

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

POLICY GUIDE 2015.06

REQUESTS FOR WAIVERS OF PRESUMPTION OF UNSUITABILITY

DATE: March 19, 2015

TO: DCFS and Private Agency Licensing Staff

FROM: George H. Sheldon, Acting Director

EFFECTIVE: Immediately



I. PURPOSE

The purpose of this Policy Guide is to inform Department and Purchase of Services (POS) licensing staff of a new requirement to review and assess child protection reports before requesting a waiver of presumption of unsuitability, which is consistent with a recent recommendation of the Office of Inspector General.

II. PRIMARY USERS

The primary users of this policy guide are Department and POS licensing staff.

III. BACKGROUND

As explained in Rule 385, subsection 385.50(b), when an individual has been the indicated perpetrator of certain types and/or number of abuse or neglect allegations listed in subsection 385.50(a), the Department presumes the individual is not suitable to operate a licensed child care facility, reside in a licensed foster family home, or hold a position in a licensed facility that allows access to children. If the licensing entity believes the individual is suitable, despite the indicated abuse or neglect allegation, they may request a review and waiver of the presumption of unsuitability.

In a recent report, the Department's Office of Inspector General advised that before recommending a waiver of the presumption of unsuitability, staff should review and assess relevant child protection reports.

This Policy Guide summarizes the Department's guidelines for implementing this new standard.



IV. SUMMARY

Before licensing staff may request a waiver of presumption of unsuitability, the person for whom a waiver is being requested must sign a consent to allow licensing staff to review and assess all child protection reports in which they were identified as an indicated perpetrator. Licensing staff shall conduct a thorough review of all child protection reports in which the individual was identified as an indicated perpetrator. After this review, the licensing worker, in consultation with his/her supervisor, shall make a determination whether to request a waiver regarding unsuitability.

The Department will propose amendments to Rule 385 to comport with this Policy Guide. Licensing staff shall immediately implement the new standards.

V. QUESTIONS

Questions regarding this Policy Guide may be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook at OCFP – Mailbox. Non Outlook users may e-mail questions to cfpolicy@idcfs.state.il.us.

VI. FILING INSTRUCTIONS

File this Policy Guide immediately following Rules 385, Background Checks.