**Section 407.270 Guidance and Discipline**

a) The day care center shall develop a guidance and discipline policy for staff use that is also provided to parents. Expulsion due to a child's pattern of challenging behavior is prohibited. Planned transitions to settings better able to meet the child's needs are not considered expulsions. Staff shall sign the guidance and discipline policy at the time of employment and parents shall sign the policy when their child is enrolled. The policy shall include:

1) A statement of the center's philosophy regarding guidance and discipline;

2) Information on how discipline will be implemented by staff;

3) Information on how parents will be involved in the guidance and discipline process;

4) Information on how children will be involved in the guidance and discipline process; and

5) Behavior support and program transition policies.

b) Written rules for all children shall be established and available to children, parents and staff. These rules shall set the limits of behavior required for the protection of the group and individuals. The rules shall:

1) Pertain to important situations;

2) Be understandable to children;

3) Be stated in the positive form whenever possible; and

4) Be enforceable.

c) Child care staff shall help individual children develop self-control and assume responsibility for their own actions. Imposing physical activity or withholding active play shall not be used on children as a form of discipline.

1) Limits and consequences shall be clear and understandable to the child, consistently enforced and explained to the child before and as part of any disciplinary action.

2) Discipline shall be developmentally appropriate and logically related to the child's act and shall not be out of proportion to the particular inappropriate behavior. The child shall be made aware of the relationship between the act and the consequences.

3) Firm positive statements about behaviors or redirection of behaviors shall be the accepted techniques for use with infants and toddlers.

4) Removal from the group to help a child gain control shall not exceed one minute per year of age. Removal from the group shall not be used for children less than 24 months of age.

5) Children shall not be disciplined for toilet accidents.

6) The following behaviors are prohibited in all child care settings:

A) Corporal punishment, including hitting, spanking, swatting, beating, shaking, pinching and other measures intended to induce physical pain or fear;

B) Threatened or actual withdrawal of food, rest or use of the bathroom;

C) Abusive or profane language;

D) Any form of public or private humiliation, including threats of physical punishment; and

E) Any form of emotional abuse, including shaming, rejecting, terrorizing, or isolating a child.

d) Preschool and school-age children shall have reasonable opportunity to resolve their own conflicts.

e) Discipline shall be the responsibility of adults who have an ongoing relationship with the child.

f) When there is a specific plan for responding to a child's pattern of unacceptable behavior, all staff who affect the child shall be aware of the plan and cooperate in its implementation.

g) Clinical behavior management plans may be developed to meet the needs of a particular child if developed with the parent and a professional clinician. This must be documented in the child's file. All staff working with the child shall receive training on implementing the plan.

(Source: Amended at 44 Ill. Reg. 16138, effective September 18, 2020)