

TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER e: REQUIREMENTS FOR LICENSURE

PART 408
LICENSING STANDARDS FOR GROUP DAY CARE HOMES

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51 AUTHORITY: Implementing and authorized by the Child Care Act of 1969 [225 ILCS 10], the
52 Children's Product Safety Act [430 ILCS 125], Section 3 of the Abused and Neglected Child
53 Reporting Act [325 ILCS 5], Sections 1 and 2 of the Facilities Requiring Smoke Detectors Act
54 [425 ILCS 10] and Section 5 of the Missing Children Records Act [325 ILCS 50].

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56 SOURCE: Adopted at 13 Ill. Reg. 14828, effective October 1, 1989; emergency amendment at
57 15 Ill. Reg. 15104, effective October 8, 1991, for a maximum of 150 days; amended at 16 Ill.
58 Reg. 8950, effective May 30, 1992; amended at 18 Ill. Reg. 5540, effective April 1, 1994;
59 amended at 19 Ill. Reg. 2784, effective February 23, 1995; amended at 21 Ill. Reg. 4563,
60 effective April 1, 1997; emergency amendment at 24 Ill. Reg. 4212, effective March 1, 2000, for
61 a maximum of 150 days; emergency expired July 28, 2000; amended at 24 Ill. Reg. 17057,
62 effective November 1, 2000; amended at 25 Ill. Reg. 5281, effective April 1, 2001; amended at
63 27 Ill. Reg. 19232, effective December 15, 2003; amended at 30 Ill. Reg. 18310, effective
64 November 13, 2006; amended at 32 Ill. Reg. 9164, effective June 20, 2008; amended at 34 Ill.
65 Reg. 18411, effective December 15, 2010; amended at 36 Ill. Reg. 4114, effective March 5,
66 2012; amended at 36 Ill. Reg. 13105, effective August 15, 2012; amended at 36 Ill. Reg. 13403,
67 effective August 15, 2012; amended at 37 Ill. Reg. 19149, effective November 30, 2013;
68 amended at 40 Ill. Reg. 10808, effective July 29, 2016; emergency amendment at 42 Ill. Reg.
69 8593, effective May 9, 2018, for a maximum of 150 days; emergency expired October 5, 2018;
70 amended at 43 Ill. Reg. 265, effective January 1, 2019; emergency amendment at 44 Ill. Reg.
71 10184, effective May 29, 2020, for a maximum of 150 days; emergency amendment to
72 emergency rule at 44 Ill. Reg. 11094, effective June 12, 2020, for the remainder of the 150 days;
73 amended at 44 Ill. Reg. 16166, effective September 18, 2020; amended at 44 Ill. Reg. _____,
74 effective _____.

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76 **Section 408.140 Operation During Public Health Emergency**

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78 Pursuant to the Restore Illinois Plan, group day care homes may resume child care services
79 beginning on May 29, 2020, subject to the requirements of this Part and are encouraged to follow
80 the guidance issued by the Department of Children and Family Services (Department) entitled
81 "Restore Illinois Licensed Day Care Guidance" and posted to the Department website at:
82 <https://www2.illinois.gov/dcf/Pages/default.aspx#tabitem1>. This guidance includes but is not
83 limited to information regarding program planning, access to child care facilities, daily health
84 screenings, cleaning, sanitization, and personal hygiene and will be updated as public health
85 guidance from the Illinois Department of Public Health (IDPH) and the Centers for Disease
86 Control (CDC) evolves. During Phases III and IV of Restore Illinois:

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- a) Children must remain with the same group each day while in care.

- b) Required Ratios and Maximum Group Sizes. In order to provide the level of supervision necessary to adhere to the health and safety requirements established by the Illinois Department of Public Health in response to the COVID-19 pandemic, the following staff-to-child ratios must be maintained at all times during the program day.

	<u>Staff to Child Ratio</u>	<u>Maximum Group Size (Children)</u>
<u>Mixed Age Group</u>	<u>1 Caregiver alone</u>	<u>8 children</u>
<u>Mixed Age Group</u>	<u>1 Caregiver and 1 Assistant</u>	<u>12 children</u>

These mixed groups include the licensed caregiver's own children under the age of 12.

(Source: Amended at 44 Ill. Reg. _____, effective _____)