**Section 401.100 Application for License**

a) The initial application for license as a child welfare agency shall be completed by the officers of the governing body of the child welfare agency on forms prescribed and furnished by the Department.

b) For the initial application for a license to be complete, the following shall be attached to the application:

1) Agencies not providing adoption services shall include the agency's articles of incorporation and by-laws, indicating that the agency's corporate status is in good standing with the Illinois Secretary of State and, if a not-for-profit corporation under Section 501 of the Internal Revenue Code (26 USCA 501), a copy of the Internal Revenue Service ruling on the agency's exemption status from Federal income tax and registration with the Charitable Trust Bureau of the Attorney General's office (if applicable);

2) Agencies not providing adoption services shall include a list of owners, officers, board members, and principal shareholders owning more than 5% of the stock of the corporation and each person's attestation that he or she has not been convicted of a felony or indicated as a perpetrator of child abuse or child neglect, as defined in Appendix B of 89 Ill. Adm. Code 300 (Reports of Child Abuse and Neglect). This includes any or all of the above persons who reside outside the State of Illinois. The board list shall include the board chair's name, home address and telephone number that is in addition to the agency's telephone number; the names of the other officers of the board; names of the other board members; and committees of the governing body;

3) Agencies providing adoption services shall attach to the initial application:

A) A current copy of the Internal Revenue Service's ruling showing that the agency is officially recognized by the United States Internal Revenue Service as a tax-exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986 (26 USC 501);

B) A current copy of registration with the Charitable Trust Bureau of the Illinois Attorney General's office;

C) Copies of 990 reports filed with the Internal Revenue Service in the preceding 3 years (if applicable);

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

E) A list of officers, board members, and each person's attestation that he or she has not been convicted of a felony or indicated as a perpetrator of child abuse or child neglect, as defined in Appendix B of 89 Ill. Adm. Code 300 (Reports of Child Abuse and Neglect). This includes any or all of the above persons who reside outside the State of Illinois. The board list shall include the board chair's name, home address and telephone number that is in addition to the agency's telephone number; the names of the other officers of the board; names of the board other members; and committees of the governing body;

4) A mission statement or statement of purpose including services to be provided and the types of child care facilities to be operated and supervised by the agency, including a plan for recruiting foster family and adoptive homes, as required to fulfill the agency's mission or purpose;

5) Proposed operating budget for the first two years of operation;

6) Range of services to be provided within the first two years of operation; and

7) A comprehensive staffing plan which includes job descriptions and the qualifications of the staff for all child welfare programs to be provided by the agency. If the child welfare agency operates within a multi-service agency, those staff positions that perform no functions for the child welfare agency do not need to be included in the staffing plan. If the child welfare agency intends to operate branch offices, the address, telephone number and staffing plan for each of the branch offices is to be included in the initial application (if known) or reported to the Department within 30 days after the location for a branch office is secured.

c) In addition, the license applicant shall have the following items available for review when the licensing worker visits the agency headquarters.

1) A list of current employees of the child welfare agency, persons the agency has made a commitment to hire and:

A) Certified transcripts of each employee's educational credentials (if obtained from a foreign school or university, the credentials must be translated into English and include a statement of equivalency in the United States educational system);

B) Verification of prior work history, when the work history is required to qualify for the current position;

C) Copy of current professional license or registration, if required. (See Appendix G for a list of professionals commonly used by a licensed child welfare agency who must be licensed or registered.); and

D) If the individual is subject to the background check requirements of 89 Ill. Adm. Code 385 (Background Checks) a copy of each employee's complete, signed authorization to conduct a background check.

2) The agency's written personnel policies, including written compensation policies and salary levels.

3) The agency's written service delivery policies.

4) The agency's risk management plan developed in accordance with Appendix D of this Part.

5) The agency's documentation of current public liability insurance as required by Section 401.220(g).

6) The agency's code of ethics which has been adopted by the governing body which must be at least as stringent as the Code of Ethics for Child Welfare Professionals (published by the Office of Communications, Department of Children and Family Services, 406 East Monroe, Station #65, Springfield, Illinois 62701 (May 1996) or found on the Department's website at www.state.il.us/dcfs).

7) The agency's financial management policies.

d) If the corporate status or ownership of the child welfare agency changes, the new corporate entity must file an initial application for a child welfare agency license as the new corporation.

e) A new application for a child welfare agency license shall be filed when:

1) An application for license as a child welfare agency has been withdrawn before a decision was made on the application and the agency seeks to reapply; or

2) The applicant had been licensed previously as a child welfare agency, but voluntarily surrendered the license, and any waiting period agreed to when the voluntary surrender was accepted has expired; or

3) The applicant had been licensed as a child welfare agency, but the Department revoked or refused to renew the license and the requirements of subsection (f) of this Section have been fulfilled.

f) A new application may be submitted at any time when a license, permit or application has been voluntarily surrendered or withdrawn by the applicant unless the applicant has signed an agreement with the Department not to reapply for a license for a specified period of time. Once an investigation of the facility has been commenced, the license may be voluntarily surrendered only with the signed, written agreement of the regional licensing administrator on the form prescribed in Appendix F.

g) If the Department has revoked or refused to renew the license of a child welfare agency and the agency seeks to reapply for a license, it may do so if at least 12 months have passed since the effective date of the revocation or refusal to renew. If a new license is granted to the applicant, the Department shall issue a provisional license to the applicant for a period not to exceed two years. *The denial of a reapplication for a license pursuant to this subsection must be supported by evidence that the prior revocation renders the applicant unqualified or incapable of satisfying the standards and rules promulgated by the Department pursuant to* the Child Care Act of 1969, or maintaining a facility which adheres to such standards and rules. [225 ILCS 10/6(c)]

h) The applicant shall submit an original and one copy of the application for license and all required documentation.

(Source: Amended at 30 Ill. Reg. 2699, effective February 27, 2006)