

Child Care Regulations in Illinois

Overview

A summary of child care regulations in Illinois.

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- Child care homes

Child care is regulated differently in every state and sometimes even in different counties or cities in the same state. In Illinois, the Department of Children and Family Services licenses child care centers, group child care homes, and child care homes. In Chicago, the City Department of Human Services also issues licenses to child care centers and applies some additional local requirements, particularly for programs that include infants. Centers in Chicago must hold both a state and city license. Other types of local regulations, such as zoning, health, building, and fire safety codes, also apply to child care facilities.

This guide explains the level of quality required by child care regulations in Illinois. Some child care programs in the state operate at this level and some well above it. As a parent, you have your own standards and will look for providers you trust to meet them. Over time, your informed consumer choice and cooperation with the licensing agency can help raise the quality of child care in your community.

Both the law and licensing requirements are subject to change. To ensure that you have accurate and complete information, check with the licensing office to see whether there have been any changes since the information in this guide was last updated.

Types of care that must be licensed

Child care licensing is a type of regulatory activity in which the state authorizes an individual or a group to operate a child care facility. The Illinois Department of Children and Family Services is responsible for monitoring compliance with state standards, establishing procedures for revoking a license, and providing appeal mechanisms.

In Illinois, the following forms of child care must be licensed:

- *Child care centers.* Full- or part-time care in a nonresidential setting for more than eight children. In Illinois, this includes nursery schools, prekindergartens, and some religiously affiliated centers.

- *Group child care homes.* Full- or part-time care in a residence for between four and 16 children, including the provider's own children under 12 years old.
- *Child care homes.* Full- or part-time care in a residence for between four and 12 children, including the provider's own children under 12 years old.

More detailed information about child care centers, group child care homes, and child care homes can be found later in this guide.

Types of care that may operate without a license

Some types of child care are not required to be licensed by the state. There are no agencies investigating or regulating these providers, so be sure to thoroughly check a provider's background and experience before choosing this type of care.

In Illinois, the following forms of child care are exempt from licensing:

- Care provided in the child's home or by relatives
- Religiously affiliated part-time child care programs that serve children over 3 years old and choose not to apply for voluntary licensing, where individual children are provided care up to 10 hours per week
- Family child care for no more than three children, including the provider's own children, or for the children of just one family
- Montessori schools registered with the American Montessori Society or Montessori International
- Programs operated by institutions of higher learning serving children 3 years old and older

When children's programs are run by public elementary schools, the Illinois State Board of Education is responsible for regulating them. If run by private elementary schools, they are licensed when they accept children under 3 years old, and regulated by the Illinois State Board of Education when all the children are 3 years old and older. Other government agencies that run children's programs also do their own regulating.

Age-group definitions

- *Infant:* child between 6 weeks and 14 months
- *Toddler:* child between 15 months and 2 years
- *Preschooler:* child between 3 and 5 years
- *School-age:* child enrolled in first grade or higher

Children 2 years old may be considered toddlers or preschoolers, depending on their level of development. Children enrolled in kindergarten may be considered either preschool or school-age, depending on the program.

Subsidized child care

The Illinois Department of Human Services, Office of Child Care and Family Services, makes funds available to assist some families with child care payments. The amount of the payments depends on family size and income. Recipients of these funds must be working or in training for employment to qualify. These subsidies pay for, or assist in paying for, full- or part-time care in licensed family child care homes and child care centers, as well as in facilities exempt from licensing and in-home care. Eligibility guidelines are reassessed every six months.

For further information about program availability and how to qualify, call the Department of Human Services at 800-843-6154.

Whom to contact

For more detailed information regarding child care regulations in Illinois, to obtain a copy of the state standards, or to report licensing violations, contact:

Department of Children and Family Services

406 East Monroe Street
Springfield, IL 62701-1498
877-746-0829
217-524-1983
www.state.il.us/dcfs

Child abuse reporting

The staffs of all child care facilities are required to report known or suspected child abuse or neglect to the state or to police. To report suspected child abuse, call 800-25-ABUSE (800-252-2873) or 217-524-2606.

Child care centers

Licenses

- Must be licensed and renewed every three years.
- License must be posted.
- General liability insurance is required.

State inspection

- Announced inspection at licensing

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- Announced or unannounced inspection at least annually
- Unannounced inspection after a complaint

Staff:child ratios

- Infant: one staff for up to four children (1:4)
- Toddler: one staff for up to five children (1:5)
- 2 to 3 years: one staff for up to eight children (1:8)
- 3 to 5 years: one staff for up to 10 children (1:10)
- 5+ years: one staff for up to 20 children (1:20)

Mixed-age groups

Staff:child ratio for youngest child in group.

Except for infants and toddlers, 50 percent of staff:child ratio is permitted during naptime.

Maximum group size

- Infant: 12
- Toddler: 15
- 2 to 5 years: 16
- 3 to 5 years: 20
- 4 to 6 years: 20
- Kindergarten-age and older: 30

Staff qualifications

Director

- Must be at least 21 years old.
- Must have a high school diploma or a general equivalency diploma (GED).
- Must meet teacher qualifications if teaching.
- Must have one of the following:
 - Sixty semester hours of college credit with 18 semester hours in courses in birth to age 6 child care or development or courses in school-age child care or development, based on facility emphasis
 - Two years of related experience, 30 semester hours with 10 semester hours in early childhood education, and proof of enrollment in college until two years

of college credit have been achieved, with 18 semester hours of early childhood education or school-age courses completed

- Child Development Associate (CDA) credential
- Child Care Professional (CCP) credential with 12 semester hours in early childhood education course work and two years of related experience
- Completion of age-appropriate training program by the American Montessori Society or Montessori International

Teacher

- Must be at least 19 years old.
- Must have a high school diploma or a GED equivalent.
- Must have one of the following:
 - Sixty semester hours of college with six semester hours of early childhood courses
 - Thirty semester hours of college, one year of experience, and six semester hours of age-appropriate courses
 - Completion of age-appropriate training program by the American Montessori Society or Montessori International

School-age worker

- Must be at least 19 years old and five years older than the oldest child in care.
- Must have a high school diploma or a GED equivalent.
- Must have one of the following:
 - Thirty semester hours with six semester hours related to school-age care, child development, elementary education, recreation, physical education, or other related fields
 - 1,560 hours (one year) of experience in a recreational program, licensed child care center serving school-age children, or license-exempt school-age program, and six semester hours related to school-age care, child development, elementary education, recreation, physical education, or other related fields
 - 3,120 hours (two years) of experience in a recreational program, kindergarten, licensed child care center serving school-age children, or license-exempt school-age program
 - Completion of age-appropriate training program by the American Montessori Society or Association Montessori International
 - Licensed as a school-age worker prior to January 1, 1995

Assistant

- Must have a high school diploma or a GED equivalent.

- May not assume full responsibility for a group of children.
- Must have training related to the group for which care is provided.

Student/youth aide

- Must be at least 14 years old and at least five years older than the oldest child in care.
- Must assist only under the direct supervision of an early childhood teacher or a school-age worker.
- May not be considered as part of the attendance when determining compliance with capacity requirements.
- May not be counted in staff:child ratio without having met all of the following requirements:
 - Must have completed one year of a vocational child care program
 - Must be at least sixteen years old and at least five years older than the oldest child in care
 - Must regularly work fewer than four hours per day
 - The number of students or youth aides must not exceed more than one-third of the staff:child ratio

Substitute

- Must meet position qualifications.
- Must be familiar with the facility.
- The center must keep a list of available substitutes.

Volunteer

- Must meet position qualifications.

Staff training

- Fifteen hours of training per year in specific content areas are required of the director and all staff.
- Orientation and review of state licensing standards, the Child Care Act of 1969, and the Abuse and Neglected Child Reporting Act are required.
- Special training is required to care for children with special needs.
- If serving infants and toddlers, a licensed physician, RN, or LPN with training in infant care must visit monthly to observe and provide training.

CPR and first aid

- One person certified in CPR, first aid, and the Heimlich maneuver must be present at all times.

Staff medical requirements

- TB test is required every two years.
- Medical exam is required every two years, including proof of being free of communicable diseases.

Staff background checks

- Criminal background check with fingerprinting is required.
- Child abuse check is required.
- Must have three references.

Discipline

- A written guidance and discipline policy according to department guidelines is required.
- Certain methods of discipline, including corporal punishment, are prohibited.

Parents' rights

- Must receive a copy of licensing standards.
- Must receive a copy of operating procedures.
- Must be encouraged to visit, observe, and participate.
- Must be notified of an emergency, accident, or injury requiring professional medical care.
- Center must have authorization of parent to allow any other persons to pick up the child.
- Must give permission for anyone other than staff or licensing department to view records of the child.

Health and safety requirements

- Must meet applicable fire, health, and safety codes.
- Must keep a written record of when a child arrives, leaves, and to whom the child is released.
- Must keep animals separate from children unless they are involved in a scheduled activity.
- Monkeys, ferrets, reptiles, and other dangerous animals are not permitted.

- Must have a first-aid kit.
- Must have a written emergency plan.
- Must hold monthly fire drills.
- Must hold annual tornado drills.
- Must repair peeling or damaged paint promptly.
- Must cover electrical outlets within reach of children.
- Extension cords must not be used in areas where infants or toddlers are permitted.
- Items harmful to children must be stored in an area inaccessible to children.
- Must fence or enclose outdoor play area and include shelter from the sun.
- Must have a working phone.
- Emergency numbers must be posted by the phone.
- Firearms are prohibited.
- Must ensure that swimming pools meet health department guidelines.
- Must have one staff member certified as a lifeguard or a water safety instructor present for swimming.
- In-ground pools must be enclosed with a fence at least 5 feet high with locking gate.
- Must have removable stairs leading to above-ground pools and must enclose the pools with a fence at least 4 feet high.
- Smoking is not permitted in vehicles transporting children or in areas where care is provided.

Transportation

- Operator must be at least 21 years old and meet staff requirements.
- Must have a valid driver's license.
- Driving record with signed statement is required.
- Age-appropriate child safety restraints for each child are required.
- Vehicle must be deemed to be in mechanically safe condition.
- Must have a first-aid kit.
- Must inspect vehicle inspections both before and after trips.

Child medical requirements

- Children under school-age must have complete medical exam within six months of enrollment and every two years.
- Children 6 years old and under must have a blood lead level screening.
- Age-appropriate immunizations, including hepatitis B, are required.
- Must have a TB test if at least 12 months old, unless waived by a physician, with testing to be repeated at the beginning of elementary and secondary school.
- Must have written permission to dispense all types of medication.

Care for sick children

- A child suspected of having or being diagnosed with a reportable communicable disease must be excluded from care.
- Children with diarrhea or a rash combined with a fever must not be admitted, and must be removed if symptoms develop while they are at the center.
- Children do not need to be excluded for a minor illness unless they are not able to participate in daily activities or if they have a communicable disease.

Group child care homes

Licenses

- Must be licensed and renewed every three years.
- License must be posted.
- Public liability insurance is required.

State inspection

- Announced inspection at licensing
- Announced or unannounced inspection at least annually
- Unannounced inspection after a complaint

Staff:child ratios

- One provider may care for the following:
 - Up to eight children under 12 years old with no more than five under 5 years old and no more than three under 2 years old
 - Up to eight children under 12 years old with no more than six under 5 years old and no more than two under 30 months old
 - Up to eight preschool children who are 3 years old and older

- Up to 12 school-age children
- One provider with a full-time assistant may care for the following:
 - Up to 12 children under 6 years old with no more than four under 15 months old and no more than six under 30 months old
 - Up to four additional part-time school-age children may be cared for as long as the total number of children under 12 years old does not exceed 16

Maximum group size

- The maximum number of children permitted is 16:
 - No more than 12 children may be under 6 years old
 - No more than six children may be under 30 months old
 - No more than four children may be under 15 months old

Staff qualifications

Provider

- Must be at least 21 years old
- Must have a high school diploma or a GED
- Must have one of the following:
 - 1,560 hours (one year) of experience in licensed child care plus six college semester hours in child care or development
 - Thirty semester hours with six semester hours in child care or development
 - Department-approved credential

Assistant

- Must be at least 18 years old
- May be 14 years old if at least five years older than the oldest child being supervised

Substitute

- Must be at least 21 years old
- Must have all health and background checks
- Must meet provider qualifications if working regularly

Staff training

- Fifteen hours of continuing education each year are required for providers and assistants.

CPR and first aid

- Training in CPR, first aid, and the Heimlich maneuver is required.
- One certified adult must be present at all times.

Staff medical requirements

- Medical exam is required at licensing and every three years thereafter for all staff and household members.
- TB test is required for all staff and household members.

Staff background checks

- Criminal background check with fingerprinting is required for all staff and household members 13 years and older.
- Child abuse check is required for all staff and household members 13 years and older.
- Must have three references.

Discipline

- Certain methods of discipline, including corporal punishment, are prohibited.

Parents' rights

- Must receive a copy of licensing standards
- May visit the home at any time the child is in care
- Must be notified of serious incidents involving the child
- Must be notified if firearms are kept on the premises
- Must give permission for anyone other than staff or licensing department to view records of the child

Health and safety requirements

- Must have written permission of parent to release child.
- Must be clean, well-ventilated, and free of observable hazards.
- Must have smoke detectors on every floor.
- Must be free of lead paint, or chipped or peeling paint.
- Must have a written evacuation plan.
- Must hold monthly fire and tornado drills.
- Handguns are prohibited; any other firearms must be disassembled and locked away.

- Must comply with all local ordinances and inspections.
- Must have a first-aid kit.
- Must have a fire extinguisher.
- Must have a flashlight.
- Must cover electrical outlets that are within a child's reach.
- Harmful items must be stored in an area inaccessible to children.
- Heating sources must be blocked.
- Portable heaters may not be used.
- Must have a working phone.
- Emergency numbers must be posted by the phone.
- Must protect outdoor play areas by physical means or by an adult caregiver against all hazards.
- Trampolines are prohibited.
- Must have two exits from basements.
- Animals must be kept healthy or kept separate from children.
- Monkeys, ferrets, and reptiles are prohibited.
- For providers licensed as of April 2001, must enclose in-ground swimming pools with a fence at least 5 feet high with a locking gate and above-ground pools with a fence at least 4 feet high (prior to April 2001, 3 feet high is acceptable until compliance can be met).
- One staff member certified as a lifeguard or a water safety instructor must be present during swimming.
- Smoking is prohibited in any area in which services are provided while children are present.

Transportation

- Caregivers must be responsible for ensuring the safe transport of children.
- Driver must be at least 18 years old.
- Must have a valid driver's license.
- Vehicle must be safely equipped and meet all state and local safety requirements.
- Vehicle must be in mechanically safe condition.
- Age-appropriate child safety restraints for each child are required.

Child medical requirements

- Must have complete medical exam, including lead risk assessment.
- Must have age-appropriate immunizations, including hepatitis B.
- Must have a TB test if at least 12 months old, unless waived by a physician, with testing to be repeated at the beginning of elementary and secondary school.
- Written permission is required to dispense all types of medication.

Care for sick children

- Must provide space in the home to isolate and observe a child who becomes ill until picked up by a parent or a guardian.
- Ability to care for ill children is based on degree of illness, other children present, and facilities to provide care.
- Children with contagious symptoms, diarrhea, or a rash combined with a fever should not be admitted or should be picked up as soon as possible.

Child care homes

Licenses

- Must be licensed and renewed every three years.
- License must be posted.
- Liability insurance is not required.

State inspection

- Announced inspection at licensing.
- Announced or unannounced inspection at least annually.
- Unannounced inspection after a complaint.

Staff:child ratios

- One provider may care for the following combinations, including their own children:
 - Up to eight children under 12 years old with no more than five children under 5 years old and no more than three under 2 years old
 - Up to eight children under 12 years old with no more than six children under 5 years old and no more than two under 30 months old
 - Up to eight school-age children with no other children

- One provider with an assistant may care for up to eight children with no more than five children under 24 months old.

Maximum group size

- Twelve children with the emergency exception of one child or four part-time school-age children

Staff qualifications

Provider

- Must be at least 18 years old
- Must reside in the home
- May not be employed outside the home if the primary caregiver

Assistant

- May be 18 years old and indirectly supervised
- Must be at least 14 years old, at least five years older than the oldest child in the group, and supervised at all times

Substitute

- Must be at least 18 years old
- Must have same health and background checks as provider and assistant
- May work up to 25 hours per month and an additional two weeks per year, if parents are notified

Staff training

- Fifteen hours of continuing education per year are required for providers and assistants.

CPR and first aid

- Training in CPR, first aid, and the Heimlich maneuver is required for the primary caregiver.
- One certified adult must be present at all times.

Staff medical requirements

- Must have staff medical report showing staff to be emotionally fit to care for children and free of communicable diseases.
- Department may request proof of no communicable diseases from household members.
- TB test is required initially for all staff and household members.

Staff background checks

- Criminal background check with fingerprinting is required for all staff and household members 13 years old and older.
- Child abuse check is required for all staff and household members 13 years old and older.
- Must have three references.

Discipline

- Certain methods of discipline, including corporal punishment, are prohibited.

Parents' rights

- Must receive a copy of licensing standards.
- May visit the home at any time child is in care.
- Must be notified of serious incidents involving child.
- Must be notified if firearms are kept on the premises.
- Must give permission for anyone other than staff or licensing department to view records of child.

Health and safety requirements

- Child may not be released without written permission of parent.
- Must be clean, well-ventilated, and free of observable hazards.
- Must have smoke detectors on every floor.
- Must be free of lead paint, or chipped or peeling paint.
- Must have a written evaluation plan.
- Must hold monthly fire and tornado drills.
- Handguns are prohibited; any other firearms must be disassembled and locked away.
- Must comply with all local ordinances and inspections.
- Must have a first-aid kit.
- Must have a fire extinguisher.
- Must have a flashlight.
- Must cover electrical outlets within reach of children.
- Harmful items must be stored in an area inaccessible to children.

- Heating sources must be blocked.
- Portable heaters are prohibited.
- Must have a working phone.
- Must have emergency numbers posted by the phone.
- Animals must be healthy or kept separate from children.
- Monkeys, ferrets, and reptiles are prohibited.
- Trampolines are prohibited.
- For providers licensed as of April 2001, must enclose swimming pools by a fence at least 5 feet high with a locking gate (prior to April 2001, 3 feet high is acceptable until provider is able to comply).
- Smoking is prohibited in any area where services are provided while children are present.
- Must have two exits from basements.

Transportation

- Caregivers must be responsible for ensuring the safe transport of children.
- Driver must be at least 18 years old.
- Must have a valid driver's license.
- Vehicle must be safely equipped and meet all state and local safety requirements.
- Vehicle must be in mechanically safe condition.
- Age-appropriate child safety restraints for each child are required.

Child medical requirements

- Must have complete medical exam including lead risk assessment.
- Must have age-appropriate immunizations, including hepatitis B.
- Must have a TB test if at least 12 months old, unless waived by physician, with testing to be repeated at the beginning of elementary and secondary school.
- Written permission is required to dispense medication.

Care for sick children

- Must provide space in the home to isolate and observe a child who becomes ill until picked up by parent or guardian.
- Ability to care for ill children is based on degree of illness, other children present, and space to provide care.

- Children with contagious symptoms, diarrhea, or a rash combined with a fever should not be admitted or should be removed as soon as possible.