**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)