

TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER d: LICENSING ADMINISTRATION

PART 376
PUBLIC NOTICE OF CHANGE IN LICENSE

Section

[376.10 Purpose](#)

[376.20 Definitions](#)

[376.30 Public Notice and Department Approval](#)

AUTHORITY: Implementing and authorized by Section 4(c) of the Child Care Act of 1969 [225 ILCS 10/4(c)].

SOURCE: Adopted at 23 Ill. Reg., effective May 30, 1999.

Section 376.10 Purpose

- a) The purpose of this Part is to prescribe the process to be used to notify the general community when a child care institution, maternity center, and/or group home proposes to change its program or services.
- b) This Part applies to child care institutions, maternity centers, and group homes licensed by the Department as defined in the Child Care Act of 1969.

Section 376.20 Definitions

“Child” means any person under 18 years of age. For purposes of admission to and residence in child care and maternity centers, the term also means any person under 21 years of age who is referred by a parent or guardian, including an agency having legal responsibility for the person pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987. (Section 2.01 of the Child Care Act of 1969 [225 ILCS 10/2.01])

“Child care institution” means a child care facility where more than 7 children are received and maintained for the purpose of providing them with care or training or both. The term “child care institution” includes residential schools, primarily serving ambulatory handicapped children, and those operating a full calendar year, but does not include:

- *any State-operated institution for child care established by legislative action;*
- *any juvenile detention or shelter care home established and operated by any county or child protection district established under the “Child Protection Act”;*
- *any institution, home, place or facility operating under a license pursuant to the Nursing Home Care Act [210 ILCS 45];*
- *any bona fide boarding school in which children are primarily taught branches of education corresponding to those taught in public schools, grades one*

PUBLIC NOTICE OF CHANGE IN LICENSE

May 30, 1999 – P.T. 99.12

through 12, or taught in public elementary schools, high schools or both elementary and high schools, and which operates on a regular academic school year basis; or

- *any facility licensed as a “group home” as defined in the Child Care Act of 1969. (Section 2.06 of the Child Care Act of 1969 [225 ILCS 10/2.06])*

“Department” means the Illinois Department of Children and Family Services. (Section 2.02 of the Child Care Act of 1969 [225 ILCS 10/2.02])

“Group home” means a child care facility which provides care for no more than 10 children placed by and under the supervision of a licensed child welfare agency with these homes being owned or rented, staffed, maintained and otherwise operated by the agency. (Section 2.16 of the Child Care Act of 1969 [225 ILCS 10/2.16])

“Maternity center” means a facility in which any person, agency or corporation, other than one licensed as a foster family home or group home under the Child Care Act of 1969, receives, treats or cares for one or more unwed pregnant girls under 18 years of age, except that the term does not include any facility licensed under the Hospital Licensing Act [210 ILCS 80]. (Section 2.07 of the Child Care Act of 1969 [225 ILCS 10/2.07])

“Public Notice” means notification to the public in a newspaper of general publication in the county or municipality in which the applicant facility is located.

“Newspaper” means a newspaper as defined in the Notices by Publication Act [715 ILCS 5/5].

Section 376.30 Public Notice and Department Approval

- a) A child care institution, maternity center or group home shall request in writing Department approval in accordance with 89 Ill. Adm. Code 403 (Licensing Standards for Group Homes) and 89 Ill. Adm. Code 404 (Licensing Standards for Childcare Institutions and Maternity Centers) to change the following:
 - 1) *the range of care or services offered at the facility,*
 - 2) *the age or type of children served, or*
 - 3) *the area within the facility used by the children. [225 ILCS 10/4]*
- b) Within ten days after receipt of the request to make any of the changes specified in subsection (a) above, the Department shall place a notice of the proposed changes in a newspaper of general circulation in the county or municipality in which the facility is located. The notice shall be published for three consecutive weeks and shall be printed *in the total circulation of each edition on the date of publication of the newspaper in which the notice is published* as required by the Notice by Publication Act [715 ILCS 5/3].

PUBLIC NOTICE OF CHANGE IN LICENSE

May 30, 1999 – P.T. 99.12

- c) The Department will accept public comments up to five working days after the last publication date of the notice. Such comments shall be submitted to:

Deputy Director, Division of Operations and Community Services
Department of Children and Family Services
100 West Randolph, 6-200
Chicago, IL 60601

- d) No changes in any of the conditions in subsection (a) of this Section shall be made prior to the public notification required by this Part and approval by the Department.
- e) The Department will notify the licensee of approval or disapproval of the proposed changes no later than ten working days after the last publication date of the notice.

PUBLIC NOTICE OF CHANGE IN LICENSE
May 30, 1999 – P.T. 99.12

This page intentionally left blank