

# DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## POLICY GUIDE 2001.12

### Day Camps

Distribution: L, and X

**DATE:** May 21, 2001

**TO:** All DCFS and Private Agency Licensing Staff and Supervisors

**FROM:** Jess McDonald, Director

**EFFECTIVE:** Immediately

#### I. Purpose

The purpose of this Policy Guide is to assist DCFS day care licensing staff in determining how to treat programs that operate during summer and other school holidays.

#### II. Primary Users

The primary users of this Policy Guide are Department licensing staff who license and monitor day care centers.

#### III. Key Words

Camp, Day Camp, Summer Camp, Youth Camp Code, License-Exempt, Illinois Department of Public Health, Day Care Center, Replacement Programs, Declaratory Rulings.

#### IV. Applicable Situations

##### A) Licensed Day Care Center (Subject to Licensure)

A licensed day care center that is subject to licensure may stop operating all or any part of its licensed child care program to operate a summer and/or school holiday replacement program that is exempt from DCFS licensure in the same space occupied by the licensed program/portion of the program or in a space at a different location/address only when the replacement program/portion of the program:

- 1) holds a valid license from the Illinois Department of Public Health (IDPH) to operate a "youth camp/day camp" under **77 Illinois Administrative Code, Part 810, Youth Camp Code**, or

- 2) has been determined by DCFS to be exempt from licensure under **89 Illinois Administrative Code, Part 377, Facilities and Programs Exempt from Licensure**, prior to the start of operation of the replacement program/portion of the program.

In addition to a copy of the license from the IDPH for a “youth camp” or “day camp” **or** a written request for DCFS to review the description of the proposed replacement program to determine its status under **Part 377, Facilities and Programs Exempt from Licensure**, the licensee must send the following documents to the licensing representative at least 60 days before the projected start date of the proposed replacement program/portion of the program:

- 1) a written statement that the center intends to temporarily voluntarily cease operation of its licensed program or a designated portion of its licensed program to operate a replacement program; and
- 2) the start date and end date of the proposed replacement program/portion of the program; and
- 3) a written description of the proposed replacement program/portion of the program; and
- 4) a written description of the location of the replacement program/portion of the program.

If the replacement program/portion of the program will operate at a location where a licensed program/portion of a program will continue to operate, the written description must describe how the program/portion of the program that will continue to operate under DCFS licensure will meet the requirements of Part 407.370 (b) which states: *“The building or portion of the building to which children from the center have access shall be used only for a program of child care during the hours that the center is in operation.”*

Note: Since licensing standards restrict the “sharing” of the licensed portion of the facility, it is essential that access to water, food, toilets, or other services that may be required by the proposed exempt program not be located in the areas where a licensed child care program will operate.

**B) Licensed Day Care Center (Not Subject to Licensure)**

A licensed day care center that is not subject to licensure as a “child care facility” but is licensed for governmental or other benefits may close down the licensed child care program/portion of its licensed program to operate a replacement program that is exempt from DCFS licensure during summer and/or other school holidays, in either the same space occupied by the licensed program/portion of the program or a space at a different location address that is not currently licensed by DCFS.

The licensee shall provide to the Department written notification of the change in the program status prior to the start of the replacement program.

Upon receiving such notification, the Department shall alter the center's license to reflect the changes to the licensed operation.

C) New Unlicensed Entity

When a new entity begins operating a "day camp" or "youth camp" during the summer or other school holidays and it is reported to the Department as an unlicensed "child care facility" or "day care facility," the Department shall refer the information/complaint to the Illinois Department of Public Health to determine if it is a day camp subject to IDPH licensing.

Note: The Department will not conduct an "unlicensed" facility investigation.

V. **DCFS Action**

Immediately upon receipt of a written request described in IV (A) above, the licensing representative shall submit the request to the licensing supervisor and the Regional Licensing Administrator (RLA).

Within 14 days of receiving the written request from the day care center, the licensing supervisor shall consult with the RLA to determine the exempt status of the proposed replacement program/portion of the program.

If the Licensing Supervisor and Regional Licensing Administrator determine that the replacement program/portion of the program meets the criteria of a program exempt from licensure, the licensing supervisor shall immediately:

- 1) inform the licensee/day care center, in writing, that the replacement program/portion of the program meets the criteria and is license-exempt and that the center's license will be altered to reflect the voluntary closing of the identified portions of the licensed program that will not operate at the day care center for the dates specified; and
- 2) alter the center's license to reflect the changes to the licensed operation.

If the Licensing Supervisor and Regional Licensing Administrator determine that the replacement program/portion of the program does **not** meet the criteria of a facility or program exempt from licensure, the licensing supervisor shall immediately:

- 1) inform the licensee/day care center, in writing, that the replacement program/portion of the program, as described, is not license-exempt and, therefore, continues to be subject to licensure in accordance with the Child Care Act of 1969 and **Part 407, Licensing Standards for Day Care Centers**, and operating such a program without a valid license is a violation of those statutes.
- 2) send a copy of the letter to the Regional Licensing Administrator and the Office of Child and Family Policy.

## **VI. Special Instructions for Summer 2001**

For programs operating in the summer of 2001, notification to the Department under Section IV is to be made at least 30 days prior to the projected start date of the program. DCFS response time under Section V will be within 7 days of receiving a written request from a licensed day care center to review the proposed description of a replacement program to determine exempt status.

## **VII. Questions**

Questions on this Policy Guide may be addressed to:

Office of Child and Family Policy  
406 E. Monroe, Station # 65  
Springfield, Illinois 62701  
Telephone (217) 524-1983

## **VIII. Filing Instructions**

File this Policy Guide directly behind **Part 377, Facilities And Programs Exempt From Licensure**.