**Section 412.30 Organization and Administration of Licensing Program**

a) The Department shall:

1) verify that individuals applying for a license meet the requirements of Section 412.40(b) and (f);

2) authorize examinations that fairly test the knowledge and skills of applicants to be a direct child welfare service employee;

3) maintain licensing files for applicants and persons licensed by the Department to be direct child welfare service employees;

4) maintain rosters of names and addresses of all currently licensed direct child welfare service employees and all persons whose licenses have been suspended or revoked;

5) provide Licensing Action and Pending Licensing Action concerning specific individuals to prospective employers within three business days after a request is received. Licensing status information shall include, but not be limited to, date of issuance and pending or implemented licensure action against the licensee within the prior 10 years, including charges issued by the Department;

6) provide known child welfare employers with information within three business days concerning any licensure action or any final administrative decision;

7) obtain written statements from the applicant that attest that he or she is not in default of an educational loan in accordance with the Educational Loan Default Act [5 ILCS 385/2] and that he or she is not more than 30 days delinquent in paying a child support order as specified in the Illinois Administrative Procedure Act [5 ILCS 100/10-65(c)];

8) determine whether to issue licenses; and

9) accept relinquishments of licenses and record in the CWEL file if the relinquishment was received during an open CWEL investigation or CWEL proceeding and any subsequent appeals.

b) The Department and POS agencies shall:

1) request a child abuse and neglect prior history check and a criminal background check on a prospective direct child welfare service employee prior to hiring the employee or as soon afterwards as is reasonably practicable;

2) verify the license status of job applicants/newly hired direct child welfare service employees with OCWEL prior to assigning a caseload to the employee;

3) report licensure violations by direct child welfare service employees to OCWEL in accordance with Section 412.50; and

4) prohibit unlicensed workers from providing or supervising case management services, investigating or supervising child protection investigations, making licensing decisions or supervising licensing workers or otherwise performing direct child welfare services work as set out in this Part.

c) Direct Child Welfare Service Employee License Board

The Board shall consist of nine members appointed by the Director of the Department. All persons appointed to the Board shall be residents of the State of Illinois and serve in a voluntary and unpaid capacity.

1) The nine member Board shall be composed of five licensed professionals from the field of human services, as outlined in 89 Ill. Adm. Code 401.Appendix G, at least two of whom shall be employed in the private not-for-profit sector and at least one of whom shall be from the public sector; two members who serve on the faculty of an accredited university and have child welfare experience; and two members of the general public who are not licensed under this Part or similar rule. Members chosen from the public must clearly represent consumer interests.

2) All licensed professionals and faculty members must be in good standing within their profession. All members of the Board shall have no pending or indicated reports of child abuse or neglect, and no pending or criminal conviction of any offenses stipulated under the Criminal Code of 2012 [720 ILCS 5] and listed in Section 4.2(b) of the Child Care Act.

3) Board members are to 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.

4) Members appointed to the initial Board shall serve for one, two or three years. All successive appointments shall be for a term of three years. No member shall be reappointed if his or her reappointment would cause any conflict of interest or cause that person to serve on the Board for longer than six consecutive years. Appointments to fill expired vacancies shall be made in the same manner as original appointments.

5) Board membership shall have reasonable representation from different geographic areas of Illinois.

6) The Director may terminate the appointment of any member for good cause, which includes, but is not limited to, unjustified absences or failure to meet Board responsibilities, failure to recuse himself or herself as required by subsection (c)(3), or failure to maintain the professional position outlined in subsection (c)(1).

7) The Board shall make recommendations to the Director regarding licensure rules.

8) The Board shall have the authority to preliminarily suspend before a hearing, or revoke or suspend after a hearing under Section 412.60, an employee's license. The Board may also reinstate licenses under Section 412.100. Votes regarding final determinations can be cast in person, by telephonic or electronic means, or by mail, at the discretion of the Chairperson and upon notification of all members. A simple majority of the members appointed and serving is required when Board members vote. A majority of the quorum is required when a recommendation is voted on during a Board meeting.

9) The Director shall designate the Chairperson and Vice-Chairperson of the Board annually.

10) Members of the Board shall be reimbursed for all authorized legitimate and necessary expenses incurred in attending the meetings of the Board.

11) A majority of the currently appointed and serving Board members shall constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to perform all of the duties of the Board.

12) Members of the Board shall have no individual liability in an action based upon any proceeding or other activity performed in good faith as a member of the Board.

13) The Director may assign Department employees to provide staff services to the Board.