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TITLE 23: EDUCATION AND CULTURAL RESOURCES
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CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 235
EARLY CHILDHOOD BLOCK GRANT

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AUTHORITY: Authorized by Section 1C-2 of the School Code [105 ILCS 5/1C-2] and implementing Sections 2-3.71 and 2-3.89 of the School Code [105 ILCS 5/2-3.71 and 2-3.89].

SOURCE: Adopted at 16 Ill. Reg. 10181, effective June 10, 1992; expedited correction at 16 Ill. Reg. 15186, effective June 10, 1992; amended at 26 Ill. Reg. 903, effective January 15, 2002; old Part repealed at 30 Ill. Reg. 4618 and new Part adopted at 30 Ill. Reg. 4620, effective February 28, 2006; emergency amendment adopted at 30 Ill. Reg. 11793, effective June 26, 2006, for a maximum of 150 days; emergency expired November 22, 2006; amended at 30 Ill. Reg. 19383, effective November 28, 2006; amended at 32 Ill. Reg. 13357, effective July 25, 2008; amended at 33 Ill. Reg. 4027, effective February 23, 2009; amended at 34 Ill. Reg. 11615, effective July 26, 2010; amended at 35 Ill. Reg. 3742, effective February 17, 2011; amended at 36 Ill. Reg. 6827, effective April 18, 2012; amended at 39 Ill. Reg. 6674, effective April 27, 2015; amended at 40 Ill. Reg. 15168, effective October 24, 2016; amended at 43 Ill. Reg. _____, effective _____.

SUBPART D: EXCLUSIONARY DISCIPLINE IN PRESCHOOL PROGRAMS

Section 235.300 Purpose This Subpart D shall apply to exclusionary discipline in preschool programs that receive funding pursuant to Section 2-3.71(a)(7) of the School Code.

(Source: Added at 43 Ill. Reg. _____, effective _____)

Section 235.310 Definitions

"Challenging Behavior" means any repeated pattern of behavior that interferes with optimal learning or engagement with peers and adults.

"Intervention Plan" means a written, planned schedule of action agreed upon by the program staff, parents/primary caregivers, and qualified professional resources assigned to assist a child, family, and caregivers to address the identification of repeated patterns of challenging behavior.

"Preschool Program" means a program that receives funding pursuant to Section 2-3.71(a)(7) of the School Code.

"Qualified Professional" means an individual with a recognized professional title such as, but not limited to, a child's early childhood mental health consultant, licensed clinical social worker, speech pathologist, behavioral therapist.

"Repeated Pattern of Challenging Behavior" means behaviors that do not respond to repeated developmentally appropriate practice interventions and result in a disrupted learning environment for other children in the program. These include but are not limited to, extreme prolonged tantrums, physical and verbal aggression, property destruction, self-injury, or withdrawal.

"School Code" means 105 ILCS 5.

"State Board" means the State Board of Education.

"Transition Plan" means an individualized, written document developed by the departing and receiving early childhood programs, parents/primary caregivers, and qualified professional resources detailing tasks and individual responsibilities required to prepare for and then execute the move of the child from the current child care arrangement to a more appropriate arrangement with as little negative impact and disruption as possible.

(Source: Added at 43 Ill. Reg. _____, effective _____)

Section _235.320 Transition Programs

a) All preschool programs shall have written intervention and transition policies of which parents shall be notified. The policies shall address at least the following:

1) Initial and ongoing observation of challenging behaviors;

2) Communication with the parents; and

3) *Utilization of a range of community resources, if available, deemed necessary, including, but not limited to, developmental screenings, referrals to programs and services administered by a Local Education Agency or early intervention agency under parts B and C of the federal Individuals with Disabilities Education Act and consultation with an infant and early childhood mental health consultant and the child's health care provider.* (Section 2-3.71(a)(7)(B) of the School Code)

b) Preschool programs must document on forms prescribed by the State Board steps taken in accordance with the intervention and transition policy, including observations of initial and repeated challenging behaviors, communication with

parents, and attempts to utilize resources (including when parental consent is attempted and whether it is obtained).

c) Any child who, after documented attempts have been made to meet the child's individual needs, demonstrates inability to benefit from the type of care offered by the preschool program, or whose presence is detrimental to the group, shall be transitioned to a different preschool program.

d) In all instances, when a preschool program decides that it is in the best interest of the child to transition to a different program, the child's and parents' needs shall be considered by planning with the parents to identify the new program and working with the parents and pending program on a transition plan designed to ensure continuity of services to meet the child's needs.

e) Expulsion due to a child's behavior is prohibited. *Planned transitions to settings better able to meet the child's needs are not considered expulsions.* (Section 2-3.71(a)(7) of the School Code)

(Source: Added at 43 Ill. Reg. _____, effective _____)

Section 235.330 Reporting

Preschool programs shall collect and report annually to the State Board of Education all of the following data:

a) *Total number served over the course of the program year and the total number of children who left the program during the program year.*

b) *Number of planned transitions to another program due to children's behavior by children's race, gender, disability, language, class/group size, teacher-child ratio, and length of program day.*

c) *Number of temporary removals of a child from attendance in group settings due to a serious safety threat by children's race, gender, disability, language, class/group size, teacher-child ratio, and length of program day.*

d) *Hours of infant and early childhood mental health consultant contact with program leaders, staff, and families over the program year.* (Section 2-3.71(a)(7)(G) of the School Code)

e) Total number of children returned to the program after a planned transition.

(Source: Added at 43 Ill. Reg. _____, effective _____)