: Subsection 407.50(b) lists the required information necessary to consider an application for licensure to be complete. Articles of incorporation and a certificate of good standing with the Secretary of State are required to be submitted with the application in order for the application to be considered complete.

Subsection 407.55(b) indicates that an application for renewal shall be completed and submitted three months prior to the date of renewal. This subsection references the

need to submit revisions to items listed under 407.50(b) only if they were not previously submitted.

At the time of initial application for licensure, the Department has no information on file verifying the center is in good standing with the Illinois Secretary of State and, therefore, requires the certificate of good standing. At the time of renewal of licensure, the Department still maintains the initial application on file and presumes that the center is in good standing with the Illinois Secretary of State. If the licensing worker has reason to believe that the center may not be in good standing with the Secretary of State, he or she can call the Illinois Secretary of State's office and receive phone verification of the status of the center's corporation.

Response: Articles of incorporation and a certificate of good standing with the Illinois Secretary of State are required at time of initial day care center licensing. They are not required at time of renewal unless there have been amendments to the articles of incorporation.