**Section 412.40 Licensing Requirements**

a) Direct Child Welfare Service Employees Requiring Licensure

Direct service casework managers, supervisors and caseworkers who carry assigned cases and/or provide case management services for the purpose of investigation, casework, intact/family preservation, permanency or licensing decisions shall obtain a license to practice as a direct child welfare service employee. 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.

b) Qualifications for Licensure

The Department shall issue a license to an applicant who:

1) has applied in writing on the prescribed form and has not provided false information;

2) has had a background check completed in accordance with 89 Ill. Adm. Code 385 (Background Checks), has no pending or indicated reports of child abuse or neglect, and has no pending or criminal charge that is a bar to employment under Section 4.2 of the Child Care Act. Any other conviction or pending criminal action will be assessed according to Section 4.2 of the Child Care Act and 89 Ill. Adm. Code 385;

3) is a graduate of an accredited college or university with a minimum of a bachelor's degree or provides documentation of foreign equivalency, as determined by the Council for Higher Education Accreditation, One Dupont Circle NW, Suite 510, Washington DC 20036, of a minimum of a bachelor's degree from a college or university outside of the United States;

4) has completed a prescribed Department pre-service course of training prior to the prescribed licensing examination;

5) has passed the examination to practice as a direct child welfare service employee as authorized by the Department (a score of at least 70% is required to pass the examination);

6) is not delinquent in paying a child support order as specified in Section 10-65 of the Illinois Administrative Procedure Act;

7) is not in default of an educational loan in accordance with Section 2 of the Educational Loan Default Act;

8) does not pose a possible danger to State resources or clients;

9) has not engaged in conduct described in Section 412.50;

10) has not relinquished his or her license during a licensure investigation or after the commencement of a licensure hearing, or had his or her license revoked after the commencement of a licensure hearing. An applicant who has had his or her license revoked or relinquished under these circumstances must first go through the reinstatement process and shall file a new application and comply with other qualifications in this subsection (b); and

11) holds a valid driver's license and has not been convicted of two or more moving traffic violations under the Illinois Motor Vehicle Code [625 ILCS 5], and has not been convicted of driving under the influence of alcohol or other drugs within the year prior to application for licensure.

c) Referral to the Office of the Inspector General for Pre-Licensing Investigation

OCWEL may refer applicants to the Department's OIG for investigation during the licensing process if information indicates that the applicant has engaged in acts that may be grounds for suspension, revocation or refusal to reinstate a license, as described in Section 412.50. The OIG will complete a limited investigation of the applicant within 30 days after the referral and provide the investigation findings to OCWEL. OCWEL may extend the time of the limited investigation for good cause. If OCWEL finds that the information from the OIG investigation provides the basis for refusal to issue a license, OCWEL may refuse to issue a license to the applicant.

d) OCWEL may recall a license that was issued in error within 10 days after issuance.

e) Licensing Examination

1) The licensing examination shall be administered by the Department or designated testing service. It shall cover knowledge and skills including, but not limited to, understanding of child welfare laws and regulations applicable in Illinois, methods of protecting the safety and well-being of children, and the importance of, and techniques for, coordination of services.

2) The Department shall notify the employee and employer of the testing outcome within seven calendar days after the testing date.

3) Applicants shall be allowed two attempts within one year to pass the written examination.

f) License Restrictions and Limitations

1) All direct child welfare service employees and supervisors must obtain a license under this Part to be employed as a direct child welfare service employee.

2) Licensed direct child welfare service employees are responsible for remaining current with changes in law, rule and procedures governing child welfare services.

3) Licensees must notify OCWEL of any changes in their address. Licensees who fail to notify OCWEL of any address change will have waived their right to object to improper service when the Department provides service to the last address reported to OCWEL by the licensee.

4) This license does not allow any person to represent herself or himself as a licensed social worker or licensed clinical social worker as defined under the Clinical Social Work and Social Work Practice Act [225 ILCS 20]. The license is solely for the purpose of employment with the Department or with a POS agency or a temporary services agency as a direct child welfare service employee.

g) Voluntary Relinquishment of a License

1) A licensee may voluntarily relinquish his or her license;

2) A license voluntarily relinquished during a pending licensure or disciplinary investigation, administrative proceeding, or subsequent court action shall be recorded in the licensee's CWEL file as relinquished during licensure or disciplinary investigation, administrative proceeding, or subsequent court action;

3) Voluntary relinquishment of a license must be filed with OCWEL on a prescribed form. The licensee must acknowledge on the form that reinstatement will be subject to consideration of the facts disclosed in any pending licensure investigation or administrative proceeding. Voluntary relinquishment does not divest the OIG of the jurisdiction to complete a pending investigation;

4) An application for a license from an applicant who previously relinquished his or her license shall be considered a request for reinstatement in addition to an application for license.