**Section 406.20 Children with Special Needs**

a) Children identified as having special needs shall have activities relating to those needs that are planned with parents and/or consultants.

b) There shall be suitable space and equipment so that the child can function as safely and independently as possible.

1) Areas of the home shall be adapted as necessary if special devices are required for the child to function independently.

2) Space needs shall be determined by considering such factors as age and size of the child, activity recommendation, and ambulation problems.

c) In determining license capacity, children who have special needs due to physical, mental, and/or emotional disabilities shall be considered at the age level at which they function. The age level at which the child functions for purposes of determining child/staff ratios shall be determined by the supervising agency in consultation with personnel involved in providing care or services for the child.