

TITLE 89: SOCIAL SERVICES  
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
SUBCHAPTER e: REQUIREMENTS FOR LICENSURE

PART 403  
LICENSING STANDARDS FOR GROUP HOMES

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41	403.33	Workforce and Educational Transcript Review Committee (WETRC)
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44 403.36 Acceptable Degrees

45  
 46 AUTHORITY: Implementing and authorized by the Child Care Act of 1969 [225 ILCS 10] the  
 47 Children's Product Safety Act [430 ILCS 125], the Children and Family Services Act [20 ILCS  
 48 505/7.3a) and Title IV-E of the Social Security Act (42 U.S.C. 670 et seq.).

49  
 50 SOURCE: Adopted and codified at 5 Ill. Reg. 13147, effective November 30, 1981; amended at  
 51 7 Ill. Reg. 3454, effective April 4, 1983; amended at 11 Ill. Reg. 1489, effective January 15,  
 52 1987; amended at 11 Ill. Reg. 17523, effective October 15, 1987; amended at 21 Ill. Reg. 4587,  
 53 effective April 1, 1997; amended at 24 Ill. Reg. 17062, effective November 1, 2000; amended at  
 54 34 Ill. Reg. 6054, effective May 1, 2010; amended at 36 Ill. Reg. 13051, effective August 15,  
 55 2012; amended at 42 Ill. Reg. 20337, effective October 31, 2018; emergency amendment at 46  
 56 Ill. Reg. 1120, effective December 22, 2021, for a maximum of 150 days; emergency expired  
 57 May 20, 2022; amended at 46 Ill. Reg. 15249, effective August 26, 2022; amended at 49 Ill. Reg.  
 58 3889, effective March 18, 2025; amended at 50 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

59  
 60 **Section 403.2 Definitions**

61  
 62 "Access to children" means an employee's job duties require that the employee be  
 63 present in a licensed child care facility during the hours that children are present  
 64 in the child care facility. In addition, any person who is permitted to be alone  
 65 outside the visual or auditory supervision of child care facility staff with children  
 66 present receiving care in a licensed child care facility is considered to have access  
 67 to children~~subject to the background check requirements of this Part.~~

68  
 69 "*Appropriate activities*" means activities or items that are generally accepted as  
 70 suitable for children of the same chronological age or developmental level of  
 71 maturity. Appropriateness is based on the development of cognitive, emotional,  
 72 physical, and behavioral capacity that is typical for an age or age group, taking  
 73 into account the individual child's cognitive, emotional, physical, and behavioral  
 74 development. [20 ILCS 505/7.3a]

75  
 76 "Background check" means a criminal background clearance, or congregate care  
 77 background clearance for all eligible individuals living or working in a licensed  
 78 child care facility or non-licensed service providers.

79  
 80 "Background check clearance" means no disqualifying offenses were identified  
 81 during the background check.

82  
 83 "Caregiver" means a person with whom the child is placed in out-of-home care or  
 84 a designated official for child care facilities licensed by the Department as  
 85 defined in the Child Care Act of 1969. [20 ILCS 505/7.3a]

86

87 a criminal history check via fingerprints of persons age 18 and over that are  
88 submitted to the Illinois State Police and the Federal Bureau of Investigation  
89 (FBI) for comparison to their criminal history records, as appropriate, or via a  
90 LEADS check of persons ages 13 through 17; and

91  
92 a check of Statewide Automated Child Welfare Information System (SACWIS)  
93 and other state child protection systems, as appropriate, to determine whether an  
94 individual is currently alleged or has been indicated as a perpetrator of child abuse  
95 or neglect; and

96  
97 a check of the Illinois Sex Offender Registry.

98  
99 "Caregiver" means a licensed foster parent or unlicensed relative caregiver who  
100 provides care for a child in DCFS custody or guardianship, or a designated  
101 official employed by and present at the licensed child care facility in which a  
102 child in DCFS custody or guardianship is placed. For purposes of this Part, the  
103 "caregiver" for a youth under 18 years of age in a group home is assigned or  
104 designated staff of the facility.

105  
106 "Child" means any person under 18 years of age. For purposes of admission to  
107 and residence in child care institutions, group homes, and maternity centers, the  
108 term also means any person under 21 years of age who is referred by a parent or  
109 guardian, including an agency having legal responsibility for the person pursuant  
110 to the Juvenile Court Act of 1987. Termination of care for such persons under 21  
111 years of age shall occur no later than 90 days following completion of a public  
112 school secondary education programs or the individual's eligibility for such a  
113 program. ~~(Section 2.01 of the Child Care Act of 1969 [225 ILCS 10/2.01])~~

114  
115 "Child care facility" means any person, group of persons, agency, association ~~or~~  
116 organization, corporation, institution, center, or group, whether established for  
117 gain or otherwise, who or which receives or arranges for care or placement of  
118 one or more children, unrelated to the operator of the facility, apart from the  
119 parents, with or without the transfer of the right of custody in any facility as  
120 defined in the Child Care Act of 1969~~the Child Care Act of 1969~~, established and  
121 maintained for the care of children. [225 ILCS 10/2.05]~~(Section 2.05 of the Child~~  
122 ~~Care Act of 1969)~~

123  
124 "Congregate care facility" means a child care facility that holds a license issued  
125 by the Department for one of the following: Youth Emergency Shelter, Youth  
126 Transitional Housing Program, Child Care Institution, Maternity Center, Group  
127 Home, or Secure Child Care Facility.

128  
129 "Culturally competent" for purposes of this Part, means the ability to understand

130 and provide appropriate hair care for children based on knowledge of the norms,  
131 traditions, and experiences of a child's ethnic background.

132  
133 ~~"Child with a disability" means a child up to the age of 22 years old with mental~~  
134 ~~retardation, hearing impairments (including deafness), speech or language~~  
135 ~~impairments, visual impairments (including blindness), serious emotional~~  
136 ~~disturbance (hereinafter referred to as emotional disturbance), orthopedic~~  
137 ~~impairments, autism, traumatic brain injury, other health impairments, or specific~~  
138 ~~learning disabilities; and who, due to these conditions, needs special education~~  
139 ~~and related services. (Federal Individuals with Disabilities Education~~  
140 ~~Improvement Act of 2004; 34 CFR 300.8)~~

141  
142 *"Department" means the Illinois Department of Children and Family Services.*  
143 [225 ILCS 10/2.02]~~(Section 2.02 of the Child Care Act of 1969)~~

144  
145 ~~"Employee" means any staff person employed by a child care facility, and~~  
146 ~~includes any substitute or assistant. This definition includes administrative,~~  
147 ~~professional and other support staff who have access to children.~~

148  
149 *"Group home" means a child care facility ~~which~~that provides care for no more*  
150 *than 10 children placed by and under the supervision of a licensed child welfare*  
151 *agency with these homes being owned or rented, staffed, maintained and*  
152 *otherwise operated by the agency. [225 ILCS 10/2.16]*~~(Section 2.17 of the Child~~  
153 ~~Care Act of 1969)~~

154  
155 "Hair care" means all care and practices related to the maintenance, health, and  
156 expression of hair, including, but not limited to, the daily maintenance routine,  
157 cutting, styling, or dyeing of hair as well as culturally specific practices, products,  
158 and techniques that reflect and respect diverse identities of youth in care as well  
159 as promote dignity and self-worth. [20 ILCS 505/7.3b(b)(1)]

160  
161 ~~"Initial background check" means the individual has cleared a check of SACWIS~~  
162 ~~and the Illinois Sex Offender Registry.~~

163  
164 "License" means a document issued by the Department that authorizes child care  
165 facilities to operate in accordance with applicable standards and the provisions of  
166 the Child Care Act.

167  
168 *"License applicant", for purposes of background checks, means the operator or*  
169 *persons with direct responsibility for daily operation of the facility to be licensed.*  
170 [225 ILCS 10/4.4]~~(Section 4.4 of the Child Care Act of 1969)~~

171  
172 "Licensee" means those individuals, agencies or organizations who hold a license

173 or permit issued by the Department.

174  
175 "Licensing representative" means persons authorized by the Department under the  
176 Child Care Act of 1969 to examine facilities for licensure.

177  
178 "Medical examination" means a physical examination conducted by a Medical  
179 Doctor or Doctor of Osteopathic Medicine licensed to practice medicine in the  
180 State of Illinois, an Advanced Practice Nurse (APN) or Physician Assistant (PA).  
181 The medical examination must be documented on forms prescribed by the  
182 Department and signed and dated by the examining practitioner.

183  
184 "Normalcy parenting" means empowering a caregiver to approve or not approve a  
185 child's or youth's participation in appropriate extracurricular activities based on  
186 the caregiver's assessment using the reasonable and prudent parent standard,  
187 without prior approval of the Department, the permanency worker or the court.  
188 The goal of normalcy parenting and the reasonable and prudent parent standard is  
189 to allow the child's participation in extracurricular, enrichment, cultural and social  
190 activities that are appropriate for the child's normal growth and development.

191  
192 "Permit" means a one-time only document issued by the Department for a 6-  
193 month period to allow the individual, agency or organization to become eligible  
194 for a license.

195  
196 "Reasonable and prudent parent standard" means the standard characterized by  
197 careful and sensible parental decisions that maintain the child's health, safety,  
198 and best interests while at the same time supporting the child's emotional and  
199 developmental growth that a caregiver shall use when determining whether to  
200 allow a child in out-of-home care to participate in extracurricular, enrichment,  
201 cultural, and social activities. [20 ILCS 505/7.3a(b)]

202  
203 ~~"Persons subject to background checks" means:~~

204  
205 ~~the operator of the child care facility; and~~

206  
207 ~~all current and conditional employees of the child care facility; and~~

208  
209 ~~any person who is used to replace or supplement staff; and~~

210  
211 ~~any person who has access to children, as defined in 89 Ill. Adm. Code~~  
212 ~~385.20 (Background Checks).~~

213  
214 ~~If the child care facility operates in a family home, the license applicant and~~  
215 ~~all members of the household age 13 and over are subject to background~~

216 checks, as appropriate, even if these members of the household are not usually  
217 present in the home during the hours the child care facility is in operation.  
218

219 "~~Reasonable and prudent parent standard~~" means the standard, characterized by  
220 careful and sensible parental decisions that maintain the health, safety, and best  
221 interests of a child while at the same time encouraging the emotional and  
222 developmental growth of the child, that a caregiver shall use when determining  
223 whether to allow a child in foster care under the responsibility of the State to  
224 participate in extracurricular, enrichment, cultural, and social activities. ~~(42 USC~~  
225 ~~675(10))~~  
226

227 "Replacement or supplemental staff" means any paid or unpaid individual who is  
228 used to perform essential staff duties as evidenced by being counted in the staff-  
229 child ratio or being allowed to be alone with children in a licensed child care  
230 facility outside the visual or auditory supervision of child care facility staff.  
231

232 "Supervising agency", for the purpose of this Part, means a licensed child welfare  
233 agency, as defined in the Child Care Act of 1969, that supervises the operation of  
234 group homes.  
235

236 (Source: Amended at 50 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
237

238 **Section 403.8 Child Care Services**  
239

240 a) Each child shall be provided with clothing that fits properly, is appropriate for the  
241 season, and is comparable to that worn by other children of similar age in the  
242 community.  
243

244 b) Each child shall be given training and direction ~~to help them establish~~ to good  
245 habits of personal care, grooming, hair care, health, hygiene, and nutrition  
246 practices appropriate for the child's age level.  
247

248 1) Child care personnel shall assist each child with hair care, as needed,  
249 following the child's established hair care plan.  
250

251 2) Training and direction of hair care shall follow the child's established hair  
252 care plan to meet the need of the individual child.  
253

254 3) A group home shall ensure a child has access to any needed hair care  
255 products including, but not limited to, brushes, combs, curling irons, hair  
256 straighteners, blow dryers, shampoo, conditioner, hairspray, hair gel,  
257 barrettes, hair clips, ponytail holders, hair ties, hairpins, rollers, and oils.  
258

- 259 c) Each child shall be provided with essential individual toilet articles and linens.  
260
- 261 d) Each child shall be given the opportunity to participate in extracurricular,  
262 enrichment, cultural and social activities that are appropriate for the child's  
263 normal growth and development. This includes the opportunity to develop social  
264 relationships and to pursue hobbies and personal interests through participation in  
265 neighborhood, school and other community and group activities. Except when  
266 the needs of the child and group indicate otherwise, children shall have the  
267 opportunity to exchange visits with friends in the community. When participation  
268 of a child or youth less than 18 years of age in an extracurricular, enrichment,  
269 cultural, or social activity requires a caregiver's consent, the group home shall use  
270 normalcy parenting and the reasonable and prudent parent standard when  
271 determining whether to allow participation. Youth 18 years of age and older do  
272 not require a guardian's consent to participate in these activities; group home staff  
273 should guide and support the youth in identifying and locating appropriate  
274 activities for the youth's continued growth and development.  
275
- 276 e) The group home shall use normalcy parenting and the reasonable and prudent  
277 parent standard when determining whether to allow a foster child to visit  
278 overnight with friends or relatives of the child.  
279
- 280 f) If a child suffers an injury participating in an activity approved by the group home  
281 and the designated group home staff approving the activity acted in accordance  
282 with the reasonable and prudent parent standard, the Department shall hold the  
283 group home harmless from liability.  
284
- 285 g) Travel  
286
- 287 1) The group home is authorized to approve the child's travel within the State  
288 of Illinois. When in-state travel will exceed 48 hours, the group home  
289 must notify the permanency worker of the trip and provide the child's  
290 location and contact information.  
291
- 292 2) The group home is authorized to approve the child's out-of-state travel of  
293 up to 29 days. Out-of-state travel of 30 days or more must be approved by  
294 the DCFS Guardian. When out-of-state travel will exceed 48 hours, the  
295 group home must notify the permanency worker of the trip and provide the  
296 child's location and contact information.  
297
- 298 3) The group home shall ensure that planned travel for the child does not  
299 interfere with school, court, medical and other important services or  
300 treatment~~services/treatment~~ required in the child's case~~service~~ plan.  
301

- 302 h) Personal allowance money shall be available to children based upon the child's  
303 age and ability to manage the money. Adolescents may be allowed to earn  
304 additional spending money.  
305
- 306 i) The group home shall assist the child in the proper handling of money and  
307 personal property.  
308
- 309 1) The group home or supervising agency holding a child's funds shall have  
310 procedures to ensure the safety of those funds. Amounts of \$300 and over  
311 shall be deposited in an insured account. The group home or supervising  
312 agency shall provide annual reports on the status of each child's insured  
313 account to the child's caseworker.  
314
- 315 2) Personal financial transactions or transfer of a child's personal property  
316 among others in the group home shall be prohibited. This prohibition does  
317 not apply to the common practice in families of transferring outgrown  
318 clothes or equipment.  
319
- 320 3) The group home shall assure that the child's personal belongings acquired  
321 by or given to the child during placement (such as clothing, books and  
322 school items, medications, Medicaid Card, toys, gifts, private collections,  
323 lifebook materials and photographs, child's private savings, allowances  
324 and other personal items) follow the child's placement and are returned to  
325 the child when the child changes placement or leaves DCFS care.  
326
- 327 j) Every child shall have the opportunity to learn to assume some responsibility for  
328 ~~themselves~~~~himself or herself~~ and for group home duties in accordance with  
329 ~~their~~~~his or her~~ age, health, and ability. No child shall be permitted to do tasks that  
330 are hazardous, dangerous or potentially harmful to the child.  
331
- 332 k) Work assignments shall not interfere with regular school programs, study periods,  
333 recreation or sleep.  
334
- 335 l) The supervising child welfare agency shall immediately be notified of any  
336 situation that affects the provision of care to the child.  
337

338 (Source: Amended at 50 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
339

### 340 **Section 403.15 Background Checks**

- 341
- 342 a) The governing body of the supervising child welfare agency shall ensure that all  
343 prospective and current employees and other individuals subject to a background  
344 check submit to fingerprinting ~~(when required)~~, authorize a background check and

345 otherwise meet the requirements of 89 Ill. Adm. Code 385, Background Checks.  
346

347 b) As a condition of issuance or renewal of a license by the Department, the group  
348 home shall require persons subject to background checks to furnish<sub>2</sub> written  
349 information on any offenses (other than a minor traffic violation) for which they  
350 have been convicted in accordance with ~~the Department's rulemaking~~ 89 Ill. Adm.  
351 Code 385.

352  
353 c) Persons subject to a congregate care criminal background check via fingerprints:  
354

355 1) The operator of a congregate care facility;  
356

357 2) All adults employed at a child congregate care facility regardless of  
358 whether they have contact with children;

359 3) All volunteers;  
360

361 4) All replacement or supplemental staff (as defined in this Part); and  
362

363 5) Any person who has access to children (as defined in this Part), including  
364 those under individual contract or working for a contracted service  
365 provider that the child care facility has contracted with to provide day-to-  
366 day operational services such as, but not limited to security, meal service,  
367 housekeeping services, etc.; and  
368

369 6) All interns.  
370

371  
372 d) The Components of a Congregate Care Facility Criminal Background Check  
373 include:  
374

375 1) Fingerprints submitted to the Illinois State Police (ISP) for comparison to  
376 their criminal history records;  
377

378 2) Fingerprints submitted to the Federal Bureau of Investigation (FBI) for  
379 comparison to their national crime information database;  
380

381 3) A search of the DCFS State Central Register (SCR) to determine whether  
382 an individual is currently alleged, or has been indicated as a perpetrator of  
383 child abuse or neglect;  
384

385 4) A search of the child abuse and neglect registry, repository, or database in  
386 the state where the individual resided during the preceding five years; and  
387

388 5) A search of the Illinois Sex Offender Registry (SOR) and in accordance  
389 with the Adam Walsh Protection and Safety Act of 2006, the National Sex  
390 Offender Public Website (NSOPW).

391 (Source: Amended at 50 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

392  
393  
394 **Section 403.25 Staff Training**

- 395
- 396 a) There shall be an organized in-service training program to equip child care  
397 personnel to meet the individual and group care needs of the children.
  - 398
  - 399 b) The in-service training program shall include content designed to familiarize staff  
400 with the licensing standards.
  - 401
  - 402 c) All staff must provide evidence of a completed Department-approved *mandated*  
403 *reporter training, including a section on implicit bias*, pursuant to the Abused and  
404 Neglected Child Reporting Act, *within three months after their initial*  
405 *employment, and at least every three years thereafter*. Documentation of  
406 completion of training must be on file in individual personnel records. [325 ILCS  
407 5/4(j)]
  - 408
  - 409 d) If required by a child's hair care plan, child care personnel shall complete training  
410 in a timely manner on how to provide culturally competent hair care for the child.

411  
412 (Source: Amended at 50 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)