**Section 412.20 Definitions**

"Accredited College or University", for purposes of this Part, means a college or university that has been accredited by a regional or national institution accrediting association recognized by the U.S. Department of Education or non-governmental recognition counterpart.

"Act" means the Children and Family Services Act [20 ILCS 505].

"Administrative Law Judge" or "ALJ" means a licensed attorney who is appointed by the Director of the Department and is responsible for conducting pre-hearings, motion hearings, and the administrative hearing, and issuing a recommended decision.

"Affirmative Defense" means a reason that, assuming the factual charges are true, operates to limit or excuse the licensure action.

"Another Jurisdiction" means a different entity that issues a license or certification that is subject to regulation by that entity.

"Authorized Representative" means a contractual employee or person, including an attorney, authorized in writing by a licensee to assist in the administrative hearing process.

"Board" means the Direct Child Welfare Service Employee License Board created by Section 5d of the Act.

"Case Management Services" means services that include the assessment and identification of client needs, the identification of available resources to meet client needs, the development of an individualized service plan, the coordination, monitoring and evaluation of services for each client, and advocacy for a client to assure that services and resources are accessible and provided.

"Child Care Act" means the Child Care Act of 1969 [225 ILCS 10].

"Chief Administrative Law Judge" or "Chief ALJ" means the person who is responsible for the supervision of the Administrative Law Judges and the coordination of the administrative hearing process.

"Child Protection Investigation" means a child abuse and neglect investigation that is conducted in accordance with 89 Ill. Adm. Code 300 (Reports of Child Abuse and Neglect).

"CWEL" means direct child welfare service employee licensure.

"CWEL Investigation" means an investigation authorized by the Emergency Licensure Review Team pursuant to Section 412.60.

"Department" or "DCFS" means the Department of Children and Family Services.

"Department Representative" means the person who is responsible for presenting the Department's case under this Part.

"Direct Child Welfare Service Employee" means a contractual employee or person employed by the Department or a purchase of service agency (i.e., child welfare agency, group home, child care institution, maternity center, and child care facility) who carries assigned cases, conducts child protective investigations, makes recommendations or approves placement decisions, recommends or approves family reunification decisions, provides casework to intact/family preservation cases, or makes licensing decisions, or anyone who provides direct supervision to any of these employees or makes case-related decisions. Individuals responsible for making licensing decisions for domestic and foreign adoption only agencies and who do not make placement decisions are not required to be licensed under this Part.

"Emergency Licensure Review Team" or "ELRT" means a committee consisting of a representative from the Office of Child Welfare Employee Licensure, a representative from the Office of the Inspector General, and the Chairperson of the Board. In the event the Chairperson is not available, the Vice-Chairperson may stand in for the Chairperson.

"Employee Who Carries Assigned Cases" means an employee assigned responsibility for a case opened in the Statewide Automated Child Welfare Information System (SACWIS) and Child and Youth Centered Information System (CYCIS).

"Exchange of Information", for purposes of this Part, means the rights of any party to request and have access to, in advance of the pre-hearing, any documents, inculpatory and exculpatory evidence, and list of witnesses in the possession of any other party.

"Final Administrative Decision" means the Board's final decision, order or determination in a particular case that affects the legal rights, duties or privileges of participants and that may be further appealed to the circuit court under the Administrative Review Law [735 ILCS 5/Art. III].

"Imminent Danger to the Public" means there is harm or immediate risk of harm to an individual, public funds, or a child, family or community.

"License" or "Direct Child Welfare Service Employee License" means a document issued by the Department that is required to be held in order to practice as a direct child welfare service employee, the qualifications for which are specified in Section 412.40.

"Licensee" means a direct child welfare service employee who holds a direct child welfare service employee license issued by the Department.

"Licensure Action" means the final administrative decision made by the Board and any subsequent court action.

"OCWEL" means the Office of Child Welfare Employee Licensure.

"Office of the Inspector General" or "OIG" means the Office of the Inspector General of the Department of Children and Family Services.

"Pending Licensure Action" means any activity against a licensee, including whether the licensee is subject to a temporary suspension and whether charges have been issued against the licensee.

"Persons" includes one or more individuals, partnerships, associations or organizations, labor organizations, labor unions, joint apprenticeship committees, corporations, the State of Illinois and its instrumentalities, legal representatives, trustees in bankruptcy or receivers.

"Pre-licensing Review" means a process by which an administrator of OCWEL makes a final administrative decision on a CWEL application.

"Preponderance of the Evidence" means the greater weight of the evidence that renders a fact more likely than not.

"Purchase of Service Provider" or "POS Provider" means an agency (i.e., child welfare agency, group home, child care institution, maternity center and child care facility) or individual offering services to a Department client through a signed contract with the Department.

"Reinstatement" means the restoration by the Board of the revoked, suspended or relinquished license of a direct child welfare service employee.

"Relinquishment" means a voluntary surrender to OCWEL of the direct child welfare service employee license by the licensee.

"Respondent" means the licensee who has been served with a notice of administrative hearing.

"Revocation" means the action by the Board that renders the license of a direct child welfare service employee inoperative.

"Standard of Child Welfare Practice" means the level of performance or provision of services necessary to protect children and State funds from foreseeable and preventable harm and to promote the health, safety, welfare and permanency of children and families.

"Supervision" means responsibility for managing, overseeing, giving direction to, and providing guidance to a direct child welfare service employee that includes approval of critical decisions and other tasks as defined through case management services.

"Suspension" means a period of time during which a license is inoperative.

"Temporary Services Agency" means an agency that provides a temporary direct child welfare service employee through a contract with the Department or a purchase of service agency.

"Valid Driver's License" or "Valid Driver's Permit" means a license or permit issued by the Secretary of State that is of the proper classification for the purposes for which it is being used and that has not expired, been invalidated, denied, canceled, revoked, suspended or disqualified, or been used after a curfew or nighttime driving restriction (see 92 Ill. Adm. Code 1030.1). For purposes of this Part, a "restricted driver's license" will not be considered a valid driver's license, and a "temporary visitor's license" will be considered a valid driver's license.