**Section 404.43 Termination of Residential Care**

a) Termination of care in the child care institution for those persons over age 18 shall occur no later than 90 days following completion of a public school secondary education program or the individual's eligibility for such an educational program, as specified in Ill. Rev. Stat. 1983, ch. 122, par. 10-20.12, whichever occurs first.

b) The institution shall have a written policy pertaining to the conditions which children may be terminated from institutional care and served in a less restrictive placement.

c) Termination of institutional care shall be part of the ongoing program planning for the child's care and treatment. A discharge plan shall specify the child's behavioral objectives to be achieved through the institution's treatment program. Minimal behavioral criteria for the child's discharge shall be specified if there is no permanent physical or mental incapacity which would otherwise prevent the child from living in a less restrictive environment. A diagnosis of emotional disturbance or mental illness shall not void the institution's obligation to specify behavioral criteria for discharge planning.

d) The child and family shall participate in the planning for termination of institutional care to the best of their ability and insofar as such planning with the family is feasible. They shall be helped to understand the reasons for termination.

e) A report on the child's current situation and documentation pertaining to his health, birth, family, legal status, school and religious affiliation shall be provided to the child's parent or guardian at the time care is terminated.

(Source: Amended at 9 Ill. Reg. 19712, effective December 20, 1985)