**Section 226.320 Service to Students Living in Residential Care Facilities**

Children with disabilities may be placed into public or nonpublic residential facilities for reasons other than education by various public entities, such as the Department of Corrections, the Department of Children and Family Services, or the juvenile courts. Except as provided in Section 14-8.01 of the School Code, the school district within whose boundaries a public or nonpublic residential facility is located is responsible for ensuring special education and related services in the least restrictive environment to those students who are eligible pursuant to this Part. "Residential facilities" refers to any of the following.

a) "Children's Home" or "Orphanage": any licensed residential institution, other than those directly operated by the State of Illinois, that cares for disabled, neglected, delinquent, and/or dependent children.

b) "Foster Family Home": an individual residential unit that cares for one or more disabled, neglected, delinquent, or dependent children who are not members of the primary family. A home of this type accepts foster children for care under specific and written authority of a municipal, county, or State agency authorized to make the placement.

c) "State Residential Units": residential housing units that are directly operated by the State of Illinois, on property owned by the State, and primarily funded by an agency of the State.

(Source: Amended at 40 Ill. Reg. 2220, effective January 13, 2016)