



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB2687

by Rep. Margo McDermed

#### SYNOPSIS AS INTRODUCED:

20 ILCS 3933/10

20 ILCS 3933/13 new

225 ILCS 10/3

from Ch. 23, par. 2213

Amends the Illinois Early Learning Council Act. Provides that at least 50% of the persons appointed to the Illinois Early Learning Council shall represent privately-owned day care centers. Provides that any policy change or policy consideration of the Council shall, before being adopted, be provided to all licensed child care providers in this State in an electronic format allowing such providers a vote on the policy issue. Provides that any policy developed by the Council shall be adopted only upon receiving a majority approval of the child care providers notified of the proposed measure. Amends the Child Care Act of 1969. Provides that in addition to meeting the requirements of the Act or any specified administrative rules concerning qualifications for early childhood teachers and school-age workers, an early childhood teacher responsible for a group of children that includes infants, toddlers, or preschool-age children shall show proof of enrollment in an accredited college or university in which he or she is working towards or has achieved at least 6 hours of college credit related directly to early child care studies. Provides that showing proof of enrollment or completion in an accredited college or university of up to at least 6 semester hours of college credit related to early child care studies shall satisfy both the semester hours and clock hours requirements to be an early childhood teacher. Provides for specified personnel of a child care facility to be present at the open and close of the facility.

LRB101 08820 RJF 53909 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Early Learning Council Act is  
5 amended by changing Section 10 and by adding Section 13 as  
6 follows:

7 (20 ILCS 3933/10)

8 Sec. 10. Membership. The Illinois Early Learning Council  
9 shall include representation from both public and private  
10 organizations, and its membership shall reflect regional,  
11 racial, and cultural diversity to ensure representation of the  
12 needs of all Illinois children. At least 50% of the persons  
13 appointed to the Council shall represent privately-owned day  
14 care centers. One member shall be appointed by the President of  
15 the Senate, one member appointed by the Minority Leader of the  
16 Senate, one member appointed by the Speaker of the House of  
17 Representatives, one member appointed by the Minority Leader of  
18 the House of Representatives, and other members appointed by  
19 the Governor. The Governor's appointments shall include  
20 without limitation the following:

21 (1) A leader of stature from the Governor's office, to  
22 serve as co-chairperson of the Council.

23 (2) The chief administrators of the following State

1 agencies: State Board of Education; Department of Human  
2 Services; Department of Children and Family Services;  
3 Department of Public Health; Department of Healthcare and  
4 Family Services; Board of Higher Education; and Illinois  
5 Community College Board.

6 (3) Local government stakeholders and nongovernment  
7 stakeholders with an interest in early childhood care and  
8 education, including representation from the following  
9 private-sector fields and constituencies: early childhood  
10 education and development; child care; child advocacy;  
11 parenting support; local community collaborations among  
12 early care and education programs and services; maternal  
13 and child health; children with special needs; business;  
14 labor; and law enforcement. The Governor shall designate  
15 one of the members who is a nongovernment stakeholder to  
16 serve as co-chairperson.

17 In addition, the Governor shall request that the Region V  
18 office of the U.S. Department of Health and Human Services'  
19 Administration for Children and Families appoint a member to  
20 the Council to represent federal children's programs and  
21 services.

22 Members appointed by General Assembly members and members  
23 appointed by the Governor who are local government or  
24 nongovernment stakeholders shall serve 3-year terms, except  
25 that of the initial appointments, half of these members, as  
26 determined by lot, shall be appointed to 2-year terms so that

1 terms are staggered. Members shall serve on a voluntary, unpaid  
2 basis.

3 (Source: P.A. 95-331, eff. 8-21-07.)

4 (20 ILCS 3933/13 new)

5 Sec. 13. Policy development. Any policy change or policy  
6 consideration of the Council shall, before being adopted, be  
7 provided to all licensed child care providers in this State in  
8 an electronic format allowing such providers a vote on the  
9 policy issue. Any policy developed by the Council shall be  
10 adopted only upon receiving a majority approval of the child  
11 care providers notified of the proposed measure.

12 Section 10. The Child Care Act of 1969 is amended by  
13 changing Section 3 as follows:

14 (225 ILCS 10/3) (from Ch. 23, par. 2213)

15 Sec. 3. (a) No person, group of persons or corporation may  
16 operate or conduct any facility for child care, as defined in  
17 this Act, without a license or permit issued by the Department  
18 or without being approved by the Department as meeting the  
19 standards established for such licensing, with the exception of  
20 facilities for whom standards are established by the Department  
21 of Corrections under Section 3-15-2 of the Unified Code of  
22 Corrections and with the exception of facilities defined in  
23 Section 2.10 of this Act, and with the exception of programs or

1 facilities licensed by the Department of Human Services under  
2 the Substance Use Disorder Act.

3 (b) No part day child care facility as described in Section  
4 2.10 may operate without written notification to the Department  
5 or without complying with Section 7.1. Notification shall  
6 include a notarized statement by the facility that the facility  
7 complies with state or local health standards and state fire  
8 safety standards, and shall be filed with the department every  
9 2 years.

10 (c) The Director of the Department shall establish policies  
11 and coordinate activities relating to child care licensing,  
12 licensing of day care homes and day care centers.

13 (d) Any facility or agency which is exempt from licensing  
14 may apply for licensing if licensing is required for some  
15 government benefit.

16 (e) A provider of day care described in items (a) through  
17 (j) of Section 2.09 of this Act is exempt from licensure. The  
18 Department shall provide written verification of exemption and  
19 description of compliance with standards for the health,  
20 safety, and development of the children who receive the  
21 services upon submission by the provider of, in addition to any  
22 other documentation required by the Department, a notarized  
23 statement that the facility complies with: (1) the standards of  
24 the Department of Public Health or local health department, (2)  
25 the fire safety standards of the State Fire Marshal, and (3) if  
26 operated in a public school building, the health and safety

1 standards of the State Board of Education.

2 (f) In addition to meeting the requirements of this Act or  
3 any rules adopted under Section 407.140 of Title 89 of the  
4 Administrative Code concerning qualifications for early  
5 childhood teachers and school-age workers, an early childhood  
6 teacher responsible for a group of children that includes  
7 infants, toddlers, or preschool-age children shall show proof  
8 of enrollment in an accredited college or university in which  
9 he or she is working towards or has achieved at least 6 hours  
10 of college credit related directly to early child care studies.

11 Notwithstanding the provisions of Section 407.140 of Title  
12 89 of the Administrative Code, showing proof of enrollment or  
13 completion in an accredited college or university of up to at  
14 least 6 semester hours of college credit related to early child  
15 care studies shall satisfy both the semester hours and clock  
16 hours requirements to be an early childhood teacher.

17 (g) A director-qualified individual of a child care  
18 facility shall be present at the open and close of the  
19 facility. A teacher-qualified individual that has been  
20 employed by the facility continuously for at least 24 months  
21 may otherwise be present.

22 (Source: P.A. 99-699, eff. 7-29-16; 100-759, eff. 1-1-19.)