**Section 119.210 Exclusion, suspension or discharge of an individual**

a) Exclusion, suspension or discharge may occur due to:

1) The individual's desire to stop participation;

2) The individual's attainment of the exit criteria;

3) The individual's physical disability or medical condition which places the individual in danger; or

4) Maladaptive behavior that places the individual or others in serious danger.

b) Lack of space in a program shall not be used to suspend or discharge individuals and shall be used only to deny admission to a program that is presently filled.

c) The provider shall refer all proposals excluding, suspending or discharging an individual to the team which shall determine whether the criteria in subsection (a) of this Section have been met, recommend alternative services and determine the criteria under which the individual may enter or re-enter the program.

d) Before exclusion, suspension or discharge, the team shall discuss, summarize and place in the individual's record the date and reason for this action.

e) A provider shall not suspend or discharge an individual from a program without at least a 10-day written notice to the individual or guardian except when it is documented that the individual is dangerous to himself or herself or others and the behavior cannot be corrected through special training procedures.

f) An individual shall have the opportunity to appeal to the agency representative the provider's decision to exclude, suspend or discharge him or her in accordance with the procedures required in Section 119.235(e) of this Part.

(Source: Amended at 21 Ill. Reg. 8297, effective June 25, 1997)