 office of Child Welfare employee licensURE

Department of Children and Family Services

Annual Report to the General Assembly
Fiscal Year 2018

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| DCFS**Office of Child Welfare Employee Licensure** |

Annual Report

# Purpose

The Department is required to submit an annual report to the General Assembly on the implementation of the Child Welfare Employee Licensure Program as per P.A. 90-608 and P.A. 92-0471 on or before January 1, 2000, and each year after. This report covers July 1, 2017 through June 30, 2018.

# Legislative Background

P.A. 90-608 directed the Department of Children and Family Services (DCFS), in consultation with private child welfare agencies, to develop and implement a licensing program for direct child welfare service employees. This consultation and planning resulted in establishment of the Child Welfare Employee Licensure (CWEL) Office. The CWEL Office currently operates in the Office of Learning Professional Development in the Division of Operations. Rule 412 defines the program to be carried out in implementation of the law.

In 2001, the Illinois Legislature passed P.A. 92-0471, which amended P.A. 90-608. Final authority was given to the Child Welfare Employee Licensure Board to make decisions regarding suspension, revocation or reinstatement of any and all licenses issued by the CWEL Office as per this amendatory legislation. Additionally, the Board may make recommendations to the Department Director regarding Rule 412. This nine-member Board, appointed by the Department Director, began work in November of 2001.

Authority is reflected in a revised, promulgated Rule 412, *Direct Child Welfare Services Employee and Supervisor Licensure*,as of May 15, 2015.

# Direct Child Welfare Service Employees Who Must be Licensed

The Child Welfare Employee License is mandatory for all persons who provide or supervise direct child welfare services for the Department of Children and Family Services or any of its purchase-of-service (POS) agencies.

To become licensed each applicant must:

* Complete an application for a Child Welfare Employee License.
* Pass (70% or higher) required licensure examinations, which are given as part of DCFS pre-service training.
* Be a graduate of an accredited college or university and meet the requirements of his or her position as defined in 89 Ill. Adm. Code 401 (Licensing Standards for Child Welfare Agencies).
* Receive a background check clearance per the Illinois State Police, the Child Abuse and Neglect Tracking System, and the sex offender registry.
* Verify compliance with laws regarding any outstanding student loans and with any child support enforcement order.

## Illinois Child Welfare Pre-Service Training

The Illinois pre-service training program for new child welfare direct service employees is the Foundation Training Program. This training program is mandatory and open to all new direct service staff and their supervisors, whether they work in the public or private POS sector.

This training program provides staff with knowledge about the practice of child welfare within specific state and federal mandates, the basic competencies in child welfare in Illinois, ethics and values training and work on coordination of services for children and families. Because Foundation Training provides training on the required skills and knowledge for child welfare practice, its content is the basis for the Child Welfare Employee Licensure exam and also the Child Endangerment Risk Assessment Protocol (CERAP) certification exam. Additionally, pre-service training includes training on individual areas of specialty in child welfare, e.g., child protective services or intact family services, and includes testing on the specialty area.

The Child Welfare Employee Licensure Program supports provision of consistent foundational staff training to both public and private sector staff. It provides the opportunity for all child welfare direct service staff to acquire sufficient knowledge and skills in child welfare practice before they take the licensing exams.

# Progress on Licensing Staff

Since the beginning of the program, 13,664 Child Welfare Employee Licenses have been approved. In FY 2018 there were 668 licenses approved. The CWEL Office works regularly with field operations and private agencies to ensure all child welfare staff in positions requiring a CWEL completes the application, training and testing process. Until direct service child welfare employees receive their license, they do not receive access to the databases that allow for case assignment.

The table below shows the number of participants who completed Foundations Training in FY 2018 The number of students completing Foundations Training will differ from the number who received licenses for two reasons: 1) Students may be transferring from one specialty area to another (e.g., from placement/permanency to child protection) and have already received their CWEL prior to taking the course, and 2) Some students may have completed Foundations Training but not received a license due to another reason such as not passing the required exams, not passing the background check, or not remaining employed in child welfare. (See Chart 1):

|  |  |
| --- | --- |
| Class/Exam | # Completed/ Passed |
| Intact Family Services Class | 154 |
| Child Protection Class | 246 |
| Placement/Permanency Class | 494 |
| State Central Register Class | 37 |
| CWEL Exam | 639  |
| Child Endangerment Risk Assessment Protocol Exam | 827 |
| SCR Exam | 37 |
| Intact Exam | 129 |
| Placement/Permanency Exam | 539 |
| Child Protection Exam | 226 |
| High Risk Intact Exam | 0 |
| Dually Involved Exam | 0 |

Chart 1

# The Child Welfare Employee Licensure Board

## Responsibilities of the Board

Throughout Fiscal Year 2018 the Child Welfare Employee Licensure Board made determinations based on final recommendations from the Administrative Hearings Unit (AHU) when revocation or suspension of an employee’s direct child welfare services license was in question.

Members of the Board must serve in a voluntary and unpaid capacity, but are reimbursed for all authorized legitimate and necessary expenses incurred in attending Board meetings. The Board has two vacancies which will be filled in Fiscal Year 2019.

## Liability

Under the Illinois State Employee Indemnification Act, 5 ILCS 350, an "employee" for purposes of indemnification includes "individuals or organizations who perform volunteer services for the State where such volunteer relationship is reduced to writing, [and] individuals who serve on any public entity (whether created by law or administrative action)”.

If a board member is sued, the Attorney General will provide legal representation and the State will pay any claims unless the actions of the board member are considered willful and wanton or intentional. Neither the Indemnification Act nor any of the immunities would shield a board member from criminal liability.

## Board Composition

According to Rule 412, the Child Welfare Employee Licensure Board has nine members and is comprised of the following:

* Five licensed professionals from the field of human services, with at least two from the not-for-profit sector and one from the public sector;
* Two faculty members of an accredited university with child welfare experience;
* Two members of the general public who are not licensed under Rule 412 or similar rule.

The Board members are appointed or reappointed by the DCFS Director. They are identified on Chart 2 below.

**Child Welfare Employee Licensure Board Members (Chart 2)**

|  |  |  |  |
| --- | --- | --- | --- |
| Name | Organization | Representing | End of Term |
| Tiffany Jones Chairperson | Lakeside Community Committee  | Not-for-Profit | 06/10/2019 |
| Janet AhernVice Chairperson | Illinois Department of Children and Family Services | Public Sector | 6/22/2021 |
| Judi Bradley | Bradley Consulting | General Public | 04/20/2020 |
| Jeanne Flynn | Aurora University | University Faculty | 07/10/2018 |
| Mary Ochman-Ahmed | Retired, DCFS Office of Training | General Public | 07/10/2018 |
| Carly Jones | Lawrence Hall | Not-for-Profit | 12/31/2019 |
| Mary Rachael Stevens- Evans | Lutheran Child and Family Services of Illinois  | Not-for-Profit | 9/25/2020 |
| Vacant |  | University Faculty |  |
| Vacant |  | Not-for-Profit |  |

 \*Eligible for re-appointment/ re- appointment pending

## Board Meetings in 2018

The CWEL Board meets a minimum of quarterly. Additional emergency meetings or ad-hoc committee meetings were called to address license suspension, revocation or reinstatement cases. Minutes of all meetings are recorded and reviewed and approved by a majority Board vote.

## Board Decisions on CWEL Action

Department Rule 412.50 specifies thirteen different grounds for licensure action by the Board that may result in revocation, suspension and/or denial of reinstatement. In Fiscal Year 2018 there were thirty (30) licensing complaints received. Of those thirty complaints, twenty three (23) were referred to the Office of the Inspector General for investigation. Additionally, there were eleven (11) license suspensions, four (4) license revocations, and zero (0) license relinquishments. The Board did not reinstate any licenses in FY 2017. (See Chart 3 below.)

**Licensure Actions in FY ’18 (Chart 3)**

|  |  |
| --- | --- |
| **Licenses Issued** | **668** |
| **License Complaints Received** | **30** |
| **Cases referred to OIG for Investigation** | **23** |
| **License Suspensions** | **11** |
| **License Revocations** | **4** |
| **License Relinquishments** | **0** |
| **License Reinstatements** | **0** |

# Revision to Rule 412

 There were no revisions to Rule 412 during FY 18

# Administration of the CWEL Program

It is the mission of the CWEL Office to carry out the CWEL Program in compliance with Rule 412 and on behalf of the CWEL Board and DCFS. Public relations, material development and system education regarding the benefits of and complaint process for the child welfare employee license in the State of Illinois also come from this Office.

The Office of Child Welfare Employee Licensure holds the following ongoing responsibilities:

* Coordination of the license application process with applicants, the Department and the private POS agencies serving in child welfare;
* Maintenance of each application file, both in paper and with an electronic data base, including day-to-day operations regarding licensure application matters and record-keeping;
* Determination on behalf of the Department to approve the issuance of a license to those who have met CWEL requirements;
* Review of the circumstances of any previous licensure action, forwarding all restoration requests to the Board;
* Provision of the singular entry point for screening of all Child Welfare Employee Licensure complaints, reviews and actions;
* Professional guidance, consultation and support for the Direct Child Welfare Services Employee License Board in carrying out its decision-making authority and its authority to recommend rule and procedural refinements;
* Assurance that licensure examinations fairly test the knowledge and skill of applicants to be direct child welfare service employees.

## Administration

During Fiscal Year 2018 The CWEL Office was staffed by the CWEL Administrator. The CWEL Office will be staffed by the CWEL Administrator and the Assistant Director of Certification and Licensing in Fiscal Year 2019 The CWEL Administrator is responsible for review and approval of all CWEL applicants. The Assistant Director of Certification and Licensing oversees the daily operation of the CWEL Office and participates on the Emergency Licensing Review Team (ELRT), which reviews licensing complaints. The CWEL Administrator and Assistant Director of Certification and Licensing staff the CWEL Board and work with the Office of the Inspector General and the Administrative Hearings Unit on any CWEL-related issues.

Office of the Inspector General (OIG)

The OIG is involved with licensure complaints that represent violations of Rule 412.50. The OIG, the CWEL Administrator and the Chairperson of the CWEL Board form an Emergency Licensure Review Team (ELRT), which reviews each formal complaint regarding licensed child welfare staff. Their review determines if an investigation is warranted as defined in Rule 412. If investigation is warranted, the OIG conducts the investigation and determines if charges against the licensee should be filed. If charges are filed, the OIG coordinates with the Administrative Hearings Unit to establish a hearing date.

The ELRT met during FY 2018 to review complaints and determine if the complaints met the criteria for referral to the OIG. The CWEL Administrator, in conjunction with the OIG, prepared quarterly status/summary reports to update the Board on the status of CWEL complaints.

Administrative Hearings Unit

The Administrative Hearings Unit (AHU) conducts all hearings related to allegations of licensure violation, as detailed by Rule 412.60. At the conclusion of the hearing, the Administrative Law Judge must submit to the Board the hearing record with findings of fact, conclusions of law, and a recommendation whether to suspend the respondent's license, revoke the respondent's license, and let the respondent's license continue in good standing or take any other action regarding the license.

**Virtual Training Center**

In 2009, the Office of Training and Professional Development implemented the CWEL database in the Virtual Training Center (VTC), a web-based training and information center which tracks all required components of a CWEL application and the status of that application. With the implementation of the CWEL database in the VTC, the CWEL Office is able to efficiently track complaints on license holders, license status and create contact notes related to the license.

Each CWEL holder has an account in the VTC, which they are able to access from their office or home computers. CWEL holders are able to access their CWEL information, including license status and completion of the required components of their application. A “Leadership” component of the VTC has been implemented, which allows supervisors and managers to access CWEL information on their employees.

The VTC also tracks all training registrations and completions, allowing employees to view their training transcripts. Supervisors and managers are also able to view the training transcripts of their employees.

# **Goals for Fiscal Year 2019**

Goals for the Child Welfare Employee Licensure Program for 2019 include the following:

1. Continue to work with the Office of Children and Family Policy to submit revisions to R412 lowering the retesting period after the second exam failure from a period of 1 year to a period of 60 days.
2. Ongoing revising of the Standard Operating Procedures for the CWEL Unit.
3. Continue to work with the Office of Children and Family Policy to implement an online CWEL application.
4. Establishing a procedure to back-up the hard copy CWEL files to an electronic media.

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# **Organizational Chart**

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Heather Vose

**Assistant Director of Certification and Licensing, UIUC**

Monico Whittington- Eskridge

**Associate Deputy Director Office of Learning and Professional Development**

Clifford Wainman

**CWEL Administrator, DCFS**

Director Beverly J. Walker

**Acting**

**Senior Deputy Director**

**Office of Operations**

Beverly J. Walker

**Acting Director, DCFS**