**Section 383.30 Complaints Alleging Violation of the Child Care Act or Licensing Standards**

a) Complaints alleging violation of the Child Care Act or licensing standards related to the licensing or operation of child care programs or facilities may originate from any source. Complaints alleging licensing violations or that a program or facility is operating without a license may be accepted from anonymous or identified sources.

b) Staff of the Department and purchase of service agencies (see 89 Ill. Adm. Code 357) shall immediately make a licensing complaint when they observe or have knowledge of substantiated violations of the Child Care Act or licensing standards, including *the failure of individual staff at child care facilities or child welfare agencies to report suspected abuse or neglect of children within the child care facility as required by the Abused and Neglected Child Reporting Act* [225 ILCS 10/8.5].

c) A licensing complaint shall be immediately directed to the supervising agency or to the Department's licensing unit serving the geographical area of the facility. A licensing complaint involving a home licensed to operate as both a foster home and a day care home shall be directed to both supervising agencies.

d) When the Department receives a complaint involving a foster home, day care home, or a home that is licensed to operate as both a foster home and a day care home, the Department shall immediately notify the supervising agencies of the complaint.

e) When a non-Department supervising agency receives a licensing complaint, that complaint shall be reported to the Department licensing representative who supervises the agency within 3 business days.

f) Investigations Not Necessarily Required

1) A licensing complaint investigation is not required when:

A) the alleged violation occurred more than 60 days before receipt of the complaint and is not of a continuing nature;

B) the complaint is anonymous and fails to allege violations that affect the health, safety, morals or welfare of the children being served; or

C) no violations of the Child Care Act or licensing standards are apparent from the complaint.

2) However, the licensing supervisor may direct the licensing representative to conduct a monitoring visit at any time.

(Source: Amended at 42 Ill. Reg. 8197, effective June 1, 2018)