**Section 411.60 Responsibilities of the Governing Body**

a) The governing body shall be a board of directors composed of at least five persons. All members of the governing body shall be of reputable and responsible character. Each board member shall certify in writing that:

1) he or she has never been indicated as a perpetrator in a child abuse or neglect report, as defined in Appendix B of 89 Ill. Adm. Code 300 (Reports of Child Abuse and Neglect); and

2) the Department has not revoked, refused to renew, or denied a license for a child care facility operated by the individual, or for which the individual served on the governing body at the time the Department revoked or refused to renew a license.

The governing body shall be responsible for maintaining the standards set forth in this Part.

b) The governing body shall designate and approve the selection of the facility director of the secure child care facility. The facility director shall report directly to the governing body concerning the administration and clinical operation of the secure child care facility.

c) Each principal shareholder of the secure child care facility (owning 5% or more of the corporate stock), whether or not a member of the governing body, shall be of reputable and responsible character and shall certify in writing that:

1) he or she has never been indicated as a perpetrator in a child abuse or neglect report, as defined in Appendix B of 89 Ill. Adm. Code 300 (Reports of Child Abuse and Neglect); and

2) the Department has not revoked, refused to renew, or denied a license for a child care facility operated by the individual, or for which the individual served on the governing body at the time the Department revoked or refused to renew a license.

d) The governing body shall:

1) Establish written by-laws;

2) Assure that the facility operates at all times with an on-site administrator who, by official notice, is made known to the Department;

3) Hold at least 4 meetings annually, on a quarterly basis, at which the facility director shall provide a complete status report on the operation of the secure child care facility and compliance with this Part;

4) Keep written records or minutes of all board meetings reflecting official actions by the board;

5) Officially notify the Department, in writing, of any significant changes in the corporate structure or a change in the administration of the facility, including: articles of incorporation and by-laws, board membership, officers, ownership, and changes in services provided by the facility;

6) Review and approve written policies of the facility that shall be made available to all members of the governing body and employees of the facility, including services to be provided by the facility;

7) Assure that staff have achieved appropriate competency levels for the types of children and youth in the secure child care facility and are administering and implementing the facility's established policies correctly;

8) Assure that the facility has a clearly outlined plan to ensure continuity of care for children and youth admitted to the secure child care program and sufficient linkages to aftercare programs to support children and youth after discharge from secure care;

9) Provide and maintain physical facilities appropriate for the program and supporting services, and assure that damage to facility structures or furnishings is immediately reported and repaired as soon as possible;

10) Assure that all records and documents required by this Part are maintained and kept in the State of Illinois where they shall be readily available for review by licensing representatives;

11) Assure fidelity bonding of fiscally responsible officers and employees, elected or appointed, whether or not compensated by salary, against breach of fiduciary duty or the loss of monies, securities or other property that the facility may sustain through any fraudulent or dishonest act committed by any officer or employee acting alone or in collusion with others; and

12) Assure that all persons working with or having access to children and youth are of reputable character through compliance with 89 Ill. Adm. Code 385 (Background Checks).