**Section 384.80 Self-Governance Programs**

a) Child care facilities may institute organized self-governance programs supervised by staff that allow peers to participate in the discipline or behavior management of peers upon compliance with this Section; however, effective April 1, 2006, the manual restraint of a child in any form by another child is prohibited by this Part. In an organized self-governance program, staff retain full responsibility for ensuring that all discipline or behavior management is appropriate for the circumstances and does not violate the requirements of this Part. An organized self-governance program shall not be utilized as a substitute for adequate staffing.

b) A child care facility may only implement an organized self-governance program following approval of a written plan by the child care facility's governing body and the Department. The Department will not approve a plan for an organized self-governance program unless it includes at least the following:

1) parents, guardians and children are advised of the self-governance program prior to admission to the facility;

2) the admissions policy clearly specifies the ages, behavior, functional level, and history of children to be accepted for the self-governance program. Children who do not meet the admissions policy shall not be admitted to the program;

3) facility staff have education, experience, and training directly related to the administration and delivery of services in a self-governance program;

4) the facility has developed and implemented a regular, ongoing monitoring, evaluation, and recordkeeping system for the self-governance program that can demonstrate whether the program, as implemented, is consistent with the plan approved by the Department; and

5) the discharge policy clearly specifies the criteria for successful completion of the program and also specifies what attitudes and behaviors will be reason for involuntary discharge from the self-governance program. The policy must identify who in the facility has authority to approve the successful completion or the involuntary discharge of a child from the program.

c) The Department's review of the plan for an organized self-governance program and any plan amendments shall be performed by a review team composed of qualified persons appointed by the Director which shall be representative of the Department and the Illinois Association of Peer Treatment Agencies. This review team shall review the plan for an organized self-governance program and any plan amendments and recommend a decision for the Director's final approval. The Department's final decision shall be made within 14 days after receipt of the complete plan for organized self-governance.

d) The written plan shall be reviewed and approved at least once every two years by the child care facility's governing body and the Department.

(Source: Old Section 384.80 renumbered to Section 384.70; new Section 384.80 renumbered from Section 384.90 and amended at 26 Ill. Reg. 4623, effective March 15, 2002)