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Item #G-5
March 15, 2023

PROPOSED AMENDMENTS TO RULES: NURSING SCHOOL GRANTS

Submitted for: Action.

Summary: This item seeks Board approval of proposed amendments to the rules to administer a competitive grant program for Illinois nursing schools (23 Illinois Administrative Code 1100) as part of the [Nurse Educator Assistance Act](#) (110 ILCS 967/). Nursing school grants are awarded to Illinois institutions of higher education for the purposes of enhancing programs and increasing the number of nurses graduating. Funds may be used for hiring additional faculty and staff, developing, or expanding instructional programs and academic support services, securing additional clinical sites, and purchasing equipment or instructional materials.

The proposed amendments to the rules make changes to institutional eligibility, as well as options for use of funds. These amendments are in alignment with the goals and strategies of the higher education strategic plan, “A Thriving Illinois.” Specifically, amendments address the Equity Goal to close equity gaps for students who have been left behind and Growth Strategy 6 to expand higher education models of teaching and learning that provide opportunity for students to succeed in the work of the future.

The Illinois Administrative Procedures Act specifies a three-step process for the proposal and adoption of administrative rules: (1) initial Board approval; (2) a publication and public notice period including a period for review by the staff and members of the legislative Joint Committee on Administrative Rules; and (3) final adoption by the Board.

Action Requested: That the Board approve the proposed amendments to the rules for administration of the to the rules to administer competitive grants to nursing schools (23 Illinois Administrative Code 1100) as part of the Nurse Educator Assistance Act attached as Exhibit A, for publication in the Illinois Register for first notice and subsequent submission to JCAR for second notice.



Item#G-5

STATE OF ILLINOIS
BOARD OF HIGHER EDUCATION

PROPOSED AMENDMENTS TO RULES: NURSING SCHOOL GRANTS

This item requests approval of the proposed amendments to rules to administer a competitive grant program for Illinois nursing schools (23 Illinois Administrative Code 1100) as part of the [Nurse Educator Assistance Act](#) (110 ILCS 967/). The Act authorizes the Illinois Board of Higher Education to provide grants to nursing schools for the purposes of enhancing programs and increasing the number of nurses graduating. Funds may be used for hiring additional faculty and staff, developing, or expanding instructional programs and academic support services, securing additional clinical sites, and purchasing equipment or instructional materials.

The proposed amendments to the rules make changes to nursing program eligibility, as well as options for use of funds. These amendments are in alignment with the goals and strategies of the higher education strategic plan, “A Thriving Illinois.” Specifically, amendments address the Equity Goal to close equity gaps for students who have been left behind and Growth Strategy 6 to expand higher education models of teaching and learning that provide opportunity for students to succeed in the work of the future.

Major proposed amendments to 23 Illinois Administrative Code 1100 include:

- Updated nursing program eligibility requirements such that programs must have NCLEX-RN pass rates that meet Illinois Department of Financial and Professional Regulation (IDFPR) requirements or be on warning or probationary status no more than three years at the time of application.
- Elimination of prioritization of grant award types
- Addition of acceptable expenditures including: (1) developing or expanding competency-based education programs in accordance with American Association of Colleges of Nursing core competencies for professional nursing education and (2) developing or expanding initiatives to close equity gaps in recruitment, retention, or completion of students from traditionally underserved populations.

IBHE staff has drafted the proposed amendments to rules, attached here as Exhibit A. Once approved by the Illinois Board of Higher Education, the proposed rules will be filed for publication in the Illinois Register. Following publication and a public notice period including a period for review by the staff and members of the legislative Joint Committee on Administrative Rules, the amended rules will be presented for adoption by the Board. Final presentation is tentatively scheduled for the August 2023 Board meeting.

Staff Recommendation

Staff recommends the adoption of the following resolution:

The Illinois Board of Higher Education hereby approves the proposed amendments to rules to administer a competitive grant program for Illinois nursing schools (23 Illinois Administrative Code 1100) as part of the Nurse Educator Assistance Act (110 ILCS 967/) as detailed in the attached

document for publication in the Illinois Register for first notice and subsequent submission to JCAR for second notice.

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EXHIBIT A

ATTACHMENT: ADOPTED AMENDMENTS

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

PART 1100 NURSING SCHOOL GRANT PROGRAM

Section	
1100.100	Purpose
1100.200	Definitions
1100.300	Eligible Nursing Program
1100.400	Application Process
1100.420	Grant Awards
1100.500	Expansion Grants (Repealed)
1100.600	Improvement Grants (Repealed)
1100.700	Award Process
1100.800	Audit Requirements
1100.900	Post-Award Requirements

AUTHORITY: Implementing and authorized by Section 9.31 of the Board of Higher Education Act [110 ILCS 205].

SOURCE: Emergency rules adopted at 30 Ill. Reg. 17113, effective October 16, 2006, for a maximum of 150 days; adopted at 31 Ill. Reg. 3145, effective February 7, 2007; amended at 35 Ill. Reg. 17458, effective October 14, 2011; emergency amendment at 42 Ill. Reg. 16096, effective August 6, 2018, for a maximum of 150 days; emergency expired January 2, 2019; amended at 43 Ill. Reg. 7429, effective June 20, 2019; amended at 47 Ill. Reg. _____, effective _____.

Section 1100.100 Purpose

The purpose of the Nursing School Grant Program is to address the nursing shortage in Illinois by *increasing the number of nurses graduating from Illinois institutions of higher learning* [110 ILCS 205/9.31]. Grants shall be awarded on the basis of performance criteria [110 ILCS 205/9.31] and a competitive application process.

(Source: Amended at 47 Ill. Reg. _____, effective _____)

Section 1100.200 Definitions

"AACN" means American Association of Colleges of Nursing.

"ACEN" means Accreditation Commission for Education in Nursing.

"Awardee" or "Grantee" means, for the purposes of this Part, an institution of higher learning that offers an eligible nursing program and carries out a grant/award as a recipient.

"Baccalaureate Completion Program" means, for the purposes of this Part, courses and bachelor's degree programs offered by 4-year degree-granting colleges and universities via an online program or at a location geographically convenient to student populations currently being served by an existing institution of higher learning.

"Board" means the Board of Higher Education.

"CCNE" means the Commission on Collegiate Nursing Education.

"Community College" means the public community colleges of this State.

"DFPR" means the Illinois Department of Financial and Professional Regulation.

"Eligible Nursing Program" means a nursing program at an Illinois institution of higher learning that prepares registered professional nurses in accordance with Section 1100.300 and offers at least one of the following nursing degree programs:

"ADN" means an Associate Degree in Nursing. Upon completion of the program, a graduate must be eligible to take the examination (NCLEX-RN) for licensure as a registered professional nurse.

"BSN" means a Bachelor of Science in Nursing. This program admits pre-licensure students and awards a Bachelor of Science degree in nursing. Upon completion of the program, a graduate must be eligible to take the examination (NCLEX-RN) for licensure as a registered professional nurse.

"RN-BSN" means a baccalaureate completion program that admits registered professional nurses and awards a Bachelor of Science degree in nursing.

"MSN Entry" means a Master's of Science in Nursing program for students with bachelor's degrees in other fields who want to transition into nursing. Upon completion of the program, a graduate must be eligible to take the examination (NCLEX-RN) for licensure as a registered professional nurse.

"GATA" means the Grant Accountability and Transparency Act [30 ILCS 708].

"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.

"Grant Period" or "Period of Performance" means the time during which the awardee may incur new obligations to carry out the work authorized under the grant. The Board will include the start and end dates in the award.

"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 of Illinois.

"NCLEX-RN" means the National Council Licensure Examination-Registered Nurse. Passing the NCLEX-RN is required of candidates for licensure as a registered professional nurse (RN) in Illinois.

"Performance Goal" means a target level of performance expressed as a tangible, measurable objective or as a qualitative standard, value or rate. A performance goal includes a performance indicator, a target, and a time period, and must be expressed in an objective, quantifiable or measurable form when possible. When necessary, the Board and an awardee shall use an alternative performance goal (such as a set of milestones) described in a way that makes it possible to discern whether progress is being made toward that goal.

"Program" means the Nursing School Grant Program.

(Source: Amended at 47 Ill. Reg. _____, effective _____)

Section 1100.300 Eligible Nursing Program

Illinois institutions of higher learning offering registered professional nursing degree programs must meet the following criteria to be eligible to receive a grant under this Part:

- a) ADN programs must:
 - 1) Be approved by DFPR;
 - 2) Have NCLEX-RN pass rates that meet DFPR requirements or be on DFPR warning or probationary status no more than 3 years at the time of application;
 - 3) Be accredited by ACEN; and
 - 4) Have an articulation agreement with at least one institution of higher learning that offers baccalaureate degrees for registered professional nurses.
- b) BSN programs must:
 - 1) Be approved by DFPR; and
 - 2) Have NCLEX-RN pass rates that meet DFPR requirements or be on DFPR warning or probationary status no more than 3 years at the time of application;
 - 3) Be accredited by CCNE or ACEN.
- c) RN-BSN programs must be accredited by CCNE or ACEN.

- d) MSN Entry program must:
 - 1) Be approved by DFPR; and
 - 2) Have NCLEX-RN pass rates that meet DFPR requirements or be on DFPR warning or probationary status no more than 3 years at the time of application;
 - 3) Be accredited by CCNE or ACEN.

(Source: Amended at 47 Ill. Reg. _____, effective _____)

Section 1100.400 Application Process

- a) Eligible nursing programs, as defined in this Part, will be notified by the Board when funding opportunities and application materials for grant opportunities under this Part are available.
- b) Application materials may be obtained from the Illinois Board of Higher Education, 1 N. Old State Capitol Plaza, Suite #333, Springfield IL 62701 or the Board's website at www.ibhe.org.
- c) This State-funded program is subject to GATA. GATA rules are cross-referenced in this Part.
- d) Completed application materials must be signed by the institution's authorized representative and received by the Board by the announced deadline for the submission of applications, which shall not be less than 45 days from the announcement and release of application materials. Application materials will be due no later than October 31 of each year.

(Source: Amended at 47 Ill. Reg. _____, effective _____)

Section 1100.420 Grant Awards

- a) In a given fiscal year, the Program appropriations shall be allocated for:
 - 1) Funding for baccalaureate completion programs to facilitate student articulation from an ADN program offered by a community college to a BSN or RN-BSN program;
 - 2) Funding for continuation of a grant previously awarded under this Part; or
 - 3) Funding for a new grant to expand or improve an eligible nursing program.
- b) Grant applications under this Part shall include, but need not be limited to, the following items:

- 1) Comprehensive description of the proposed use of funds, including evidence of current research and best practices, to support proposed strategies.
- 2) Budget by line items, including personal, fringe benefits, travel, equipment, supplies, contractual services, consultant (professional services), training and education, and direct administrative costs, submitted on the uniform grant budget template provided by GATU (see GATA Rule Section 7000.330). Acceptable expenditures may include, but are not limited to, the following direct costs:
 - A) Hiring additional qualified nursing faculty and staff;
 - B) Developing or expanding instructional programs (e.g., online, weekend, evening);
 - C) Developing or expanding competency-based education programs in accordance with AACN core competencies for professional nursing education;
 - D) Developing or expanding academic support services or programs;
 - E) Securing additional clinical instruction sites;
 - F) Improving or increasing spaces for classrooms or laboratories;
 - G) Purchasing equipment and other program-related instructional materials; and
 - H) Developing or expanding initiatives to close equity gaps in recruitment, retention, or completion of students from traditionally underserved populations.
- 3) Project objectives and performance goals, including, but not limited to, the following:
 - A) Number of degrees conferred (three-year trend);
 - B) First-year retention rate (three-year trend based on 30 semester hours or equivalent);
 - C) NCLEX-RN pass rate for first-time test takers in comparison to the national average for the previous calendar year as reported by DFPR; and
 - D) Job placement within 6 months after degree completion (three-year trend).

- 4) Statement of institutional support and sustainability of grant-funded activities.
 - 5) Uniform grant application provided by GATU and signed by authorized representative (see GATA Rule Section 7000.330).
- d) The grant awards for eligible nursing programs shall be determined using a competitive process to review applications. The Board's standards for approval include, but are not limited to, the following criteria, considerations and weightings:
- 1) Evidence of effective project objectives and performance goals (25%);
 - 2) Proposed use of funds and budget justification demonstrating an effective use of program resources (25%);
 - 3) Evidence of institutional support and sustainability of grant-funded activities (10%); and
 - 4) Evidence of an effective plan to evaluate progress (15%).
- e) For a grant applicant who is a prior recipient of an award under this Part, the Board shall review available information on the awardee's prior performance and consider that information when assessing grantee risk. This is part of the grantee risk assessment provided by GATU (see GATA Rule Section 7000.340).
- f) Grant funding is subject to Program appropriations.

(Source: Amended at 47 Ill. Reg. _____, effective _____)

Section 1100.500 Expansion Grants (Repealed)

(Source: Amended at 47 Ill. Reg. _____, effective _____)

Section 1100.600 Improvement Grants (Repealed)

(Source: Amended at 47 Ill. Reg. _____, effective _____)

Section 1100.700 Award Process

- a) Board staff shall review application materials pursuant to this Part and make recommendations to the Board for approval.
- b) Once grants are awarded by the Board, the Board staff shall notify each applicant in writing concerning its application.
- c) Board staff shall verify that each awardee is registered with the State of Illinois, has completed a prequalification process, and has been determined "qualified" by GATU (see GATA Rule Section 7000.70).

- d) The Board shall enter into an agreement with those institutions awarded a grant under this Part using the Uniform Grant Agreement provided by GATU (see GATA Rule Section 7000.370). Project objectives and performance goals will be included in the Uniform Grant Agreement to measure the awardee's performance.

(Source: Amended at 47 Ill. Reg. _____, effective _____)

Section 1100.800 Audit Requirements

Grantees are subject to the Auditing Standards stipulated by GATU (see GATA Rule Section 7000.90).

(Source: Amended at 47 Ill. Reg. _____, effective _____)

Section 1100.900 Post-Award Requirements

- a) The awardee shall not deviate from the budget, project scope, or objectives stated in the Grant Agreement except with mutual agreement of the Board and the awardee. (See GATA Rule Section 7000.370(b)). The Board shall review a request and notify the awardee within 30 calendar days after receipt of a request. An awardee shall request prior approval by the Board to:
- 1) Change the scope or the objective of the project (even if there is no associated budget revision).
 - 2) Change in a key person specified by the recipient in the application or Grant Agreement.
 - 3) Transfer funds among budget categories if the cumulative amount of these transfers exceeds 10% of the detail line or \$1,000, whichever is greater. Transfer requests will be accepted up until the last two weeks of the period of performance.
- b) The awardee shall file Periodic Performance Reports with the Board on progress made and financial data for the reporting period. The initial report shall cover the first three months after the Board approves the award. Reports are to be filed using the forms provided by the Board and submitted no later than 30 days after the end of each quarter. (See GATA Rule Section 7000.410).
- c) The awardee shall take the following actions to complete grant closeout at the end of the period of performance. (See GATA Rule Section 7000.440).
- 1) Promptly refund any balances of unobligated cash that the Board paid in advance and that are not authorized to be retained by the awardee for use in other projects. Refunds shall be returned to the Board within 45 days after the end of the period of performance.
 - 2) Expend any encumbered grant funds during a lapse period of 60 days past the end of the period of performance. Any encumbered but

unexpended grant funds remaining at the end of the lapse period shall be returned to the Board within 45 days.

- 3) Submit, no later than 60 days after the end date of the grant period, the following reports:
 - A) A statement of costs and revenues signed by the institution's authorized representative.
 - B) A written evaluation of the project signed by the project manager or the institution's authorized representative. The report must address the objectives and performance measures specified in the Grant Agreement. Performance shall be measured in a way that will help the Board and other applicants and recipients improve program outcomes, share lessons learned, spread the adoption of promising practices, and build the evidence upon which the Program is based and performance decisions are made.
 - C) Deadlines may be extended at the discretion of the Board. Extensions shall be issued only in extraordinary circumstances not in the control of the awardee.

(Source: Amended at 47 Ill. Reg. _____, effective _____)