**Section 635.180 Termination**

a) All grants shall terminate on the dates specified in the contracts and shall not be extended or renewed except as provided for in this Part.

b) A delegate agency with unsatisfactory performance for two consecutive years may have funding terminated.

c) The grant contract may be terminated by either party upon a 30 day written notice. The Department will distribute unallocated monies to expand existing projects or to fund new projects in underserved areas based on need such as number of low income women in the service area not receiving services in the service area, experience in provision of services, including the availability of an agency willing to provide the services, and plans to accomplish goals.

d) Notice shall be effected by registered mail, by certified mail, or by personal service setting forth the particular reasons for the proposed action and fixing a date, not less than 15 days from the date of such mailing or service, at which time the delegate agency shall be given an opportunity for a hearing. Such hearing shall be conducted by the Director or by a person designated in writing by the Director as Hearing Officer to conduct the hearing. On the basis of any such hearing, or upon default of the delegate agency, the Director shall make a determination specifying his findings and conclusions. A copy of such determination shall be sent by registered mail, by certified mail, or served personally upon the delegate agency. The decision shall become final 35 days after it is so mailed or served, unless the grantee, within such 35 day period, petitions for review pursuant to Section 635.190.

e) The Director, after notice and opportunity for hearing to the delegate agency, may suspend or terminate the grant in any case in which there is or has been a violation of this Part.

f) The procedure governing hearings authorized by this Part shall be in accordance with Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

g) If, however, the Department finds that:

1) The public interest, including financial interest, health, safety, or welfare requires emergency action; (emergency action would result from such instances as, but not limited to bankruptcy or insolvency, fraud, and financial instability) and;

2) Unless the Department receives assurances adequate to the Department from the delegate agency that grant funds held by the delegate agency are secure, and;

3) If the Director incorporates a finding to that effect in the order; then

4) Summary suspension of the grant shall be ordered pending proceedings for termination or referral to State orFederal authorities, which proceedings shall be instituted within one week of summary suspension and promptly determined.

h) In no case where summary suspension has been ordered shall reimbursement be made to the delegate agency for costs incurred or funds expended after the date of summary suspension unless, after conclusion of the proceedings, such reimbursement or payment is ordered by the hearing officer, administrative law judge or court of competent jurisdiction.

(Source: Amended at 14 Ill. Reg. 20783, effective January 1, 1991)