**Section 408.35 General Requirements for Group Day Care Home Family**

a) Each person subject to background checks, as defined in Section 408.5, shall authorize the background check required by 89 Ill. Adm. Code 385 (Background Checks) and be cleared in accordance with the requirements of Part 385.

b) When notified by the Department that an employee, member of the household or other person in frequent contact with children at the facility is the subject of a formal investigation for child abuse or neglect pursuant to the Abused and Neglected Child Reporting Act [325 ILCS 5], the licensee shall take reasonable action to insure that the employee or other person is restricted from contact with children whose care has been entrusted to the facility during the pending investigation. Such reasonable action includes, but is not limited to, barring or removing the person from the facility or assuring that another adult is always present when the subject of the investigation is in contact with children.

c) The licensee shall be present in the home when children are in attendance unless a qualified substitute caregiver, per Section 408.55, is present.

d) Licensees and other adult members of the household in contact with group day care children shall be stable, law abiding, responsible, mature individuals.

e) Members of the household who have contact with the children in care shall treat them with respect, courtesy, and patience.

f) The caregivers and all members of the household shall provide medical evidence that they are free of communicable disease that may be transmitted while providing child care; and, in the case of caregivers, that they are free of physical or mental conditions that could interfere with child care responsibilities. The medical report for the caregivers shall be valid for 3 years.

g) Caregivers and members of the household shall have a tuberculin skin test administered by the Mantoux method in accordance with the rules of the Department of Public Health (77 Ill. Adm. Code 690.720).

h) Should the caregivers or any member of the household be diagnosed as having a communicable disease for which isolation is required by the Department of Public Health (IDPH) or local health department, the group day care home shall not provide child care until notified by the public health agency that the infectious period has elapsed and that child care may resume. Further, if a child care assistant or substitute who does not reside in the group day care home has been diagnosed as having a communicable disease for which isolation is required, that person shall be barred from the home until the presence of such person is authorized by the IDPH or the local health department.

i) During hours of operation of the group day care home, there shall be at least one person on the premises certified in first aid, the Heimlich maneuver and cardiopulmonary resuscitation (CPR) by the American Red Cross, the American Heart Association or other entity approved by the Illinois Department of Public Health. CPR certification shall be for the age range of children in care. The caregivers shall have on file current certificates attesting to the training.

j) The operators of the group day care home shall carry public liability insurance in the single limit minimum amount of $100,000 per occurrence.

k) Persons, including members of the household, counted in the staff-to-child ratio required by Section 408.65 must be present, awake and free from responsibilities other than those directly related to the care and supervision of children when children are present, except as allowed by Section 408.115 for night care. Responsibilities that are directly related to the care and supervision of children may include light housekeeping to maintain the areas wherein child care is provided.

l) Caregivers, assistants and other persons shall not consume alcohol in the presence of children. A caregiver or child care assistant who appears to be under the influence of alcohol or other drug shall not have responsibility of the care of children.

m) If the group day care home receives children for night-time care, the caregiver may sleep while children are present if the caregiver and the children sleep on the same floor (level) of the residence and the children's bedrooms are within hearing distance of the caregiver's bedroom.

n) No person shall smoke tobacco in the group day care home while services are being provided to children. In addition, no person shall smoke tobacco while providing transportation, in either an open or enclosed motor vehicle, to children who are receiving child care services (see PA 95-17 and 225 ILCS 10/5.5).

o) The licensee shall successfully complete a Department approved basic course of 6 or more clock hours in providing care to children with disabilities. Refer to Appendix G for basic course requirements. The licensee shall have on file a certificate attesting to the successful completion of the training.

1) Current license holders shall complete this training within 36 months from November 15, 2003.

2) New licensees shall complete this training within 36 months from the issue date of the initial license.

3) A licensee who has completed training prior to November 15, 2003

may have that training approved as meeting the provisions of this Section. A certificate of training completion and a description of the course content must be submitted to the Department for approval.

p) Any children under age 12 living in the home who are receiving home schooling shall be counted in the maximum of 12 children in Section 408.65(a) and (b), unless another parent or caregiver is providing the schooling apart from the day care area and the caregiver has no responsibility for the care or supervision or schooling of the children during the hours home day care is provided.

(Source: Amended at 36 Ill. Reg. 13105, effective August 15, 2012)