**Section 401.20 Notification Requirements**

a) A provider that operates a facility subject to the requirements of this Part and intends to cease operations, to move to a new location, or to discontinue any of the facility's approved programs shall ensure that the State Superintendent and each public school district with which it has entered into contracts for services receive no less than 40 business days' written notice of that intention. A provider shall also notify the State Superintendent in writing, so that the notification is reasonably calculated to be received at the State Board of Education's office at 100 North First Street, Springfield, Illinois 62777, within 40 business days after the following:

1) Any change in its educational administration and organization, as described in its SBE approved application; and

2) Any change in the number, type or duties of the professional staff positions identified as part of the application for SBE approval or in the licensure status or credentials of any individual employed in such a position, provided that the change does not affect the program's or facility's compliance with the requirements of this Part.

b) A provider shall notify the State Superintendent in writing, so that the notification is reasonably calculated to be received at the State Board of Education's office at 100 North First Street, Springfield, Illinois 62777, within five business days after the following:

1) Any change in the facility's compliance with applicable fire prevention regulations or other federal, state, and local laws, ordinances, or regulations, as described in its approved application pursuant to Section 401.10(a)(5), or in the physical facilities used;

2) Any change in the facility's approval or licensure to provide a residential program as described in its approved application;

3) Any change in the facility's approval or licensure to operate in a state other than Illinois as described in its approved application;

4) Any change in the number, type or duties of the professional or paraprofessional positions identified as part of the application for SBE approval of an educational program or the education component of a combination program, or in the licensure/certification status or credentials of any individual employed in such a position, if the change will affect the program's compliance with the requirements of this Part.

A) If any professional staff position subject to the notification requirements of this subsection (b)(4) remains vacant, the provider shall provide written notification to the State Superintendent and to the placing public school districts after 20 business days and again after 40 business days of its attempts to permanently fill those positions and of other efforts, including the use of substitutes, undertaken in order to provide necessary instruction and related services to the students enrolled.

B) If the State Superintendent determines that the provider has not reported staffing changes in a program as required, the State Superintendent shall change the approval status of the program accordingly, pursuant to the provisions of Section 401.30.

c) Should a provider elect to terminate a student's placement in a facility under this Part, the provider shall give written notice to this effect to the contracting public school district at least 20 business days prior to the date of termination, unless the health and safety of any student are endangered. The notice shall include the reasons for the termination.

d) Notification to the State Superintendent regarding any breaches of test security or other testing irregularities in connection with the State assessment shall conform to the requirements of Section 401.145.

(Source: Amended at 42 Ill. Reg. 6471, effective March 21, 2018)