

**APPROVED  
JUNE 9, 2020**

Item #G-6  
June 9, 2020

**AMENDMENTS TO RULE:  
NURSE EDUCATOR FELLOWSHIP PROGRAM**

**Submitted for:** Action.

**Summary:** This item seeks final adoption of amendments for the Nurse Educator Fellowship Program. Proposed amendments were approved by the Board at the December 2019 meeting.

In accordance with the Illinois Administrative Procedures Act [5 ILCS 100], the proposed amendments were published in the *Illinois Register* on March 20, 2020, which initiated the 45-day public notice period. No comments were received during this time. The rulemaking is now ready for IBHE adoption, subject to no objection by the Joint Committee on Administrative Rules.

**Action Requested:** That the Illinois Board of Higher Education adopt the amendments for Nurse Educator Fellowship Program (23 Ill. Adm. Code 1105) as contained in this item.

STATE OF ILLINOIS  
BOARD OF HIGHER EDUCATION

**AMENDMENTS TO RULE:  
NURSE EDUCATOR FELLOWSHIP PROGRAM**

This program is highly successful in helping Illinois schools of nursing retain the highly qualified educators who train registered professional nurses. A 2019 survey conducted by the Illinois Nursing Workforce Center found that 96 percent of the prior Nurse Educator Fellows are currently employed in nursing education. Eighty-four percent of those Fellows are still at the institution that nominated them for the Fellowship. This is remarkable success for a program that started a decade ago.

The amendments incorporate the requirements of the Grant Accountability and Transparency Act (GATA). This includes adding new terminology and referencing the GATA rules for uniform grant application, risk assessment using prior performance, recipient qualification, uniform grant agreement, audit standards, and post-award requirements. In addition, the amendments help to address questions raised by nursing schools about the requirements to nominate a faculty member, the factors used by Board staff to recommend Fellows, and the responsibilities of the institution and Fellow. The amendments do not change the program and will not detract from its success.

Also, this item proposes amendments to clarify (1) eligibility of the nursing school and nominee; (2) factors to be considered for selection; (3) role of the recipient institution, and (4) responsibilities of the Fellows. The Board staff have collaborated with the Illinois Nursing Workforce Center regarding these amendments.

One substantive modification is recommended to the amendments previously approved by the Board in December 2019. The definition of Institution of Higher Learning will return the original language so the private, for-profit institutions of higher learning will remain eligible. This modification will align with the eligibility requirements of other grant programs administered by the Illinois Board of Higher Education.

In accordance with the Illinois Administrative Procedures Act [5 ILCS 100], the proposed amendments were published in the *Illinois Register* on March 20, 2020, which initiated the 45-day public notice period. No comments were received during this time. The rulemaking is now ready for IBHE adoption, subject to no objection by the members of the Joint Committee on Administrative Rules (JCAR). If JCAR has no objection, the adopted rules will be filed with the Secretary of State and become effective immediately. However, if there are objections or changes proposed by JCAR, except for technical corrections, the rules will be brought before the Board at the next meeting for re-consideration.

Attachment 1 is the current rule with amendments in redline, deletions are in strikeout and additions underlined. The rule with amendments is shown in Attachment 2, the clean version.

## **Staff Recommendation**

Staff recommends the adoption of the following resolution:

*The Illinois Board of Higher Education hereby adopts the amendments for Nurse Educator Fellowship Program (23 Ill. Adm. Code 1105) as detailed in the attached document, pending no objection by the Joint Committee on Administrative Rules (JCAR). If JCAR has an objection or proposed substantive changes to the rules adopted by IBHE, the IBHE shall reconsider this resolution.*

**ATTACHMENT 1: AMENDMENTS IN REDLINE**

TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE A: EDUCATION  
CHAPTER II: BOARD OF HIGHER EDUCATION

PART 1105  
NURSE EDUCATOR FELLOWSHIP PROGRAM

Section	
1105.100	Purpose of the Nurse Educator Fellowship Program
1105.200	Definitions
1105.300	Fellow Eligibility
1105.400	Nomination Process
1105.500	Approval Process
1105.600	Awards
1105.700	Fellow Responsibilities
<u>1105.800</u>	<u>Post-Award Requirements</u>

AUTHORITY: Implementing and authorized by Section 9.32 of the Board of Higher Education Act [110 ILCS 205/9.32].

SOURCE: Emergency rules adopted at 30 Ill. Reg. 14363, effective August 16, 2006, for a maximum of 150 days; adopted at 30 Ill. Reg. 19523, effective December 5, 2006; adopted at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 1105.100 Purpose of the Nurse Educator Fellowship Program**

The purpose of the Nurse Educator Fellowship Program is *to ensure the retention of well-qualified nursing faculty by supplementing nursing faculty salaries at institutions of higher learning that award degrees in nursing.* [110 ILCS 205/9.32] The Program is designed to reward outstanding nursing faculty and provide an incentive to retain qualified faculty at Illinois institutions of higher learning.

**Section 1105.200 Definitions**

“Act” means the Board of Higher Education Act [110 ILCS 205].

"Board" means the Board of Higher Education.

"Institution of Higher Learning" means a public or nonpublic institution of higher education located within Illinois that offers associate, baccalaureate or post-baccalaureate degrees and that is authorized to operate in the State.

"Eligible Institution" means an institution of higher learning in Illinois with a pre-licensure registered professional nursing program approved by the Illinois Department of Financial and Professional Regulation and accredited by the Commission on Collegiate Nursing Education (CCNE) or the Accreditation Commission for Education in Nursing, Inc. (ACEN) National League for Nursing Accrediting Commission (NLNAC).

"Fellow" means an individual who receives Fellowship assistance under this Program.

"Fellowship" means the *competitive award that supplements nursing faculty salaries to ensure the retention of well-qualified nursing faculty.* [110 ILCS 205/9.32]

"Fiscal Year" means the period of July 1 to June 30 of the following year.

"GATA" means the Grant Accountability and Transparency Act [30 ILCS 708]. GATA rules are cross-referenced in this Part.

"GATA Rule" means 44 Ill. Adm. Code 7000.

"GATU" means the Grant Accountability and Transparency Unit within the Illinois Governor's Office of Management and Budget.

"Illinois Nursing Workforce Center" means the center established within the Illinois Department of Financial and Professional Regulation to address issues of supply and demand in the nursing profession, including issues of recruitment, retention, and utilization of nurse manpower resources. [225 ILCS 65/75-10].

"Illinois Resident" means an individual who resides in the State of Illinois and is considered to be a resident by the Illinois Department of Revenue or Illinois Secretary of State.

"Indirect Facilities and Administrative Costs" means those costs incurred for a common or joint purpose benefitting more than one cost objection, and not readily assignable to the cost objectives specifically benefitted without effort disproportionate to the results achieved.

"Nominating Institution" means an eligible institution that has submitted Fellowship nomination materials on behalf of a nursing faculty member at its institution.

"Program" means the Nurse Educator Fellowship Program required by Section 9.32 of the Act and this Part.

"Qualified Applicant" means a nursing faculty member, nominated by an eligible institution, who meets the requirements of Section 1105.300.

"Recipient Institution" means the eligible institution that receives a Fellowship directly from the Board on behalf of the Fellow.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### **Section 1105.300 Fellow Eligibility**

A qualified applicant must:

- a) be an Illinois resident;

- b) have a minimum of a master's degree in nursing;
- c) be employed in a full-time nursing faculty position at an eligible institution;
- d) have been employed by the nominating institution in a teaching position preparing registered professional nurses for a minimum of 12 months prior to submission of nomination materials;
- e) have made significant contributions to the nursing program; and
- f) have not received a Fellowship under this Program within the past 5 years.

**Section 1105.400 Nomination Process**

- a) Eligible institutions will be notified by the Board when funding opportunities and nomination materials for the Nurse Educator Fellowship Program are available.
- b) Nomination materials may be obtained from the Illinois Board of Higher Education, 1 N. Old State Capitol Plaza, Suite 333 431 East Adams Street, Second Floor, Springfield, Illinois 62701-~~1404~~ or the Board's website at [www.ibhe.org](http://www.ibhe.org).
- c) Nominations from eligible institutions are limited to no more than 3 full-time nursing faculty members per campus annually.
- d) The chief nursing administrator at an eligible institution shall identify and nominate qualified applicants for the Fellowship by completing the nomination form included in the nomination materials.
- e) The nominee must complete the personal statement section of the nomination materials, indicating: ~~his or her~~
  - 1) intent to remain employed as a nursing faculty member with the nominating institution; in the State and
  - 2) the his or her anticipated use of Fellowship funds.
- f) The nomination materials must include the Uniform Grant Application provided by GATU (see GATA Rule Section 7000.330) and be signed by the authorized representative chief executive officer of the nominating institution.
- g) Completed nomination materials in accordance with subsections (d), (e) and (f) ~~of this Section~~ must be submitted to the Board by the announced deadline, which shall not be less than 45 days ~~after from~~ the announcement and release of nomination materials.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 1105.500 Approval Process

- a) The Board shall accept nominations for Fellowships in accordance with Section 1105.400.
- b) Board staff shall review nominations to ensure the eligibility requirements are met in accordance with Section 1105.300.
- c) Board staff shall make recommendations to the Board for approval of Fellowships based upon factors that shall include, but are not limited to, the following:
  - 1) Strength of the nomination by the chief nursing administrator and the nominee's personal ~~Personal~~ statement regarding proposed use of funds and employment plans;
  - 2) Major accomplishments of the nominee, such as research, program improvements, and other nursing program contributions;
  - 3) Statewide geographic distribution of Fellowship recipients; ~~and~~
  - 4) Distribution of Fellowship recipients among the degree levels and sectors of eligible institutions that nominate qualified applicants for the program; and
  - 5) Tenure status (preference will be given to tenured/tenure-track faculty).
- d) For a nominating institution that is a prior fiscal agent of an award under this Part, the Board staff shall review available information on the institution's prior performance and consider that information when assessing institution risk. This is part of the grantee risk assessment required by GATU (see GAA Rule Section 7000.340).
- e) Upon Board approval, Fellowships can be made to the nominating institution, on behalf of the Fellow.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 1105.600 Awards

- a) The amount of the Fellowship shall be no greater than \$10,000.
- b) The number of Fellowships awarded in a given fiscal year is contingent upon available funding.
- c) If for any reason the appropriation to the Board is insufficient to fund Fellowships for all selected Fellows in accordance with subsection (a) ~~of this Section~~, all Fellowships shall be reduced pro rata as necessary.
- d) The purpose of the Fellowship is to enhance retention of well-qualified faculty by providing a salary supplement. At the discretion of the Fellow, funds may be

used for, but are not limited to, professional development, conference expenses, continued education, professional dues, and other activities as defined in Section 1105.700.

- e) The Fellow and the nominating institution shall be notified of the award in writing upon approval by the Board.
- f) Fellowship funds may not be expended except pursuant to a Grant Agreement. Disbursement of funds without a Grant Agreement is prohibited.
- g) Board staff shall verify that the recipient institution is registered with GATA, has completed a prequalification process, and has been determined “qualified” by GATU (see GATA Rule Section 7000.70).
- h) The Board shall enter into a Grant Agreement with a qualified recipient institution using the Uniform Grant Agreement provided by GATU (see GATA Rule Section 7000.370).
- i) Upon Board approval and verification of employment by the recipient institution, funds ~~will~~ shall be disbursed to the recipient ~~nominating~~ institution on behalf of the Fellow.
- j) The recipient institution shall:
  - 1) Serve as fiscal agent for the Board and receive the Fellowship funds on behalf of the Fellow;
  - 2) Use ~~must use~~ the Fellowship funds to supplement the salary of the Fellow. ~~The Funds and~~ shall not supplant other revenue sources that support faculty salaries;
  - 3) Pay the Fellow in either a lump sum or installment plan in accordance with institutional payroll policies and procedures; and
  - 4) Not deduct indirect facilities or administrative costs from the Fellowship award.
- h) ~~Fellowship funds are payable to the Fellow in either a lump sum or installment plan in accordance with institutional payroll policies and procedures.~~
- k) If the Fellow terminates employment with the recipient institution within 6 months after award notification from the Board:
  - 1) The Fellow shall repay the funds awarded to date. These funds shall be remitted to the Board ~~State~~ for deposit in the General Revenue Fund.
  - 2) Fellows are not entitled to funds not yet paid by the institution. The recipient institution must remit any unused portion of the Fellowship to the Board ~~State~~ for deposit in the General Revenue Fund.



- j) ~~Any interest earned on Fellowship funds by the institution may be retained by the institution when the cost of accounting for the interest or allocating interest to principal is deemed significant in terms of the amount of interest to be received.~~

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### **Section 1105.700 Fellow Responsibilities**

- a) As a condition for acceptance of the Fellowship, the Fellow shall agree ~~in the application form to participate be actively involved in statewide nursing advocacy, including participation as needed~~ in the following activities:
- 1) Collaboration with the Board and Illinois Nursing Workforce Center ~~for Nursing~~ regarding statewide nursing issues, as needed and with approval by the recipient institution's chief nursing administrator;
  - 2) The Fellowship recognition ceremony hosted by the Illinois Nursing Workforce Center and Board; and Review of Fellowship nomination materials in subsequent years to assist the Board in Fellowship determination; and
  - 3) ~~Participation in~~ Fellowship meetings or associated conferences sponsored by the Board or Illinois Nursing Workforce Center when attendance is approved by the recipient institution's chief nursing administrator ~~for Nursing.~~
- b) If the Fellow terminates employment with the recipient institution within 6 months after award notification from the Board, the Fellow shall repay the funds awarded to date. The Fellow or recipient institution shall contact the Board regarding the appropriate manner to remit the funds for deposit in the General Revenue Fund.
- c) Provide a final report ~~to the nominating institution~~ describing Fellowship experiences, including the use of funds. The Fellow ~~nominating institution~~ shall submit the report to the nominating institution, the Illinois Nursing Workforce Center, and the Board ~~on behalf of the Fellow.~~

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### **Section 1105.800 Post-Award Requirements**

- a) Recipient institutions are subject to the Auditing Standards stipulated by GATU (see GATA Rule Section 7000.90).
- b) Except as otherwise provided in this subsection (b), the recipient institution shall submit a financial report to the Board within 30 calendar days following the payment of the Fellowship to the Fellow. The report shall include the Fellow's name, recipient institution's name, date of payment, and amount of Fellowship award after payroll deductions. When the Fellowship award is split into more than one payment, a report must be submitted within 30 calendar days after each payment.

- c) The recipient institution shall take the following actions to complete grant closeout at the end of the fiscal year. (See GATA Rule Section 7000.440).
- 1) Promptly refund any balances of unobligated cash that the Board paid in advance. Refunds shall be returned to the Board within 45 days after the end of the fiscal year.
  - 2) Expend any encumbered grant funds during a lapse period of 60 days past the end of the fiscal year. Any encumbered but unexpended grant funds remaining at the end of the lapse period shall be returned to the Board within 45 days.

(Source: Added at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## ATTACHMENT 2: ADOPTED AMENDMENTS

### TITLE 23: EDUCATION AND CULTURAL RESOURCES SUBTITLE A: EDUCATION CHAPTER II: BOARD OF HIGHER EDUCATION

#### PART 1105 NURSE EDUCATOR FELLOWSHIP PROGRAM

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"Fellow" means an individual who receives Fellowship assistance under this

Program.

"Fellowship" means the *competitive award that supplements nursing faculty salaries to ensure the retention of well-qualified nursing faculty.* [110 ILCS 205/9.32]

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"Qualified Applicant" means a nursing faculty member, nominated by an eligible institution, who meets the requirements of Section 1105.300.

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- d) have been employed by the nominating institution in a teaching position preparing registered professional nurses for a minimum of 12 months prior to submission of nomination materials;
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- d) The chief nursing administrator at an eligible institution shall identify and nominate qualified applicants for the Fellowship by completing the nomination form included in the nomination materials.
- e) The nominee must complete the personal statement section of the nomination materials, indicating:
  - 1) intent to remain employed as a nursing faculty member with the nominating institution; and
  - 2) the anticipated use of Fellowship funds.
- f) The nomination materials must include the Uniform Grant Application provided by GATU (see GATA Rule Section 7000.330) and be signed by the authorized representative of the nominating institution.
- g) Completed nomination materials in accordance with subsections (d), (e) and (f) must be submitted to the Board by the announced deadline, which shall not be less than 45 days after the announcement and release of nomination materials.

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  - 3) Statewide geographic distribution of Fellowship recipients;
  - 4) Distribution of Fellowship recipients among the degree levels and sectors of eligible institutions that nominate qualified applicants for the program; and
  - 5) Tenure status (preference will be given to tenured/tenure-track faculty).
- d) For a nominating institution that is a prior fiscal agent of an award under this Part, the Board staff shall review available information on the institution's prior performance and consider that information when assessing institution risk. This is part of the grantee risk assessment required by GATU (see GAA Rule Section 7000.340).
- e) Upon Board approval, Fellowships can be made to the nominating institution, on behalf of the Fellow.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### **Section 1105.600 Awards**

- a) The amount of the Fellowship shall be no greater than \$10,000.
- b) The number of Fellowships awarded in a given fiscal year is contingent upon available funding.
- c) If for any reason the appropriation to the Board is insufficient to fund Fellowships for all selected Fellows in accordance with subsection (a), all Fellowships shall be reduced pro rata as necessary.
- d) The purpose of the Fellowship is to enhance retention of well-qualified faculty by providing a salary supplement. At the discretion of the Fellow, funds may be used for, but are not limited to, professional development, conference expenses, continued education, professional dues, and other activities as defined in Section 1105.700.

- e) The Fellow and the nominating institution shall be notified of the award in writing upon approval by the Board.
- f) Fellowship funds may not be expended except pursuant to a Grant Agreement. Disbursement of funds without a Grant Agreement is prohibited.
- g) Board staff shall verify that the recipient institution is registered with GATA, has completed a prequalification process, and has been determined “qualified” by GATU (see GATA Rule Section 7000.70).
- h) The Board shall enter into a Grant Agreement with a qualified recipient institution using the Uniform Grant Agreement provided by GATU (see GATA Rule Section 7000.370).
- i) Upon Board approval and verification of employment by the recipient institution, funds will be disbursed to the recipient institution on behalf of the Fellow.
- j) The recipient institution shall:
  - 1) Serve as fiscal agent for the Board and receive the Fellowship funds on behalf of the Fellow;
  - 2) Use the Fellowship funds to supplement the salary of the Fellow. The Funds shall not supplant other revenue sources that support faculty salaries;
  - 3) Pay the Fellow in either a lump sum or installment plan in accordance with institutional payroll policies and procedures; and
  - 4) Not deduct indirect facilities or administrative costs from the Fellowship award.
- k) If the Fellow terminates employment with the recipient institution within 6 months after award notification from the Board:
  - 1) The Fellow shall repay the funds awarded to date. These funds shall be remitted to the Board for deposit in the General Revenue Fund.
  - 2) Fellows are not entitled to funds not yet paid by the institution. The recipient institution must remit any unused portion of the Fellowship to the Board for deposit in the General Revenue Fund.

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- a) As a condition for acceptance of the Fellowship, the Fellow shall agree to participate in the following activities:
  - 1) Collaboration with the Board and Illinois Nursing Workforce Center regarding statewide nursing issues, as needed and with approval by the recipient institution’s chief nursing administrator;

- 2) The Fellowship recognition ceremony hosted by the Illinois Nursing Workforce Center and Board; and
  - 3) Fellowship meetings or associated conferences sponsored by the Board or Illinois Nursing Workforce Center when attendance is approved by the recipient institution's chief nursing administrator.
- b) If the Fellow terminates employment with the recipient institution within 6 months after award notification from the Board, the Fellow shall repay the funds awarded to date. The Fellow or recipient institution shall contact the Board regarding the appropriate manner to remit the funds for deposit in the General Revenue Fund.
  - c) Provide a final report describing Fellowship experiences, including the use of funds. The Fellow shall submit the report to the nominating institution, the Illinois Nursing Workforce Center, and the Board

(Source: Amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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  - 1) Promptly refund any balances of unobligated cash that the Board paid in advance. Refunds shall be returned to the Board within 45 days after the end of the fiscal year.
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(Source: Added at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)