**Section 509.80 Administrative Requirements**

The Department requires that all awardees of services be able to demonstrate compliance with the following administrative activities. In those instances where an awardee believes these requirements are not appropriate, the Department will consider written requests for a waiver of the specified requirement. A request for a waiver shall be written and addressed to the Secretary. It should identify the portion of the rule from which a waiver is being sought and state the reason for this request. Factors the Department will consider in granting the request include, but are not limited to, the size of the Agency, its legal status (e.g., not-for-profit, for-profit), any resulting conflict of interest, and the rationale for the request. The Department shall have 30 days after the receipt of any request for a waiver to respond. The Department's response shall be in writing.

a) The organization's bylaws, policies and procedures should be current. These should be reviewed and approved by the governing body of the awardee and should address issues related to good business practice. Other information that should be available includes, but is not limited to, the following:

1) A current organization chart.

2) A list of board members and their term of office. Employees of the awardee and immediate family members of awardee employees may not serve as members of the board. Vacancies on the board should be filled in a timely fashion. Individuals serving on the board must be able to objectively discharge their duties and may not engage in activities that could create a conflict of interest.

3) Minutes of the board meetings. The board should meet at least quarterly.

4) Specific written policies on:

A) Conflict of interest, including staff, administration, and Board member disclosures;

B) Fee policies and fee schedules;

C) Unusual incidents (e.g., sexual assault, sexual harassment, abuse, neglect, death, physical injury, missing person, theft, assault, criminal conduct).

b) Proof of incorporation status.

c) Copies of the following reports, if applicable:

1) Annual Report to the Internal Revenue Service (Return of Organization Exempt from Income Tax Form 990 or 990-EZ);

2) Annual Report to the Attorney General (Charitable Organization − Form AG 990-IL);

3) Employer's Quarterly Federal 941 Tax Filings;

4) Employer's Quarterly Illinois 941 Tax Filings; and/or

5) Employer's Quarterly Illinois Department of Employment Security (IDES) Tax Filings.

d) A comprehensive, written set of personnel policies that at a minimum address the following:

1) Policies concerning the hiring, evaluating, and discipline of staff (including termination);

2) Policies on nondiscrimination in hiring, employment, or discrimination for awardee personnel or award recipients on the basis of, including, but not limited to, race, color, sex (including sexual harassment) religion, national origin, ancestry, age (40 and over), order of protection status, marital status, sexual orientation (including gender-related identity), physical or mental disability, unfavorable discharge from military service, pregnancy, or citizenship status. Policies must also address employment discrimination based on arrest record, or discrimination in real estate transactions based on familial status or arrest record;

3) Requirements for license, registration, or certification by the State, if required;

4) Requirements for a written job description listing duties and responsibilities;

5) Requirements for an annual written evaluation;

6) Method of performing background checks for paid staff as required by local, State or federal law or regulation;

7) Policies on sexual harassment that identify employee's rights and the procedure used to file a complaint; and

8) Policies concerning approval of bonuses and/or deferred compensation for staff and administration, including the need for Board approval of such personnel transactions.

e) Maintenance of a property control inventory that includes a description of each item, identifying number of the item, date the item was purchased, the cost of the item, location of the item, the source of funds used to purchase the item, and relevant disposition data, including, but not limited to, applicable disposal dates, if available.

f) Full disclosure of all management and subcontractor arrangements, including all supporting documents.

(Source: Amended at 48 Ill. Reg. 14689, effective September 27, 2024)