



Sen. William E. Brady

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10100SB0885sam001

LRB101 06321 SMS 59410 a

1 AMENDMENT TO SENATE BILL 885

2 AMENDMENT NO. _____. Amend Senate Bill 885 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Child Care Act of 1969 is amended by adding
5 Section 6.5 and by changing Section 7 as follows:

6 (225 ILCS 10/6.5 new)

7 Sec. 6.5. Qualifications for early childhood teachers and
8 school-age workers. Early childhood teachers and school-age
9 workers shall meet one of the following qualifications:

10 (1) complete 60 semester hours from an accredited
11 college or university and complete the Level 1 early
12 childhood education training;

13 (2) complete 1,560 clock hours of child development
14 experience, 30 semester hours from an accredited college or
15 university, and the Level 1 early childhood education
16 training; or

1 (3) complete 2,080 clock hours of child development
2 experience as a teacher assistant in a day care center and
3 complete the Level 1 early childhood education training.

4 (225 ILCS 10/7) (from Ch. 23, par. 2217)

5 Sec. 7. (a) The Department must prescribe and publish
6 minimum standards for licensing that apply to the various types
7 of facilities for child care defined in this Act and that are
8 equally applicable to like institutions under the control of
9 the Department and to foster family homes used by and under the
10 direct supervision of the Department. The Department shall seek
11 the advice and assistance of persons representative of the
12 various types of child care facilities in establishing such
13 standards. The standards prescribed and published under this
14 Act take effect as provided in the Illinois Administrative
15 Procedure Act, and are restricted to regulations pertaining to
16 the following matters and to any rules and regulations required
17 or permitted by any other Section of this Act:

18 (1) The operation and conduct of the facility and
19 responsibility it assumes for child care;

20 (2) In accordance with Section 6.5, the ~~The~~ character,
21 suitability and qualifications of the applicant and other
22 persons directly responsible for the care and welfare of
23 children served. All child day care center licensees and
24 employees who are required to report child abuse or neglect
25 under the Abused and Neglected Child Reporting Act shall be

1 required to attend training on recognizing child abuse and
2 neglect, as prescribed by Department rules;

3 (3) The general financial ability and competence of the
4 applicant to provide necessary care for children and to
5 maintain prescribed standards;

6 (4) The number of individuals or staff required to
7 insure adequate supervision and care of the children
8 received. The standards shall provide that each child care
9 institution, maternity center, day care center, group
10 home, day care home, and group day care home shall have on
11 its premises during its hours of operation at least one
12 staff member certified in first aid, in the Heimlich
13 maneuver and in cardiopulmonary resuscitation by the
14 American Red Cross or other organization approved by rule
15 of the Department. Child welfare agencies shall not be
16 subject to such a staffing requirement. The Department may
17 offer, or arrange for the offering, on a periodic basis in
18 each community in this State in cooperation with the
19 American Red Cross, the American Heart Association or other
20 appropriate organization, voluntary programs to train
21 operators of foster family homes and day care homes in
22 first aid and cardiopulmonary resuscitation;

23 (5) The appropriateness, safety, cleanliness, and
24 general adequacy of the premises, including maintenance of
25 adequate fire prevention and health standards conforming
26 to State laws and municipal codes to provide for the

1 physical comfort, care, and well-being of children
2 received;

3 (6) Provisions for food, clothing, educational
4 opportunities, program, equipment and individual supplies
5 to assure the healthy physical, mental, and spiritual
6 development of children served;

7 (7) Provisions to safeguard the legal rights of
8 children served;

9 (8) Maintenance of records pertaining to the
10 admission, progress, health, and discharge of children,
11 including, for day care centers and day care homes, records
12 indicating each child has been immunized as required by
13 State regulations. The Department shall require proof that
14 children enrolled in a facility have been immunized against
15 Haemophilus Influenzae B (HIB);

16 (9) Filing of reports with the Department;

17 (10) Discipline of children;

18 (11) Protection and fostering of the particular
19 religious faith of the children served;

20 (12) Provisions prohibiting firearms on day care
21 center premises except in the possession of peace officers;

22 (13) Provisions prohibiting handguns on day care home
23 premises except in the possession of peace officers or
24 other adults who must possess a handgun as a condition of
25 employment and who reside on the premises of a day care
26 home;

1 (14) Provisions requiring that any firearm permitted
2 on day care home premises, except handguns in the
3 possession of peace officers, shall be kept in a
4 disassembled state, without ammunition, in locked storage,
5 inaccessible to children and that ammunition permitted on
6 day care home premises shall be kept in locked storage
7 separate from that of disassembled firearms, inaccessible
8 to children;

9 (15) Provisions requiring notification of parents or
10 guardians enrolling children at a day care home of the
11 presence in the day care home of any firearms and
12 ammunition and of the arrangements for the separate, locked
13 storage of such firearms and ammunition;

14 (16) Provisions requiring all licensed child care
15 facility employees who care for newborns and infants to
16 complete training every 3 years on the nature of sudden
17 unexpected infant death (SUID), sudden infant death
18 syndrome (SIDS), and the safe sleep recommendations of the
19 American Academy of Pediatrics; and

20 (17) With respect to foster family homes, provisions
21 requiring the Department to review quality of care concerns
22 and to consider those concerns in determining whether a
23 foster family home is qualified to care for children.

24 (b) If, in a facility for general child care, there are
25 children diagnosed as mentally ill or children diagnosed as
26 having an intellectual or physical disability, who are

1 determined to be in need of special mental treatment or of
2 nursing care, or both mental treatment and nursing care, the
3 Department shall seek the advice and recommendation of the
4 Department of Human Services, the Department of Public Health,
5 or both Departments regarding the residential treatment and
6 nursing care provided by the institution.

7 (c) The Department shall investigate any person applying to
8 be licensed as a foster parent to determine whether there is
9 any evidence of current drug or alcohol abuse in the
10 prospective foster family. The Department shall not license a
11 person as a foster parent if drug or alcohol abuse has been
12 identified in the foster family or if a reasonable suspicion of
13 such abuse exists, except that the Department may grant a
14 foster parent license to an applicant identified with an
15 alcohol or drug problem if the applicant has successfully
16 participated in an alcohol or drug treatment program, self-help
17 group, or other suitable activities and if the Department
18 determines that the foster family home can provide a safe,
19 appropriate environment and meet the physical and emotional
20 needs of children.

21 (d) The Department, in applying standards prescribed and
22 published, as herein provided, shall offer consultation
23 through employed staff or other qualified persons to assist
24 applicants and licensees in meeting and maintaining minimum
25 requirements for a license and to help them otherwise to
26 achieve programs of excellence related to the care of children

1 served. Such consultation shall include providing information
2 concerning education and training in early childhood
3 development to providers of day care home services. The
4 Department may provide or arrange for such education and
5 training for those providers who request such assistance.

6 (e) The Department shall distribute copies of licensing
7 standards to all licensees and applicants for a license. Each
8 licensee or holder of a permit shall distribute copies of the
9 appropriate licensing standards and any other information
10 required by the Department to child care facilities under its
11 supervision. Each licensee or holder of a permit shall maintain
12 appropriate documentation of the distribution of the
13 standards. Such documentation shall be part of the records of
14 the facility and subject to inspection by authorized
15 representatives of the Department.

16 (f) The Department shall prepare summaries of day care
17 licensing standards. Each licensee or holder of a permit for a
18 day care facility shall distribute a copy of the appropriate
19 summary and any other information required by the Department,
20 to the legal guardian of each child cared for in that facility
21 at the time when the child is enrolled or initially placed in
22 the facility. The licensee or holder of a permit for a day care
23 facility shall secure appropriate documentation of the
24 distribution of the summary and brochure. Such documentation
25 shall be a part of the records of the facility and subject to
26 inspection by an authorized representative of the Department.

1 (g) The Department shall distribute to each licensee and
2 holder of a permit copies of the licensing or permit standards
3 applicable to such person's facility. Each licensee or holder
4 of a permit shall make available by posting at all times in a
5 common or otherwise accessible area a complete and current set
6 of licensing standards in order that all employees of the
7 facility may have unrestricted access to such standards. All
8 employees of the facility shall have reviewed the standards and
9 any subsequent changes. Each licensee or holder of a permit
10 shall maintain appropriate documentation of the current review
11 of licensing standards by all employees. Such records shall be
12 part of the records of the facility and subject to inspection
13 by authorized representatives of the Department.

14 (h) Any standards involving physical examinations,
15 immunization, or medical treatment shall include appropriate
16 exemptions for children whose parents object thereto on the
17 grounds that they conflict with the tenets and practices of a
18 recognized church or religious organization, of which the
19 parent is an adherent or member, and for children who should
20 not be subjected to immunization for clinical reasons.

21 (i) The Department, in cooperation with the Department of
22 Public Health, shall work to increase immunization awareness
23 and participation among parents of children enrolled in day
24 care centers and day care homes by publishing on the
25 Department's website information about the benefits of
26 immunization against vaccine preventable diseases, including

1 influenza and pertussis. The information for vaccine
2 preventable diseases shall include the incidence and severity
3 of the diseases, the availability of vaccines, and the
4 importance of immunizing children and persons who frequently
5 have close contact with children. The website content shall be
6 reviewed annually in collaboration with the Department of
7 Public Health to reflect the most current recommendations of
8 the Advisory Committee on Immunization Practices (ACIP). The
9 Department shall work with day care centers and day care homes
10 licensed under this Act to ensure that the information is
11 annually distributed to parents in August or September.

12 (j) Any standard adopted by the Department that requires an
13 applicant for a license to operate a day care home to include a
14 copy of a high school diploma or equivalent certificate with
15 his or her application shall be deemed to be satisfied if the
16 applicant includes a copy of a high school diploma or
17 equivalent certificate or a copy of a degree from an accredited
18 institution of higher education or vocational institution or
19 equivalent certificate.

20 (Source: P.A. 99-143, eff. 7-27-15; 99-779, eff. 1-1-17;
21 100-201, eff. 8-18-17.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."