



OFFICE OF CHILD WELFARE EMPLOYEE LICENSURE
Department of Children and Family Services

Annual Report to the General Assembly Fiscal Year 2022



Office of Child Welfare Employee Licensure

Annual Report

Purpose

The Illinois Department of Children and Family Services (DCFS) is required to submit an annual report to the General Assembly on the implementation of the Child Welfare Employee Licensure Program as required by P.A. 90-608 and P.A. 92-0471 on or before January 1, 2000, and each year after. This report covers July 1, 2021 through June 30, 2022.

Legislative Background

P.A. 90-0608 directed 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 the establishment of the Child Welfare Employee Licensure (CWEL) Office. The CWEL Office is located within the DCFS Office of Learning and Professional Development. P.A. 90-0608 also authorized DCFS to promulgate such rules as necessary to implement the licensure program. 89 Ill. Adm. Code 412 (Licensure of Direct Child Welfare Service Employees and Supervisors) (Rule 412) implements the direct child welfare service program required by P.A. 90-0608.

In 2001, the Illinois Legislature passed P.A. 92-0471, which amended P.A. 90-0608. P.A. 92-0471 gave the Child Welfare Employee Licensure Board the authority to make recommendations to the DCFS Director regarding licensure rules and final determinations concerning the revocation, suspension, or reinstatement of an employee's direct child welfare service license after a hearing conducted under the Department's rules. This nine-member Board, appointed by the DCFS 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

A Child Welfare Employee License issued by DCFS is mandatory for all persons who provide or supervise direct child welfare services for DCFS or any of its purchase-of-service (POS) agencies. "Direct services" encompasses 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 foster care licensing.

To become licensed each applicant must:

- Complete an application for a Child Welfare Employee License.

- Complete a prescribed DCFS pre-service course of training prior to the prescribed licensing examination.
- Pass (70% or higher) required licensure examinations.
- Be a graduate of an accredited college or university with a minimum of a Bachelor's Degree or provide documentation of foreign equivalency as determined by the Council for Higher Education Accreditation 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 by the Federal Bureau of Investigation, Illinois State Police, the Child Abuse and Neglect Tracking System, and the sex offender registry in accordance with 89 Ill. Adm. Code 385
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- Verify compliance with laws regarding any outstanding student loans and with any child support enforcement order.
- Not pose a possible danger to State resources or clients.
- Not have engaged in conduct described in DCFS Rule 412.50 (Grounds for Suspension, Revocation, or Refusal to Reinstate a License).
- Not have relinquished the applicant's license during a licensure investigation or after the commencement of a licensure hearing or had the applicant's license revoked after the commencement of a licensure hearing. An applicant whose license has been revoked or relinquished under these circumstances must first go through the reinstatement process and file a new application and comply with other qualifications reflected in DCFS Rule 412.40 b).
- Hold 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 et seq., and has not been convicted of driving under the influence of alcohol or other drugs within the year prior to application for licensure.

Illinois Child Welfare Pre-Service Training

The DCFS Child Welfare Employee Licensure Program Pre--Service training for new child welfare direct service employees is the Foundation Training Program. Pre-service Foundations training is mandatory and open to all new direct service staff and their supervisors, whether they work in the public or private POS sector.

The goal of the Foundations Pre-Service training is to provide consistent, comprehensive foundational training to both public and private sector staff. It provides an opportunity for all child welfare direct service staff to acquire sufficient knowledge and skills in child welfare practice before they take the licensing exams.

Foundations Pre-Service training also provides staff with knowledge about the practice of child welfare required by specific state and federal mandates, the basic competencies in child welfare in Illinois, ethics and equal employment opportunity training, and work on coordination of services for children and families. Because Foundations 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, Foundations Pre-Service training includes training and testing on individual areas of specialty in child welfare, e.g., child protective services, placement/permanency, foster care licensing, adoptions, or intact/ family preservation services.

Progress on Licensing Staff

Since the beginning of the program, 17147 Child Welfare Employee Licenses have been approved. In FY 2022 there were 878 licenses approved. The CWEL Office works continuously with field operations and private agencies to ensure all child welfare staff in positions requiring a CWEL complete the application, training and testing process. Direct service child welfare employees do not receive access to the databases that allow for case assignment until after they receive their license.

The table below shows the number of CWEL applicants who completed Foundations Training in FY 2022. The number of applicants completing Foundations Training differs from the number who received licenses for two reasons: 1) applicants 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 applicants may have completed Foundations Training but not received a license due to other reasons, such as failing to pass the required exams or background check. Other reasons also include some CWEL applicants no longer remaining employed in a direct services role or employed in the child welfare profession.

Class/Exam	# Completed/ Passed
Intact Family Services Class	190
Child Protection Class	110
Placement/Permanency Class	550
State Central Register Class	4
CWEL Exam	1156
Child Endangerment Risk Assessment Protocol Exam	937
SCR Exam	24
Intact Exam	281
Placement/Permanency Exam	763
Child Protection Exam	196
High Risk Intact Exam	0
Dually Involved Exam	0

The Child Welfare Employee Licensure Board

Responsibilities of the Board

Throughout Fiscal Year 2022 the Child Welfare Employee Licensure Board made determinations based on 89 Ill. Adm. Code 412.90 (Preliminary Suspension by Board Action) and 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 serve in a voluntary and unpaid capacity. Board members must recuse themselves from sitting on any matter involving an employee of a child welfare agency at which the Board member is an employee or contractual employee or any matter involving a person known by the Board member, or if the member has a personal or professional interest in the matter that would interfere with the Board member's ability to exercise objectivity or has any bias against the involved person.

Board membership has reasonable representation from different geographic areas of the State of Illinois. Board members are reimbursed for all authorized legitimate and necessary expenses incurred in attending Board meetings.

The Board meets a minimum of quarterly and more often as determined by the Board. The Board has five (5) vacancies, which will be filled in Fiscal Year 2023. Two Board Public/Private Sector membership vacancies were advertised April 12, 2022-May 12, 2022. There were 41 applicants. Interviews were conducted in October 2022 and two candidates were approved by the Board on December 12, 2022. Announcements to fill two accredited university faculty vacancies and a Public/Private vacancy are pending.

CWEL Board members whose terms have expired may continue to serve consistent with the requirements of 89 Ill. Adm. Code 412 (Licensure of Direct Child Welfare Service Employees and Supervisors) until their successors are appointed. A majority of the currently appointed and serving Board members constitutes a quorum. A vacancy in Board membership does not impair the right of a quorum to perform all of the duties of the Board. Due to COVID-19 safety measures, all Board meetings were held via virtual platform in Fiscal Year 2022.

Liability

CWEL Board members are not individually liable in any action based upon any proceeding or other activity performed in good faith as a member of the Board.

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 wilful and wanton or intentional. Neither the Indemnification Act nor any of the immunities shield a board member from criminal liability.

Board Composition

Pursuant to the Children and Family Services Act, 20 ILCS 505/5d, and 89 Ill. Adm. Code 412 (Licensure of Direct Child Welfare Service Employees and Supervisors) the Child Welfare Employee Licensure Board consists of nine (9) members appointed by the DCFS Director. The Board membership is comprised of the following:

- Five (5) licensed professionals from the field of human services who are in good standing within their profession, with at least two (2) of which must be employed in the not-for-profit sector and one (1) of which employed in the public sector;
- Two (2) faculty members of an accredited university who have child welfare experience and are in good standing within their profession;
- Two (2) members of the general public who are not licensed under Rule 412 or similar rule and will represent consumer interests.

The current Board members, including those with expired terms, are identified on the chart below.

Child Welfare Employee Licensure Board Members

Name	Organization	Representing	End of Term
Tiffany Jones Chairperson	Lakeside Community Committee	Not-for-Profit	02/09/2024 *
Janet Ahern Vice Chairperson	Illinois Department of Children and Family Services	Public Sector	6/22/2021 (Successor approved by the Board on 12/12/2022)
Judi Bradley	Bradley Consulting	General Public	02/09/2024
Deneca Winfrey Avant	Illinois State University	Accredited University Faculty	10/31/2021 (Vacancy Announcement pending)
Angela Brown-Love	Mt. Sinai Hospital and DCFS Foster PRIDE Trainer	General Public	012/4/2021 (Successor approved by Board 12/12/2022)
Carly Jones	Lawrence Hall	Not-for-Profit	02/09/2024
Brenda Coble Lindsey	University of Illinois at Urbana-Champaign School of Social Work	Accredited University Faculty	10/10/2022 (Vacancy Announcement pending)
Shea Kamp	Illinois Department of Children and Family Services	Public Sector	06/30/2024
Vacant		Not-for-Profit /Public	Vacancy Announcement pending

Board Meetings in 2022

The CWEL Board meets a minimum of quarterly. Additional meetings or ad-hoc committee meetings were called to address licensure complaints, suspensions, revocations, reinstatements, or voluntary relinquishments. Minutes of all meetings are reviewed and approved by a majority Board vote.

Beginning in June 2020, the CWEL Board commenced virtual meetings due to COVID-19 restrictions. Those mitigations remain in place at the time of this report. The CWEL Board will continue to assess the feasibility of resuming in-person meetings based on statewide COVID-19 safety considerations. Meetings using virtual platforms have been efficient and cost effective and will be considered as a viable option for meetings even after COVID-19 safety measures are no longer a consideration.

Board Decisions on CWEL Action

DCFS Rule 412.50 a) specifies the following thirteen (13) different grounds on which the Board may suspend, revoke or refuse to reinstate, and the Department may refuse to issue, any license issued by the Department:

- 1) violation or negligent disregard of this Part.
- 2) a charge or criminal conviction of any offenses stipulated under the Criminal Code of 2012 and listed in Section 4.2 of the Child Care Act (a pending charge may result only in suspension or temporary refusal to reinstate).
- 3) making any material misrepresentation relevant to obtaining a license, including, but not limited to, failure to certify on the form, or a false statement, that the applicant is not more than 30 days delinquent in complying with a child support order.
- 4) an egregious act that demonstrates incompetence, unfitness or blatant disregard for one's duties in providing direct child welfare services.
- 5) a pattern of deviation from a standard of child welfare practice that could result in an injury to a child or a pattern of dishonesty that places State funds or records at risk.
- 6) aiding or assisting another person in violation of any provision of this Part.
- 7) failing to provide information or documents regarding a licensure investigation or license within 30 days after a written request by the OIG or the Department.
- 8) habitual or excessive use of, or addiction to, alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a worker's inability to practice with reasonable judgment, skill or safety. This shall not include any person who has sought, will seek or is receiving substance abuse treatment if it does not impact on his or her ability to practice with reasonable judgment, skill or safety.
- 9) discipline by another state or national licensing entity when the grounds for suspension, revocation or refusal to reinstate are substantially the same as at least one of the grounds established in this Section.

10) falsification of case records, court reports or court testimony.

11) failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act (ANCRA) [325 ILCS 5].

12) being named as an alleged perpetrator in a pending child abuse or neglect report.

13) being named as a perpetrator in an indicated report by the Department under ANCRA unless or until the indication is reversed on appeal or administrative court review in accordance with 89 Ill. Adm. Code 336 (Appeal of Child Abuse and Neglect Investigation Findings).

DCFS Rule 412.50 b) identifies four (4) additional causes for licensure action or DCFS refusing to issue a license:

1) Mental Health and Developmental Disabilities

Involuntary admission of a licensee to a mental health facility as provided in the Mental Health and Developmental Disabilities Code [405 ILCS 5] shall result in an automatic suspension of his or her license by the Board. The license may be reinstated by the Board after a court finding that the licensee is no longer subject to involuntary admission.

2) Delinquent Compliance with a Child Support Order

Upon a final finding of delinquency or failure to comply with a subpoena or warrant, the Department shall refuse to issue a license to, or the Board shall refuse to reinstate or shall suspend or revoke the license of, a person who is more than 30 days delinquent in paying a child support order as specified in Section 10-65 of the Illinois Administrative Procedure Act. The license may be reinstated by the Board after a finding that the licensee is no longer delinquent in paying a child support enforcement order.

3) Default of Educational Loan

The Department shall refuse to issue and the Board shall refuse to reinstate, or shall suspend or revoke, the license of a person who is found to be in default of an educational loan in accordance with Section 2 of the Educational Loan Default Act. The license may be reinstated by the Board after a finding that the licensee is no longer in default of the educational loan.

4) Transporting a Child without a Valid Driver's License

The Board shall immediately revoke the license of any employee who, in the course of performing his or her duties, has transported a child or children with a motor vehicle without having a valid driver's license.

The CWEL Office received 19 complaints in Fiscal Year 2022. Of those 19 complaints, 19 were referred to the Office of the Inspector General for monitoring and/or investigation. Additionally, there were 14 license suspensions, zero license revocations, six (6) license relinquishments, and zero (0) license reinstatements.

Licensure Actions in Fiscal Year 2022

Licenses Issued	878
License Complaints Received	19
Cases referred to OIG for Investigation	19
License Suspensions	14
License Revocations	0
License Relinquishments	6
License Reinstatements	0

Revision to Rule 412

There were no revisions to Rule 412 during Fiscal Year 2022.

Administration of the CWEL Program

It is the mission of the CWEL Office to implement the CWEL Program on behalf of DCFS and in compliance with Rule 412. 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 ongoing responsibilities include:

- Coordination of the license application process with applicants, DCFS, 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 DCFS 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

The CWEL Unit was staffed by the CWEL Administrator and the Certification and Licensing Coordinator 2022. The CWEL Administrator is responsible for review and approval of all CWEL applicants. The Certification and Licensing Coordinator 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 Certification and Licensing Coordinator 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, a representative from the DCFS Office of Legal Services, and the Chairperson of the CWEL Board form an Emergency Licensure Review Team (ELRT), which reviews each formal complaint made to the Board regarding any licensee or applicant applying for licensure to determine whether the complaint meets one or more of the grounds for licensure action in DCFS Rule 412. The ELRT's review determines if an investigation is warranted and/or the complaint should be referred to the Board concurrently as provided 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 represents DCFS and the Board before the Administrative Hearings Unit.

The ELRT met regularly during Fiscal Year 2022 to review complaints and determine if the complaints met the criteria for referral to the OIG. The CWEL Administrator also provided the Board quarterly ELRT summary reports to 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 in Rule 412.60. At the conclusion of the hearing, the Administrative Law Judge Prepares a written recommendation, along with findings of fact and conclusions of law, as to whether to suspend the respondent's license, revoke the respondent's license, allow the respondent's license to continue in good standing, or take any other action regarding the license. The Administrative Law Judge also submits the hearing record and recommendation to the Board and all parties.

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

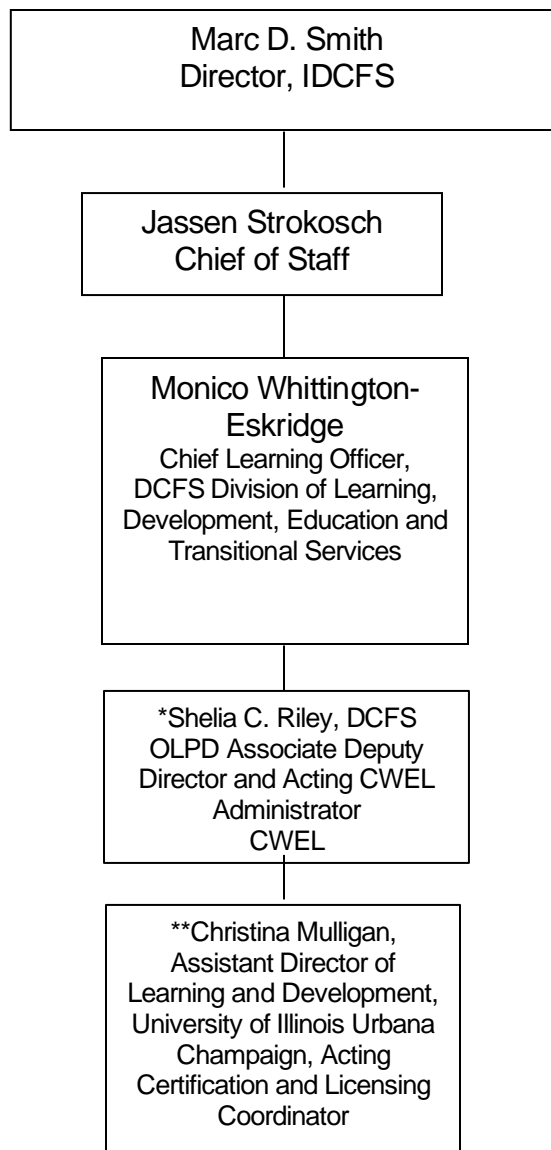
status and completion of the required components of their application. A “Leadership” component of the VTC has been implemented, which allows supervisors and managers to access CWEL information on their employees.

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 the Child Welfare Employee Licensure Program for Fiscal Year 2023 include the following:

1. Enacting recommended updates to Rule 412 to reduce the time required to apply for a CWEL after two exam failures
2. Creation of an accompanying Procedures 412 that will address standard operating protocols for the CWEL Unit.
3. Review and revision of CWEL correspondence letters.
4. Updates to the Virtual Training Center for CWEL data entry.

Organizational Chart



* NOTE: CWEL Administrator
Position Vacated by Shannon
Huston in October 2021

**NOTE: CWEL Certification and
Licensing Coordinator
Position Vacated by Chase
Strader in April 2022