**Section 407.90 Staffing Structure**

a) The day care center shall provide staff to ensure the care and safety of the children at all times.

1) A written staffing plan shall organize the staff and enable them to give the children continuity of care and supervision.

2) Each staff person shall be qualified for his or her position, as required by this Part, at the time he or she is hired or promoted.

3) Sufficient child care staff shall be provided to assure that staff/child ratios are maintained as required by Section 407.190.

4) Staff changes shall be minimized so that each child can experience consistent relationships with as few adults as possible.

5) Changes in the position of director or school-age director shall be reported to the Department no later than the next business day after the change. All other staff employment changes shall be reported to the Department each month on forms prescribed by the Department.

b) The day care center shall employ a qualified child care director to oversee the program and administer day-to-day operations. The child care director shall be responsible for the planning and supervision of the program and activities of the children; orientation to newly employed staff; on-site supervision of all staff; and in-service training totaling a minimum of 15 clock hours per year for each member of the child care staff.

c) Multi-site school-age programs, with a maximum daily enrollment of 50 children per site, may use a two-tier administrative structure consisting of a school-age director responsible for multiple school-age sites and school-age site coordinators responsible for each school-age site. The school-age director may be responsible for up to six different school-age sites, each of which is under the direct supervision of a school-age site coordinator. When the school-age director is responsible for four to six sites, she or he shall not have any additional programmatic or administrative responsibilities for other sites or programs. The division of responsibilities between the school-age director and the on-site coordinator shall be documented.

d) Each group of children shall be under the direct supervision of an early childhood teacher or a school-age worker.

1) Infant, toddler and preschool groups, as well as multi-age groups, shall be supervised by an early childhood teacher at all times, except as allowed by Section 407.90(e)(3), Section 407.90(e)(4), Section 407.190(e)(2), or Section 407.190(f).

2) School-age groups shall be supervised by a school-age worker at all times, except as allowed by Section 407.90(e)(2) below.

3) Early childhood teachers and school-age workers shall be responsible for planning and supervising the group, as well as supervising assistants.

e) Assistants shall be assigned to each group as needed to meet the staff/child ratios required by Section 407.190.

1) Early childhood assistants shall be assigned to infant, toddler and preschool groups and work under the direct supervision of an early childhood teacher. They shall not assume full responsibility for the group, except as allowed by Section 407.90(e)(3), Section 407.90(e)(4), Section 407.190(e)(2), or Section 407.190(f).

2) School-age assistants shall be assigned to school-age groups and work under the direct supervision of a school-age worker. At the discretion of the school-age worker, school-age assistants may be responsible for small groups of ten or fewer children during special planned on-site activities for a limited period of time, not to exceed one hour per five-hour period. Activities may include activities on the center's on-site outdoor play area.

3) When all children are two years of age or older, a qualified early childhood assistant 18 years of age or older may provide direct supervision without the presence of an early childhood teacher to a classroom under the following conditions:

A) The use of an early childhood assistant without an early childhood teacher present shall not exceed three consecutive hours or make up a majority of the hours an individual classroom is open in a single day.

B) The use of an early childhood assistant without an early childhood teacher present shall not exceed three hours per classroom, except as allowed in Section 407.190(e)(2).

4) When all children are under the age of two, an early childhood assistant 18 years of age or older with one year of experience (1560 clock hours) providing childcare in a day care setting licensed pursuant to 89 Ill. Adm. Code 406, 407 or 408, or a license-exempt childcare setting as defined in 89 Ill. Adm. Code 377, may provide direct supervision to a classroom without the presence of an early childhood teacher for three hours per classroom, if they have successfully completed the Department of Human Services Child Development, Health, and Safety Basics training which adheres to federal standards set forth in 45 CFR 98.41.

f) Support staff shall be provided as needed.

1) There shall be sufficient support staff so that assignment of service duties does not interfere with the child care staff's responsibilities for the direct care of the children.

2) Support staff shall have the same personnel qualifications required of other staff by Section 407.100.

g) Resource personnel shall be available as appropriate. Persons providing professional services to children shall comply with current State registration and/or certification laws, if applicable.

h) Day care centers licensed for ten or fewer three- to five-year-old children and operating with only one regular staff person shall provide:

1) A daily assistant to help when attention must be given to activities other than the direct care of children; and

2) At least two persons who can respond to a call and be on the premises within five minutes, so that the adult in charge will not have to leave the children unattended in the event of an emergency; and

3) A substitute who is familiar with the children and program.

(Source: Amended at 47 Ill. Reg. 15896, effective October 30, 2023)