

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Agricultural Education Program
- 2) Code Citation: 23 Ill. Adm. Code 75
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
75.500	New Section
75.510	New Section
75.520	New Section
75.530	New Section
75.540	New Section
75.550	New Section
75.560	New Section
- 4) Statutory Authority: 105 ILCS 5/2-3.80b
- 5) A Complete Description of the Subjects and Issues Involved: PA 99-826 created a new grant program for school districts to cover the personal services costs of agricultural education teachers beyond their regularly scheduled teaching duties (extended contract) up to 60 days or 400 hours. Eligible entities are public school districts or area vocational education centers offering a State-approved agricultural education program. This new formula grant is designed to partner with districts to cover up to 50 percent of this personal services cost beyond the instructional time in the standard nine-month contract. Districts implementing a new agricultural education program may apply for up to 100 percent of this cost in the first two years of the program and 80 percent of the cost in years three and four. The paid time would be related to working with students and/or individually on improvement of instruction, work-based learning activities, and/or state-approved career and technical student organization activities where concepts are being applied in various means. The grant must also create a system for tracking the hours completed.

The proposed rules establish the following application procedures:

- Applications must include the names of teachers, current year base salaries, anticipated number of additional hours worked, how those hours are an extension of the teacher's regular duties, and the anticipated number of individuals impacted.
- Initial prorated funding level the district would elect to opt out of the grant.
- Applicants will have a minimum of 30 days from the date of application is released to submit their intent to apply for grant funds.

Grant funds will be distributed as follows:

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- If the amounts requested by the school districts exceed the amount appropriated, then each school will receive the prorated amount listed on their application unless it chooses to opt out. If school districts elect to opt out, the remaining school districts will be recalculated to determine the final allocation.
- If the amounts requested by the school districts are less than the amount appropriated, the preliminary allocations will become the final allocations.

Grantees must show satisfactory progress in the previous grant cycle to be eligible for future grants. Only hours the teacher is representing the agricultural education program/chapter are eligible to be paid out under this grant.

All grantees must report the hours the teachers spend on approved activities. School districts must provide ISBE with a report that must be submitted prior to the next grant cycle and shall include the following:

- The school district's and teachers' names
- Date and times of activities
- A description of how the activity performed relates to the activities approved under the grant
- The number of hours spent on the activity
- The number of individuals impacted.

The terms of the grants are as follows:

- The teacher must be a full-time agricultural education teacher
- School districts may apply for a grant for each full-time agricultural education teacher
- Funded activities shall occur outside the teaching day
- Grants are available to assist with personal service costs beyond the nine month contract but not to exceed the total 12 months in any given year
- Each teacher receiving funds under this grant must document the 400 hours of activity
- If the teacher is on leave or long-term illness, the school district may request that a long-term substitute or equivalent fulfill the hours to receive funds.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None

7) Will this rulemaking replace any emergency rulemaking currently in effect? No

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- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a state mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this Notice to:

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- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) This rulemaking was included on the most recent Regulatory Agenda: January 2017

The full text of the Proposed Amendments begins on the next page:

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 75

AGRICULTURAL EDUCATION PROGRAM

SUBPART A: INCENTIVE GRANTS FOR AGRICULTURAL SCIENCE TEACHER
EDUCATION

Section

- 75.10 Purpose and Applicability
- 75.20 Eligible Applicants
- 75.30 Application Procedure
- 75.40 Program Specifications; Allowable Expenditures
- 75.50 Criteria for the Review of Proposals; Allocation of Funds

SUBPART B: INCENTIVE GRANTS FOR SECONDARY AGRICULTURAL EDUCATION

Section

- 75.200 Purpose and Applicability
- 75.210 Eligible Applicants
- 75.220 Program Goals and Minimum Standards
- 75.230 Quality Indicators
- 75.240 Determination of Individual Grant Allocations
- 75.250 Application Procedure
- 75.260 Terms of the Grant

SUBPART C: INCENTIVE GRANTS FOR AGRICULTURAL TEACHER PREPARATION
PROGRAMS

Section

- 75.300 Purpose and Eligible Applicants
- 75.310 Program Goals and Minimum Standards
- 75.320 Quality Indicators
- 75.330 Determination of Individual Grant Allocations
- 75.340 Application Procedure
- 75.350 Terms of the Grant

SUBPART D: FACILITATING THE COORDINATION OF AGRICULTURAL EDUCATION

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Section

75.400	Purpose and Objectives
75.410	Eligible Applicants
75.420	Application Procedure for Initial Proposals
75.430	Criteria for the Review of Initial Proposals; Allocation of Funds
75.435	Application Content and Approval for Continuation Programs
75.440	Terms of the Grant

SUBPART E: AGRICULTURE EDUCATION TEACHER
THREE CIRCLES GRANT PROGRAM

Section

<u>75.500</u>	<u>Definitions</u>
<u>75.510</u>	<u>Purpose and Objectives</u>
<u>75.520</u>	<u>Eligible Applicants</u>
<u>75.530</u>	<u>Application Procedure</u>
<u>75.540</u>	<u>Allocation of Funds</u>
<u>75.550</u>	<u>System for Reporting Hours</u>
<u>75.560</u>	<u>Terms of the Grant</u>

AUTHORITY: Implementing Sections 2-3.80, 2-3.80a and 2-30b of the School Code and authorized by Section 2-3.6 of the School Code [105 ILCS 5/2-3.80, 2-3.80a, 2-80b and 2-3.6].

SOURCE: Adopted at 32 Ill. Reg. 19170, effective November 26, 2008; amended at 35 Ill. Reg. 16839, effective September 29, 2011; amended at 36 Ill. Reg. 18903, effective December 17, 2012; amended at 37 Ill. Reg. 15932, effective September 27, 2013; 41 Ill. Reg. _____, effective _____.

SUBPART E: AGRICULTURE EDUCATION TEACHER
THREE CIRCLES GRANT PROGRAM

Section 75.500 Definitions

"Approvable agricultural education program at the middle school level" means an agricultural education program that includes at least one State approved introductory agricultural education course with an appropriately licensed teacher in an agricultural education career pathway that connects to a secondary program. This introductory course shall include a career exploration component with SAE as a part of instruction. A middle school program shall also connect either to a stand-alone middle school or a secondary FFA chapter.

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"Curricular/intra-curricular related activities" means activities that are connected to the classroom instruction. Grant funds shall only be used to support activities related to the classroom outside of the collective bargaining agreement. Examples of these activities include, but are not limited to, professional development, professional organization conferences, curriculum development or improvement, and classroom and laboratory facilities maintenance. The recommended maximum level of activity for this component is 144 hours.

"FFA" means a State and federally recognized career and technical student organization for students in State approved agricultural education programs. (Formally known as Future Farmers of America.)

"FFA activities" means those activities that demonstrably relate to the intra-curricular nature of the career and technical student organizations and focus on premiere leadership, personal growth and/or career success. Examples of these activities include leadership training or events, community service or education activities, career development event preparation or competitions, chapter program management, program/chapter recruitment and marketing activities, alumni meetings and professional events, program fundraising events, and public events related to agricultural education. The recommended minimum level of activity for this component is 120 hours.

"New agricultural education program" means an agricultural education program approved by the State Board of Education in a school district that has not had an agricultural education program for a period of 10 years or more prior to the date of application for a grant.

"Personal services cost" means the cost of a teacher providing 60 additional days, which shall mean 400 additional hours, outside the teacher's regularly scheduled teaching duties for the benefit of agricultural education. The 400 additional hours shall be any activity that is to the benefit of agricultural education, as defined by the State Board in in this Subpart E, regardless of the time of year the activity occurs. [105 ILCS 5/2-3.80b(a)]

"School Code" means 105 ILCS 5.

"School district" means a public school district or area vocational center.

"Supervised agricultural experience" or "SAE" means activities that are work-based learning activities such as degree/award preparation, SAE visits, record

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book instruction, training, or assistance. The recommended minimum level of activity for this component is 120 hours.

"Three circle model" means a model used to identify the central components of an agricultural education program. The central components are:

Classroom/laboratory instruction: Including contextual, inquiry-based, instruction and learning.

FAA: Fostering the development of premiere leadership, personal growth, and career success through engagement in its programs and activities.

SAE: Including experiential, service and work-based learning.

"Work-based learning" means an activity or interaction among the teacher, student and/or employer or industry representative who provides experience related to an agricultural career interest. Work-based learning includes, but is not limited to, SAEs, job shadowing, internships, apprenticeships, school-based enterprises, industry-led projects and challenges or competitions.

(Source: Added at 41 Ill. Reg. _____, effective _____)

Section 75.510 Purpose and Objectives

This Subpart E establishes the application procedure and criteria for the allocation of formula grant funds to eligible school districts and area vocational centers created pursuant to Section 10-22.31a of the School Code to support personal service costs of teachers' time spent outside the collective bargaining agreement in order to expand and improve their ability to carry out activities based on the three circle model for agricultural education.

(Source: Added at 41 Ill. Reg. _____, effective _____)

Section 75.520 Eligible Applicants

Eligible applicants under this Subpart E shall be Illinois school districts and area vocational centers created pursuant to Section 10-22.31a of the School Code that employ full-time middle or secondary school teachers in a State approvable agricultural education program as defined by Section 75.210 or is an approvable middle school program.

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(Source: Added at 41 Ill. Reg. _____, effective _____)

Section 75.530 Application Procedure

- a) School districts shall submit an intent to apply application to the State Board of Education. The application must include all information necessary in completing the formula calculations for this grant. This information shall include, at a minimum, the names of the teachers the school district used the grant to pay, current year base salaries, the anticipated number of extra hours the teacher will work, how those hours are an extension of the teachers' regular duties, and the anticipated number of individuals impacted. School districts shall also indicate the initial prorated funding level at which the district would elect to opt out of the grant. Applicants will have a minimum of 30 days from the date the applications are released to submit their intent to apply.

- b) Once the preliminary allocations have been determined and a total funding request has been identified, the State Board will distribute funds to school districts as follows:
 - 1) if the total appropriated funding allotment for the grant program is less than the total amount requested in the initial application, then the allocation amounts to each school district will be prorated. Allocations will be based on the school district's identified opt-out funding level in place of the prorated preliminary allocation. School districts that choose to opt out forfeit their preliminary allocation. The remaining school districts will be recalculated to determine the final allocation to each school district.

 - 2) if the total appropriated funding allotment for this grant program is equal to or exceeds the total amount requested in the initial applications, then the school district's preliminary allocations will become the final allocation.

- c) Once the final allocations have been determined, the school district must complete and submit a budget application.

(Source: Added at 41 Ill. Reg. _____, effective _____)

Section 75.540 Allocation of Funds

- a) Funding in each year is subject to appropriation and satisfactory progress of the school district in the previous grant year.

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- b) All eligible applicants shall receive funds in accordance with Section 75.530(b).
- c) Each teacher identified in the intent to apply application must complete a maximum of 400 hours of activity. No more than 400 hours will be paid according to the parameters of the grant. Only hours when the teacher is representing the program/chapter or supervising students shall be counted and must relate to agricultural education. No hours related to activities of a personal nature are permitted. The hours of activity must be in approved activities based on the agricultural education three circle model and shall fall into one of the three following categories: work-based learning, career and technical student organization, and curricular/intra-curricular related activities.
- d) Determination of School District's Personal Service
- 1) Existing agricultural education programs may apply for an amount not to exceed 50% of the hours for personal services costs for each agricultural education teacher employed.
- 2) New agricultural education program, may apply for an amount not to exceed:
- A) 100% of the hours for personal services cost for each agricultural education teacher in the program's first and second year; and
- B) 80% of the hours for personal services costs for each agricultural education teacher in the program's third and fourth year. [105 ILCS 5/2-3.80b(c)]
- e) Personal service costs and/or extended contracts shall be based upon the following:
- 1) the reasonably expected personal services cost for a teacher based on the cost of each teacher's regularly scheduled teaching duties; and
- 2) the hourly rate of each teacher (base salary of each teacher in the current year divided by 180 days divided by 8 hours per day). This rate will be multiplied by the appropriate number of hours spent on approved activities for each teacher in the school district as indicated in subsection (d).

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- f) Allocations may be prorated if the amount of funds allotted for this program is insufficient to cover the grant requests for funding. If funds are prorated, school districts will have an opportunity to opt out of the grant.

(Source: Added at 41 Ill. Reg. _____, effective _____)

Section 75.550 System for Reporting Hours

An electronic mechanism will be provided for school districts to report hours of approved activities fulfilling the reporting and documentation requirements by the State Board. This mechanism will collect a report for school districts to determine the activity, hours and impact of the teacher's activities. This report will include, at a minimum, the school district and teachers' names, date and time of activity, a description of how the activity performed relates to the activities approved under the grant, number of hours spent on each activity, and the number of individuals impacted. This information must be submitted prior to approval of the subsequent fiscal year's grant budget approval.

(Source: Added at 41 Ill. Reg. _____, effective _____)

Section 75.560 Terms of the Grant

- a) The teacher shall be a full-time teacher (i.e., under at least a current nine month (180 days) contract based on an 8 hour day).
- b) A school district may apply for a grant for personal services of each full-time agricultural education teacher.
- c) Activities funded under this grant as personal services shall occur outside of the teaching day as defined in the collective bargaining agreement.
- d) Grants are available to eligible school districts to assist with the personal services costs of agricultural education teachers beyond or outside of the nine month contract but not to exceed the total of 12 months in any given year.
- e) Each teacher identified in the intent to apply application is responsible for documenting the 400 hours of approved activities beyond the contracted time. The school district shall also provide documentation substantiating the total payment (its share of the cost of payments to each teacher as well as the allocated funds).

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- 1) If a school district fails to submit the required documentation in order to meet the grant requirements, then it will enter a probationary year during the second year of grant eligibility.
 - 2) If the school district fails to meet any requirements of the grant in a second consecutive year, then it will be ineligible for the grant for the next two consecutive fiscal years in which the grant is offered.
- f) In the case of a teacher on leave or long-term illness (e.g., sabbatical, sick leave, maternity leave), it is possible for a school district to request that a long-term substitute or equivalent representative fulfill the hours to receive the funds so long as the teacher or the substitute completing the hours receives those funds.

(Source: Added at 41 Ill. Reg. _____, effective _____)