

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER e: INSTRUCTION

PART 210
ILLINOIS HOPE AND OPPORTUNITY PATHWAYS
THROUGH EDUCATION PROGRAM

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AUTHORITY: Implementing and authorized by Section 2-3.66b of the School Code [105 ILCS 5/2-3.66b].

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SUBPART A: PROGRAM APPROVAL

Section 210.10 Purpose

This Subpart A establishes the requirements for approval of Illinois Hope and Opportunity Pathways through Education (IHOPE) programs established pursuant to Section 2-3.66b of the School Code [105 ILCS 5/2-3.66b] by regional offices of education or the City of Chicago School District 299 (CPS).

- a) IHOPE programs shall re-enroll high school dropouts in their respective regions of the State and provide instructional and other services to enable dropouts to *meet the prerequisites to receiving a high school diploma specified in Section 27- 22 of the School Code and any other graduation requirements of the student's district of residence.* [105 ILCS 5/2-3.66b(b)] For the purposes of this Part, "any other graduation requirements" means those that the district of residence has established for all students enrolled in the district's general program of instruction.
- b) A regional office of education or CPS may establish an IHOPE program or may contract with one or more entities specified in Section 2-3.66b(d) of the School Code to operate those programs.
- c) A regional office or CPS may provide instructional services through a subcontractor only if the entity providing those instructional services is recognized by the State Board of Education. (See Section 210.40(a)(2) of this Part.)

Section 210.20 Program Components

An IHOPE program approved under this Part shall contain each of the components enumerated under Section 2-3.66b(g) of the School Code. As set forth in Section 2-3.66b(b) of the School Code, instructional and other services may be offered in one or more of the following ways:

- a) comprehensive year-round programming;
- b) summer or evening school programs;
- c) community college coursework offered through dual enrollment programs (i.e., a student attends both high school and college classes), or dual credit courses, as defined in Section 5 of the Dual Credit Quality Act [110 ILCS 27/5];
- d) adult education programs;
- e) vocational training and work experience;
- f) programs to enhance self-concept; and/or
- g) parenting classes.

Section 210.30 Requirements for Student Participation

Any individual subject to compulsory attendance requirements set forth in Article 26 of the School Code [105 ILCS 5/Art. 26] may be considered for enrollment in an IHOPE program, provided that he or she is considered to be a "dropout" for reporting purposes under Section 2-3.13a of the School Code [105 ILCS 5/2-3.13a].

- a) Each regional office of education or CPS, as applicable, that establishes an IHOPE program shall provide information about the program to the parents or guardians of all dropouts who are less than 18 years old who are being considered for enrollment and shall identify a staff member who may be contacted for information or assistance.
 - 1) Before a dropout as defined in this subsection (a) is enrolled in an IHOPE program, the program shall send a written notification to the student and the student's parent or guardian to attend a conference about the program. This notification also shall contain a statement of the rights of the parent or guardian (e.g., requirement for written parental permission to enroll in the program, ability to withdraw consent for enrollment, participation in development of an individual instructional plan).
 - 2) The conference shall be designed to help the parent or guardian determine whether the student's participation in an IHOPE program would be beneficial.
 - 3) A dropout as defined in this subsection (a) shall not be enrolled in an IHOPE program without the written consent of his or her parent or guardian. This provision does not apply to youth who are considered to be an "unaccompanied youth" under Section 725 of federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001 (42 USC 11431 et seq.).
- b) Before enrolling a dropout who is 18 years or older or an unaccompanied youth, the IHOPE program shall conduct the conference described in subsection (a) with the dropout.
- c) An approved IHOPE program shall enroll only dropouts who reside in their region or district (see Section 2-3.66b(b) of the School Code), and no tuition may be charged of students who choose to participate.
- d) Enrollment in an IHOPE program of a dropout who, when enrolled in his or her previous school, had an Individualized Education Program shall be subject to the additional requirements set forth in Section 210.35.

- e) Receipt of a high school diploma under the IHOPE program is not subject to the State assessment requirements contained in Section 2-3.64a-5 of the School Code [105 ILCS 5/2-3.64a-5].
- f) All rights granted under this Part to the student's parent or guardian shall become those of the student once the student reaches 18 years of age, subject to the provisions of the Emancipation of Minors Act [750 ILCS 30].
- g) For each dropout enrolled, an IHOPE program shall request from the school that the student last attended a certified copy of the student's records, in accordance with 23 Ill. Adm. Code 375.75 (Public and Nonpublic Schools: Transmission of Records for Transfer Students).

(Source: Amended at 39 Ill. Reg. 13478, effective September 24, 2015)

Section 210.35 Enrollment of Students with Individualized Education Programs

- a) A dropout who, in his or her previous school, had an Individualized Education Program (IEP) is eligible to enroll in an IHOPE program if he or she meets the eligibility requirements for the program, subject to the requirements of this Section.
 - 1) The IHOPE program shall work in cooperation with the school district at which the student was last enrolled to ensure that the student receives the special education and related services necessary for the student to achieve academically and meet the requirements for receipt of a high school diploma.
 - 2) All services identified as necessary pursuant to subsection (a)(1) of this Section shall be delivered by properly qualified personnel.
 - 3) If a student enrolled in an IHOPE program is referred for an evaluation to determine whether he or she is eligible for special education, then the evaluation and eligibility determination shall be conducted in accordance with the State Board's rules for Special Education (see 23 Ill. Adm. Code 226.Subpart B (Identification of Eligible Children)).
- b) In cooperation with the school district from which the student will earn a high school diploma, the regional office of education establishing the IHOPE program, or CPS, as applicable shall develop an up-to-date IEP for each student who previously had an IEP and continues to qualify for services in accordance with 23 Ill. Adm. Code 226. The responsibilities of the regional office of education and the school district shall be specified in the cooperative agreement executed pursuant to Section 210.70(c)(8) of this Part.

Section 210.40 Program Requirements

Each IHOPE program approved by the State Board of Education shall conform to the following program requirements.

- a) The program of instruction of an IHOPE program shall be consistent with State standards set forth in 23 Ill. Adm. Code 1. Appendix D (State Goals for Learning) and provide innovative and varied instructional strategies designed to facilitate the student's receipt of a high school diploma.
 - 1) In consultation with the student's school district of residence, the IHOPE program must award academic credit in accordance with that district's policy developed pursuant to 23 Ill. Adm. Code 1.420(b).
 - 2) If the instructional program is provided by a non-profit entity, then that entity shall be recognized by the State Board of Education. A recognized entity is one that:
 - A) is established by the State to provide education-related services or instruction (e.g., regional offices of education, intermediate service centers, public community colleges or universities); or
 - B) is a nonpublic elementary or secondary school recognized by the State Board of Education under 23 Ill. Adm. Code 425 (Voluntary Registration and Recognition of Nonpublic Schools); or
 - C) is designated for operation through a standardized approval process administered by the State Board of Education (i.e., public university laboratory schools, alternative schools, charter schools, area vocational centers, Alternative Learning Opportunities Programs); or
 - D) meets the requirements of a national or regional accrediting body (e.g., private colleges and universities, other nonpublic elementary or secondary schools).
- b) Support services shall be provided for each student enrolled in the IHOPE program. The particular services provided shall be those that are determined to be necessary for the student's academic success.
- c) An individual instructional plan shall be developed for each student enrolled in the IHOPE program in accordance with Section 210.50 of this Part.

- d) Progress reports for students enrolled in the IHOPE program shall be provided at least in the same manner and with the same frequency as progress reports are sent to parents and guardians of students enrolled in the school district from which the student will receive his or her diploma. A student's parent or guardian may request a meeting anytime during the school year to review the student's progress, in accordance with procedures developed by the IHOPE program.
- e) The IHOPE program shall employ staff who are appropriately qualified.
- 1) Teachers shall hold a valid and active Illinois professional educator license endorsed for elementary, secondary, special K-12 or special preschool-age 22 required for the grade levels to which they will be assigned, except that staff employed in dual credit programs must meet the requirements set forth in 110 ILCS 27/20.
 - 2) Professional personnel who provide other services for students enrolled in the program shall hold the type of educator licenses appropriate to their roles pursuant to State Board of Education rules for Educator Licensure (23 Ill. Adm. Code 25), except that:
 - A) personnel providing professional nursing services shall meet the requirements of Section 10-22.23 of the School Code [105 ILCS 5/10-22.23];
 - B) personnel providing school counseling services shall meet the requirements of Section 10-22.24b of the School Code [105 ILCS 5/10-22.24b];
 - C) personnel providing noninstructional services shall meet the requirements of Section 10-22.34 of the School Code [105 ILCS 5/10-22.34];
 - D) personnel providing school psychological services shall meet the requirements of Section 14-1.09.1 of the School Code [105 ILCS 5/14-1.09.1]; and
 - E) personnel providing school social work services shall meet the requirements of Section 14-1.09.2 of the School Code [105 ILCS 5/14-1.09.2].

(Source: Amended at 46 Ill. Reg. 6447, effective April 11, 2022)

Section 210.50 Individual Instructional Plan

- a) The individual instructional plan (IIP) developed for each student in the IHOPE program shall be based on an assessment of a student's educational skills and prior academic success. Each plan shall contain the following elements:
 - 1) goals and objectives for satisfactory performance that will lead to the awarding of a high school diploma. When appropriate, the goals and objectives specified in the IIP shall take into account the social norms and behaviors specific to the student's cultural and linguistic background;
 - 2) the specific curriculum and instructional methods;
 - 3) the support services needed to remove barriers to learning;
 - 4) when appropriate, the career development experiences the student will receive to enhance his or her career awareness;
 - 5) the expected academic, social and behavioral outcomes to be achieved as a result of the student's participation in the IHOPE program and the student's responsibilities for achieving those outcomes;
 - 6) an estimate of the length of time the student will need to complete State and local requirements for receipt of a high school diploma;
 - 7) a description of the commitments that the student's parent or guardian, as applicable, will make to ensure that the student successfully completes the IHOPE program; and
 - 8) the assessment procedures to be used to determine the degree to which the student has achieved his or her learning objectives and other specified outcomes.
- b) Each IIP shall be reviewed at least twice during the school year and more often, if necessary. The review shall consider any changes in the elements of the IIP, as specified under subsection (a) of this Section, that are necessary based on the student's academic progress since the previous review period or in the previous school year. If any changes are proposed for the IIP of a student who meets the criteria under Section 210.30(a) of this Part, then the IHOPE program shall notify the student's parent or guardian of the proposed changes in accordance with the procedures outlined in subsection (a) of this Section.
- c) The IHOPE program shall send a written notification 10 school days in advance to

the student, and his or her parent or guardian for a student meeting the criteria under Section 210.30(a) of this Part, of the opportunity to participate in the development of the IIP. The notice must include the time, date and place of the meeting to consider the plan. If the student or parent or guardian, as applicable, is unable to participate in the meeting, then the regional office of education or CPS, as applicable, shall:

- 1) take other steps, including individual or conference telephone calls, to ensure that the student and his or her parent or guardian, as applicable, have an opportunity to comment on the proposed plan; and
 - 2) provide to the student and his or her parent or guardian, as applicable, a copy of the final IIP after it is completed.
- d) The IIP and any subsequent revisions to the IIP shall become part of the individual's Student Temporary Record, as defined in 23 Ill. Adm. Code 375.10, and shall be made available to the State Superintendent of Education upon request in instances in which there is a demonstrable educational interest (see 105 ILCS 10/6(a)(2)) and/or when necessary for State or federal program purposes (see 105 ILCS 10/6(a)(12)).

Section 210.60 Supplemental Services and Instructional Time

In order to receive general State aid, an IHOPE program shall develop a plan in accordance with Section 2-3.66b(c) of the School Code and Section 210.70 of this Part that proposes a calendar for the program that is in conformance with the requirements of Section 2-3.66b(e) of the School Code. A calendar that varies in the length of the instructional day (i.e., 5 clock-hours of school work) from those requirements shall be approved under the following conditions.

- a) The calendar meets all of the following exceptions:
 - 1) The IHOPE plan submitted under Section 210.70 of this Part establishes that a program providing the required minimum daily hours of school work would not serve the needs of the program's students.
 - 2) Each day of attendance shall provide no fewer than 3 clock-hours of school work, as defined under Section 18-8.05(F)(1) of the School Code [105 ILCS 5/18-8.05(F)(1)].
 - 3) Each day of attendance that provides fewer than 5 clock-hours of school work also shall provide supplementary services, including, without limitation, work-based learning, student assistance programs, counseling, case management, life-skills or conflict resolution training, career counseling, or service learning (e.g., activities that combine academics and community service), in order to provide a total daily program to the student of 5 clock-hours. A program may claim general State aid for up to 2 clock-hours of the time each day that a student is receiving supplementary services.
 - 4) Each program shall provide no fewer than 176 days of actual pupil attendance during the school term.
- b) The supplemental services provided pursuant to subsection (a) of this Section that are noninstructional in nature (e.g., student assistance programs, counseling services, case management, life skills or conflict resolution training, career counseling) shall be:
 - 1) directly linked to a need identified in the student's individual instructional plan developed pursuant to Section 210.50 of this Part and necessary for the student to successfully advance in the instructional program and meet the requirements for receipt of a high school diploma set forth in Section 2-3.66b(b) of the School Code;
 - 2) provided by qualified personnel with the experience and skills appropriate

- to the service being provided; and
- 3) monitored by IHOPE program staff to ensure that the services provided are effective in improving the student's academic achievement, as specified in his or her individual instructional plan.
- c) Activities that are instructional in nature (e.g., work-based learning activities, service learning) shall not be considered supplemental services for the purposes of this Section. These shall be considered to be part of the 5 clock-hours of school work required under Section 18-8.05 of the School Code, provided that:
- 1) the activity is an integral and regular part of the academic instruction that the student is receiving and is tied to one or more of the State Goals for Learning (23 Ill. Adm. Code 1.Appendix D);
 - 2) the student receives academic credit upon successful completion of the activity, in accordance with the policies of the student's district of residence that will be issuing the high school diploma; and
 - 3) the activity is provided under the direction of a teacher who holds the type of educator license appropriate to his or her assignment (see Section 210.40(e) of this Part).

(Source: Amended at 37 Ill. Reg. 15953, effective September 27, 2013)

Section 210.70 Contents of IHOPE Plan

The plan for each IHOPE program shall be approved by the State Superintendent of Education in accordance with criteria set forth under Section 2-3.66b(c) of the School Code and Section of this Part.

- a) The State Superintendent of Education shall annually notify regional offices of education and CPS of the opportunity to submit an IHOPE plan for approval, specifying the information that shall be included in the plan and requiring that the plan be submitted no later than the date specified in the notification.
- b) Each application shall be reviewed for completeness and conformance to the requirements of Section 2-3.66b of the School Code and this Part.
 - 1) Incomplete plans shall be returned to the regional office of education or CPS, as applicable, specifying the additional information that is needed, which shall be submitted within 15 calendar days after receiving the request.
 - 2) Based on the criteria contained in Section 210.75 of this Part, plans that do not meet the requirements of Section 2-3.66b of the School Code and this Part shall be returned to the regional office of education or CPS, as applicable, specifying the reasons why the plan was not acceptable.
- c) Each plan for an IHOPE program shall be submitted in a format specified by the State Superintendent of Education and shall contain the following elements:
 - 1) A description of the planning process conducted to determine the type of IHOPE program to be established and a list of the participants in that process to at least include those entities specified in Section 2-3.66b(c) of the School Code.
 - 2) An organizational chart that reflects the governance, administrative, educational and support structures of the proposed IHOPE program and describes the responsibilities of each entity involved in the program.
 - 3) Evidence that the plan for the IHOPE program includes each of the components enumerated in Section 2-3.66b(g) of the School Code.
 - A) Programs that exceed the enrollment limits set forth under Section 2-3.66b(g)(1) of the School Code shall provide a justification for a larger program and a description of the steps to be taken to ensure that the program will meet the needs of each student to be enrolled

in an effective manner.

- B) In order to demonstrate compliance with Section 2-3.66b(g)(3) of the School Code, the plan shall include a description of the experiences, competency, and qualifications of licensed and nonlicensed staff that emphasizes their individual and collective abilities to work successfully with students who have dropped out of school. (Also see Section 210.40(e) of this Part.)
 - C) In order to demonstrate compliance with Section 2-3.66b(g)(6) of the School Code, the plan shall include a schedule of support services that will be available to students as part of their instructional program, including the procedures for accessing a student's need for services on an as-needed basis.
 - D) In order to demonstrate compliance with Section 2-3.66b(g)(9), the plan shall address how instruction will incorporate "action into study" to include but not be limited to the following elements: observation and interaction, laboratory and field experiences, applying what is learned in the classroom to real-life situations or problems, or students being active participants in their learning.
- 4) The specific curriculum to be used (see Section 210.40(a) of this Part), to at least include a description of how work experience and the instructional program will be integrated. If a non-profit entity will be providing instructional services, then the regional office of education or CPS, as applicable, shall identify the entity and provide evidence that it meets the requirements of Section 210.40(a)(2) of this Part.
 - 5) The process for admitting dropouts to the program, which shall address factors to be considered to enroll students. These factors shall be nondiscrimintory and shall not take into consideration the needs of individual students for specific services, such as special education or bilingual services. If there are more eligible applicants for enrollment in an IHOPE program than there are spaces available, students shall be selected either on a first come, first served basis or by lottery.
 - 6) A list of any cooperative and intergovernmental agreements and subcontracts that identifies the entity with which the agreement or subcontract is entered and includes a description of the need and purpose of the agreement or subcontract; measurable and time-specific services to be provided, as applicable; associated costs, i.e., the amounts to be paid, as applicable; and the projected number of participants to be served.

- 7) An agreement with each school district from which an IHOPE student will graduate and receive a diploma in accordance with Section 2-3.66b(b) of the School Code.
- 8) If any of the students enrolled require special education services, then the cooperative agreement with the school district of residence of each student that addresses responsibility for at least, but not limited to, the evaluation process, provision of services, dispute resolution, child count, and receipt of State special education funds.
- 9) The procedures to be used to review student progress on a regular basis, which shall at least conform with the requirements of Section 210.40(d) of this Part.
- 10) A summary of the program's student discipline policy, to address the procedures to be used for a student's suspension or expulsion from the program due to gross disobedience or misconduct.
- 11) The proposed calendar for the program, providing evidence that it is in conformance with the requirements of Section 2-3.66b(e) of the School Code and Section 210.60 of this Part.
- 12) A description of how the IHOPE program's professional development plan will address instruction of students who have dropped out of school.
- 13) A detailed program budget that includes the sources of funding to be used in conjunction with general State aid and/or any incentive grant received pursuant to Subpart B of this Part and a plan for allocating costs to those funds.
 - A) The budget plan shall outline how any local, State or federal funds will be coordinated to ensure the efficient and effective delivery of the program.
 - B) The budget shall describe sources of revenue other than general State aid or an incentive grant that the regional office of education or CPS, as applicable, will allocate to the program.
 - C) The budget shall include an estimate of the total cost per student for the program and an estimate of any gap between existing revenue available for the program and the total cost of the program.

- 14) A plan for evaluating the effectiveness of the program in improving academic performance of the students working towards meeting State and local requirements for receipt of a high school diploma. The plan shall include:
- A) the methods to be used to conduct the evaluation;
 - B) the data to be collected, which shall include at least the indicators outlined in Section 2-3.66b(h) of the School Code, as applicable to the program;
 - C) the specific procedures for how achievement levels of individual students enrolled in the program will be assessed to ensure that each student is making anticipated progress, as stipulated in his or her individual instructional program;
 - D) the specific procedures for how achievement levels of students with IEPs will be assessed, if these students are enrolled in the program;
 - E) how the evaluation will measure the extent to which the program overall is an effective strategy for assisting dropouts in completing their high school education and receiving a diploma; and
 - F) how the evaluation results will be used to improve the program.

(Source: Amended at 37 Ill. Reg. 15953, effective September 27, 2013)

Section 210.75 Program Approval Criteria

All complete applications to establish an IHOPE program shall be reviewed in accordance with the following criteria and approved based upon the extent to which:

- a) the proposed program is structured to meet the individual needs of the students anticipated to be served, includes approaches shown to be successful in serving dropouts, and will be located at a site that will be educationally beneficial for the students to be served;
- b) the curriculum is tied to State and district standards, its pace and sequence will likely lead to academic progress in a timely way, and the specific educational goals and accompanying procedures for assessing student progress are clearly defined and measurable;
- c) support services are appropriate and necessary for students to improve their academic achievement and will not unduly interrupt the ability of the students to progress academically;
- d) evidence is presented that the staff to be employed meet the requirements of Section 210.40(e) of this Part and that any not-for-profit entity proposed to provide instructional services is recognized by the State Board of Education (see Section 210.40(a)(2) of this Part); and
- e) the financial plan to support the program is cost-effective, as evidenced by the numbers to be served and services to be provided, and includes evidence that local, State or federal funds and other sources of revenue will be coordinated to ensure the efficient and effective delivery of program services and activities.

Section 210.80 Application for Program Continuation

- a) In order to continue to operate an IHOPE program approved pursuant to Section 2-3.66b of the School Code and this Part, the IHOPE program shall annually submit an application for continuation, in a format specified by the State Superintendent of Education, that shall include the following:
 - 1) a description of proposed changes in any of the elements of the plan for the IHOPE program (see Section 210.70(c) of this Part);
 - 2) the results of the evaluation of the previous year's program conducted pursuant to Section 210.70(c)(14) of this Part, including the educational outcomes achieved by the students enrolled in the program;
 - 3) the activities proposed for the continuation period in light of the evaluation of the preceding year's project, including the identification of each unmet objective and the rationale for its continued inclusion or its deletion from the program;
 - 4) an expenditure report, in a format specified by the State Superintendent of Education, for the previous school year; and
 - 5) updated information regarding any subcontracts, contracts, or cooperative or intergovernmental agreements into which the IHOPE program has entered to operate the program or provide services, including any changes to the entities involved or in their roles and responsibilities.
- b) An IHOPE program shall be approved for continuation provided that it:
 - 1) submits evidence that it is meeting the educational outcomes specified in the IHOPE plan, including the educational outcomes identified for the individual students served;
 - 2) continues to comply with all applicable State and federal laws;
 - 3) in the year previous to the continuation application, complied with:
 - A) the terms and conditions of any incentive grant it received pursuant to Subpart B of this Part;
 - B) the plan submitted for program approval pursuant to Section 210.70 of this Part; and

- C) any updates to that plan subsequently submitted to the State Superintendent of Education pursuant to subsection (a) of this Section; and
 - 4) maintains financial records in accordance with Generally Accepted Governmental Auditing Standards or, in the case of CPS, 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing).
- c) An IHOPE program that is not approved for continuation shall be subject to the requirements of Section 210.100 of this Part.

Section 210.90 Program Funding

An IHOPE program approved by the State Board of Education shall be eligible to receive general State aid for those students who are participating in a high school completion program that is *meeting the requirements of Section 27-22 of the School Code for receipt of a high school diploma* [105 ILCS 5/2-3.66b(b)] from their respective school districts and meets the requirements for claiming State aid specified in Section 18-8.05 of the School Code and criteria specified in Section 210.60 of this Part.

- a) A regional office of education that operates an eligible IHOPE program is entitled to submit a claim directly to the State Board of Education for general State aid at the foundation level of support. The regional office shall maintain a record-keeping system that tracks the attendance of IHOPE students and the provision of supplemental services, as applicable, and make such records available to the State Superintendent or designee upon request.
 - 1) The regional office of education's claim shall include only the time period during which students in the high school completion program are enrolled in the IHOPE program.
 - 2) The school district or districts subject to the provisions of the cooperative agreements specific to the issuance of a diploma for students in the high school completion program shall not claim State aid for these students.
 - 3) The school district or districts operating the program on behalf of the regional office of education shall not claim State aid for the students served in the IHOPE program.
- b) CPS shall account for the students enrolled in an IHOPE program separately from other students enrolled in the district. Attendance by these students shall be claimed as part of the district's regular claim for State aid. The district shall maintain a record-keeping system that tracks the attendance of IHOPE students and the provision of supplemental services, as applicable, and make those records available to the State Superintendent or designee upon request.

Section 210.100 Suspension and Revocation of Program Approval

- a) The State Superintendent of Education shall investigate an IHOPE program when any of the following occurs:
 - 1) the program fails to receive approval to continue operating, in accordance with the requirements of Section 210.80 of this Part;
 - 2) a parent or guardian files a written complaint with the regional superintendent of education or CPS, as applicable, or the State Superintendent of Education alleging that the program meets one or more of the following conditions:
 - A) A failure to meet educational outcomes as enumerated in the approved IHOPE plan for a period of two or more consecutive years;
 - B) A failure to comply with all applicable laws as specified in Section 2-3.66b of the School Code and this Part;
 - C) A failure to comply with the terms and conditions of an IHOPE incentive grant received pursuant to Subpart B of this Part; or
 - D) A failure to maintain financial records according to Generally Accepted Accounting Procedures or, in the case of CPS, 23 Ill. Adm. Code 100;
 - 3) the State Superintendent otherwise receives information or becomes aware of allegations that the program meets one or more of the conditions set forth in subsection (a)(2) of this Section.
- b) If the State Superintendent of Education, at the conclusion of the investigation, identifies deficiencies in the program that meet any of the conditions specified in subsection (a) of this Section, then he or she shall provide to the regional office of education that established the program, or to CPS, as applicable, written notification of the specific deficiencies found.
 - 1) The regional office of education or CPS, as applicable, shall submit to the State Superintendent of Education, within 30 calendar days after receiving the notification, a time-specific plan that addresses the specific steps to be taken and staff responsible to remedy each of the deficiencies cited. In no case shall the time needed to correct deficiencies exceed 120 days.

- 2) The State Superintendent shall approve the plan no later than 15 days after receiving the plan if it meets all of the following requirements.
 - A) The timeframe is reasonable to correct the cited deficiencies.
 - B) The proposed steps to be taken to remedy the problems have a high likelihood of correcting the cited deficiencies.
 - C) A sufficient number of staff are proposed to implement the plan, and their expertise relates to the areas in which the deficiencies were found.
- 3) The regional office of education or CPS, as applicable, shall provide a copy of the deficiencies and of the approved plan to any entity with which it has entered into a cooperative agreement, intergovernmental agreement, contract or subcontract in order to operate the program or to provide services for students enrolled, as well as to any school district with which it has agreements to issue high school diplomas.
- 4) If the regional office of education or CPS, as applicable, provides evidence that it has corrected the deficiencies within the timeframe specified in the plan approved pursuant to subsection (b)(2) of this Section, then no change in the program's approved status shall be made.
- c) If the regional office of education or CPS, as applicable, is unable to correct all of the deficiencies within the timeframe specified in its plan, even after the provision of technical assistance by State Board of Education staff, then it may submit to the State Superintendent an amended plan.
 - 1) The amended plan shall be submitted no later than 30 calendar days prior to the time the affected deficiencies were to be corrected.
 - 2) The amended plan shall identify the deficiencies that are still unresolved, specifying the reasons for the delay and describing the steps to be taken to remedy the problems and the timeline for completing each. In no case shall the time needed to correct the remaining deficiencies exceed 30 additional calendar days.
 - 3) The State Superintendent of Education will accept the amended plan, provided the remaining deficiencies can be corrected within 30 calendar days and that none of the deficiencies:
 - A) presents an immediate health hazard or danger to students and

- staff;
- B) severely affects the program's ability to provide a program appropriate to the needs of the students enrolled (i.e., addresses the State Goals for Learning, employs licensed staff, provides the services identified as necessary to assist students to earn a high school diploma); and
 - C) represents prolonged or repeated problems to a degree that indicates the program's intention not to correct the deficiencies.
- d) If the regional office of education or CPS, as applicable, fails to demonstrate that all of the deficiencies have been corrected within the timeframe specified in the amended plan, or fails to submit an amended plan that meets the requirements of subsection (c) of this Section, then approval to operate the program shall be suspended upon written notification from the State Superintendent of Education.
- 1) The program may serve the students enrolled in the program during the time of its suspension, provided it continues to make progress as specified in its plan and no additional students are enrolled in the program.
 - 2) The regional office of education or CPS, as applicable, shall provide a copy of the notice of suspension to any entity with which it has entered into a cooperative agreement, intergovernmental agreement, contract or subcontract in order to operate the program or to provide services for students enrolled, as well as to any school district with which it has agreements to issue high school diplomas.
 - 3) If the regional office of education or CPS, as applicable, fails to correct all remaining deficiencies within 30 calendar days after receiving the notice of suspension, then approval to operate the program shall be revoked.
- e) Notification to revoke program approval shall be sent by certified mail, return receipt requested to the regional office of education that established the program or to CPS, as applicable. A regional office of education or CPS, as applicable, shall have 10 calendar days after receipt of the notice of revocation to submit a written request for a hearing pursuant to the Illinois Administrative Procedure Act [5 ILCS 100] and the State Board of Education's rules for Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475). The receipt of notification shall be determined by the date of receipt shown on the return receipt form.
- 1) a regional office of education or CPS, as applicable, shall be ineligible to file any claim upon the Common School Fund with regard to the program;

- 2) the State Superintendent of Education shall recover grant funds from a regional office of education or CPS, as applicable, in accordance with the provisions of the Illinois Grant Funds Recovery Act [30 ILCS 705]; and
- 3) all students (and their parents or guardians, as applicable) enrolled in the program shall be informed in writing of the revocation no later than 10 school days following receipt of the notification that approval has been revoked.

(Source: Amended at 37 Ill. Reg. 15953, effective September 27, 2013)

Section 210.110 Terms and Conditions of Approval

- a) All contracts, subcontracts, and cooperative or intergovernmental agreements necessary for the operation of the program shall be approved by the regional superintendent of schools or, in the case of CPS, the board of education, and shall specify the roles of, and amount to be paid to, each entity subject to the contract or agreement.
- b) Student records for each student enrolled in the IHOPE program shall be maintained by the student's resident district in accordance with the requirements of the Illinois School Student Records Act [105 ILCS 10], the State Board of Education rules governing Student Records (23 Ill. Adm. Code 375), and the Family Educational Rights and Privacy Act (FERPA) (20 USC 1232g).
- c) Programs established and operated in accordance with Section 2-3.66b of the School Code and this Part must comply with all State and federal laws applicable to education providers, including, but not limited to, those prohibiting discrimination on the basis of race, color, religion, national origin, ancestry, sex, age, marital status, physical or mental disability, sexual orientation, pregnancy, gender identity, such as Title IX of the Education Amendments of 1972 (20 USC 1681 et seq.), the Illinois Human Rights Act [775 ILCS 5], the Individuals with Disabilities Education Improvement Act (20 USC 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 USC 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 USC 2000d et seq., 2000e et seq.), the Americans With Disabilities Act of 1990 (42 USC 12101 et seq.), the Illinois School Code [105 ILCS 5], and relevant case law, including Plyler v. Doe, 457 U.S. 202, 102 S.Ct. 2382 (1982), or status of being homeless (Section 1-56 of the Education of Homeless Children Act [105 ILCS 45/1-56] and Section 11434a(2) of the McKinney-Vento Homeless Assistance Act (42 USC 11434a(2))).
- d) Each IHOPE program not subject to Section 34-18.5 of the School Code [105 ILCS 5/34-18.5] must certify that a fingerprint-based criminal history records check through the Illinois State Police and a check of the Statewide Sex Offender Database will be performed for all of its employees, volunteers, and all employees of persons or firms holding contracts with the program who have direct contact with students enrolled. Further, an IHOPE program shall not employ individuals, allow individuals to volunteer, or enter into a contract with a person or firm who employs individuals, who will have direct contact with students enrolled in the IHOPE program who have been convicted of any offense identified in Section 10-21.9(c) of the School Code [105 ILCS 5/10-21.9(c)] or have been found to be the perpetrator of sexual or physical abuse of any minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987 [705 ILCS 405/Art. II].

- e) It will be the responsibility of the IHOPE program to maintain records of attendance for the students enrolled in the program and to make those records available to the State Superintendent of Education upon request.

(Source: Amended at 39 Ill. Reg. 13478, effective September 24, 2015)

SUBPART B: INCENTIVE GRANTS

Section 210.200 Purpose

This Subpart B establishes the procedures for approval of applications submitted to the State Board of Education for incentive grant funding *to develop partnerships with school districts, public community colleges and community groups to build comprehensive plans to re-enroll school dropouts in their regions or districts.* [105 ILCS 5/2-3.66b(b)]

Section 210.210 Eligible Applicants

Regional offices of education and City of Chicago School District 299 (CPS) may apply for incentive grant funding if they meet each of the following conditions.

- a) The State Board of Education has approved the plan submitted under Section 210.70 of this Part by the regional office of education or CPS, as applicable, to establish an Illinois Hope and Opportunity Pathways through Education (IHOPE) program.
- b) The regional office of education or CPS, as applicable, has established a partnership with at least one community college and one community group to participate in the IHOPE project. In addition, the partnership of each regional office of education also shall include one or more school districts from which the resident students of those districts enrolled in the IHOPE program will receive high school diplomas upon completion of all State and local graduation requirements.
- c) An administrative agent shall be designated from among the members of the partnership, and the official from each of the partnership entities who is legally authorized to submit the application and bind the partner to its provisions shall sign the application.

Section 210.220 Funding Formula

In years in which an appropriation is received for the incentive grant, the funds shall be distributed in accordance with the formula set forth in Section 2-3.66b(e) of the School Code [105 ILCS 5/2-3.66b(e)] to IHOPE programs that meet the criteria set forth in Section 210.210 of this Part. Dropout figures to be used in the calculation shall be those reported by school districts in the Student Information System (SIS) authorized under 23 Ill. Adm. Code 1.75 no later than July 31 of each year.

Section 210.230 Application Procedures

- a) When an appropriation is made for the IHOPE incentive grant, the State Superintendent of Education shall release a request for applications (RFA) specifying the information that applicants shall include and requiring that proposals be submitted no later than the date specified in the RFA. The RFA shall provide at least 30 calendar days in which to submit applications.
- b) It is the intention of the State Superintendent of Education to approve IHOPE incentive grants for a three-year period. Funding in each subsequent year is subject to a sufficient appropriation for the program and satisfactory progress of the grantee in the previous grant period. (See Section 210.80 of this Part.)
- c) Each application shall include evidence that the plan, and any continuation plans, for the IHOPE program have received approval from the State Superintendent of Education. An applicant whose plan has been submitted to the State Superintendent of Education, but who has not yet received approval, shall submit a copy of the plan with its application for funding.
- d) The application shall require the completion of a budget summary and payment schedule as well as a budget breakdown, i.e., a detailed explanation of each line item of expenditure.
- e) Each application shall include such certifications, assurances and program-specific terms of the grant as the State Superintendent of Education may require, to be signed by each applicant that is a party to the application and submitted with the proposal.
- f) Applicants may be requested to clarify various aspects of their applications. The contents of the approved application shall be incorporated into a grant agreement to be signed by the State Superintendent of Education or designee and the regional superintendent of education or, in the case of CPS, by the chief executive officer of the district.