**Section 108.30 The establishment and administration of special education**

a) Each facility shall establish and maintain special education instructional and resource programs and intervention modalities, which meet the educational needs of recipients with the following exceptional characteristics, if such recipients are admitted to the facility:

1) Deficits in intellectual development and mental capacity;

2) Adaptive behavior which restricts effective functioning;

3) Deficits in the essential learning processes of perception, conceptualization, memory, attention, or motor control;

4) Auditory, visual, physical, or health impairment; or

5) Speech or language impairment.

b) Special education instructional and resource programs shall range along a continuum based on the nature and degree of the intervention. This continuum of program options shall include, but not be limited to:

1) Special instructional program

 The recipient receives most of his or her basic educational experiences through an instructional program in a special class, which is largely self-contained, or in a special school.

2) Cooperative program

 The recipient receives most of his or her educational experience through either the standard or the special program of the public or non-public school. However, this is supplemented through work experience programs or facility programs.

c) Special education instructional and resource programs, including diagnostic services, shall be available to recipients who are aged 3 to 21 years.

1) When a recipient becomes three years old, the recipient shall be eligible for special education services.

2) A recipient who requires continued educational experience to facilitate his or her integration into society shall be considered eligible for such services to age 21 or upon successful completion of the secondary program. The recipient who becomes 21 during the school year shall be allowed to complete that year.

d) The physical plant used for special education programs and services, i.e., size and location as well as the amount of equipment and materials depend on the individual recipient's needs. For example, the size of the room and furniture depends upon the physical size and ability of the recipients located in the room. The equipment and materials depend on factors such as the recipient's developmental ability level, safety features, and the recipients' mobility needs. Such physical plant shall, as far as feasible, approximate settings in public schools for similar students.

e) Methods by which information regarding a recipient is collected, recorded, protected and maintained shall be in compliance with the Code and the Act.

f) Within each facility, the facility director or designee shall, in cooperation with special education personnel, facilitate the functioning of special education instructional and resource programs as an integral part of the facility program.

g) The specific responsibilities of special education personnel in relation to special education instructional and resource programs shall be delineated in writing and made known to all persons involved.

h) General supervision by the Illinois State Board of Education of all special education programs shall be facilitated by the facility director.

(Source: Amended at 15 Ill. Reg. 6122, effective April 15, 1991)