**Section 235.330 Program Transition Plans**

a) All early childhood programs must have written transition policies of which parents/guardians must be notified upon enrollment into the program. The policies shall address at least the following:

1) Documentation that implementation of the behavior support plan took place prior to the initiation of the transition plan;

2) Documentation that the initiation of the program transition plan is due to:

A) a determination by a qualified professional;

B) the program determining that the current early childhood program does not meet the child's developmental needs; or

C) a determination that the transition is necessary because of the program's inability to provide the supports needed to maintain the child in the program;

3) Initial and ongoing observation of challenging behaviors;

4) Communication with the parents/caregivers in a culturally and linguistically appropriate manner; and

5) *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* (20 USC 1400 et seq.) *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 Code)

b) Early childhood programs must document, on forms prescribed by the State Board, steps taken in accordance with the program transition policy, including observations of initial and repeated challenging behaviors, communication with parents/guardians, and attempts to utilize resources (including when parental/guardian consent is attempted and if it is obtained).

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

d) If a parent/guardian chooses to withdraw his or her child from a program, the parent/guardian must submit a letter, in writing, to the program and the letter must be kept on file with that program for five years. In instances in which a parent or guardian is not able to write a letter, program staff shall maintain the child's filed written documentation that includes the requestor's name and relationship to the child, along with the withdrawal date. The staff member must also sign and date the written documentation.

(Source: Added at 44 Ill. Reg. 1942, effective January 10, 2020)