**Section 383.35 Investigations of Complaints Concerning Licensed Facilities**

a) When a complaint alleges one or more violations of the Child Care Act or licensing standards involving a licensed child care program or facility, the supervising agency shall assign a licensing representative to investigate the allegations.

b) The licensing representative shall begin a licensing complaint investigation within 2 business days after receipt of the complaint by the supervising agency licensing unit and shall complete the investigation within 30 days after receipt of the complaint. However, upon written notice to the licensee, the investigation may be extended for an additional 30 days.

c) The licensing representative shall:

1) interview the complainant, if known, and other persons who may have information relevant to the complaint. When failure of staff to report suspected abuse or neglect to a child is alleged or suspected, the licensing representative shall *ensure that the child care facility takes immediate action with the individual staff involved* and document the facility's actions. Immediate action may include, but is not limited to, requiring supervised access to children, re-assignment of staff, or additional staff education and/or training;

2) obtain and review any relevant documentation;

3) make one or more unannounced visits to the program or facility, during the hours of operation, to gather information and evidence relevant to the complaint, and to determine whether the program or facility is operating in accordance with the Child Care Act and licensing standards. When evidence supports one or more staff failed to report suspected abuse or neglect to a child within the child care facility, the licensing representative shall document those findings and make a determination *whether the failure to report suspected abuse and neglect was a single incident or part of a larger incident involving additional staff members who failed to report, or whether the failure to report suspected abuse and neglect is a system-wide problem within the child care facility or child welfare agency; and*

4) complete and document the licensing complaint investigation on forms prescribed by the Department. [225 ILCS 10/8.5]

d) At the conclusion of the licensing complaint investigation, the licensing representative shall make a determination and enter a finding of "substantiated" or "unsubstantiated" with regard to each allegation in the complaint and shall document these findings. The licensing representative shall also document any other substantiated violations observed during the investigation.

e) When a licensing complaint is taken for a stand-alone investigation of a licensed foster home, the licensing unit assigned shall be responsible for contacting and interviewing all caseworkers with children placed in the licensed home. All caseworkers with children in a licensed foster home that is being investigated for a licensing violation shall receive ongoing updates and receive the final outcome of the investigation related to that foster home.

f) Within 5 business days after supervisory approval of the determination, the licensing representative shall notify the complainant, in writing, of whether the allegations in the complaint were substantiated or unsubstantiated.

g) Within 5 business days after supervisory approval of the determination, the licensing representative shall notify the licensee or permit holder, in writing, of each finding noted in the complaint investigation and any required follow-up action.

h) When a licensing complaint involves a home licensed to operate as both a foster home and a day care home, the licensing supervisors for both the foster home and day care home licensing units shall assign the complaint investigation to licensing representatives in their respective units and shall require the licensing representatives to coordinate their respective investigations.

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