**Section 405.18 Agreements with Day Care Homes**

a) A day care agency may provide substitute caregivers and may meet recordkeeping and reporting requirements set forth in 89 Ill. Adm. Code 406: Licensing Standards For Day Care Homes. The agency shall clearly state in its policies and agreements with day care homes which standards it assumes responsibility for meeting.

b) Prior to referring a child to a day care home, the agency shall have a written agreement with the home provider. The agreement shall specify at minimum the following and the Day Care Agency Administrator shall be responsible for assuring that the terms are met:

1) Agency services to be provided to the day care home;

2) The agency's role in planning a program to meet the needs of each child;

3) The agency's role in planning for regular conferences with the parent(s) of children in care, the day care home providers and, if applicable, school and other community agencies involved in providing care and services to the child;

4) Procedures for referring children to a day care home, if applicable;

5) The agency's role in planning for substitute care;

6) Whether the home may accept a child from any source other than the agency;

7) That the home shall release a child only to person(s) designated in the written agreement;

8) The agency's responsibility for recommending licensure and providing supervision of the day care home; and

9) Procedures for keeping records and making reports to the agency.

c) The day care agency shall have a written agreement between the agency, the day care home, and child's parent(s) or guardian which shall include but not be limited to:

1) rate and schedule of payment for day care services,

2) responsibility for payment to the day care home,

3) liability for a delinquent or unpaid fee, and

4) any fees assessed for agency services.

d) The agreement must be signed by the parent(s) or guardian, day care home provider, and an authorized representative of the day care agency.