

Under Section 3114(b) of the ESEA as amended by the Every Student Succeeds Act (ESSA), a state educational agency (SEA) shall not award a Title III subgrant to a local educational agency (LEA) if the amount is less than \$10,000. Local educational agencies (LEA) that do not meet the \$10,000 threshold may form a consortium to qualify for these funds. LEAs must designate a member of the group to serve as the fiscal agent. The participating LEAs must create a MOU/Agreement that lists the acting fiscal agent for the consortium, the names of each LEA that will be participating in the consortium, and a lists detailing the responsibilities of both the fiscal agent and each participating LEA. MOU/Agreement should have signatures of the superintendents each of the LEAs in the consortium.

### **Title III**

#### **Consortium Fiscal Agent and Programmatic Responsibilities**

The consortium lead will be responsible for acting as the fiscal and programmatic agent for the consortium and will file the required expenditure reports and maintain fiscal records. The consortium lead may delegate responsibilities to each of the consortium members. Actions of the fiscal agent include:

- Notifying the Louisiana Department of Education (LDOE) of Intent to Form a Title III Consortium by September 30 (or closest business day to the 30<sup>th</sup>) prior to funding year. For example, to receive funding in 2020-2021, the fiscal agent should contact the LDOE no later than September 30, 2019, regarding intent to form a consortium. Intent form should be sent via email to [LDEGrants@la.gov](mailto:LDEGrants@la.gov) and must be signed by all consortium LEAs. Please include Title III Consortia in the Subject of your submission.
- Executing a memorandum of understanding (MOU) signed by authorizing designee from each consortium member that outlines a common plan of how the consortium will meet all Title III requirements, including:
  - (1) Increase the English language proficiency of English learners by providing effective language instruction educational programs that meet the needs of English learners and demonstrate success in increasing—
    - A. English language proficiency; and
    - B. Student academic achievement;
  - (2) Provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals and other school leaders, administrators, and other school or community-based organizational personnel, that is—
    - A. Designed to improve the instruction and assessment of English learners;
    - B. Designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement curricula, assessment practices and measures, and instructional strategies for English learners;

- C. Effective in increasing children’s English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and
  - D. Of sufficient intensity and duration (which shall not include activities such as 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers’ performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher’s supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher, as appropriate; and
- (3) Provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for English learners, which—
- A. Shall include parent, family, and community engagement activities; and
  - B. May include strategies that serve to coordinate and align related programs.

*[ESSA, Section 3115(c)]*

A sample MOU can be found at: <https://www.louisianabelieves.com/resources/library/school-policy>.

Fiscal agent should scan and email executed MOU to [LDEGrants@la.gov](mailto:LDEGrants@la.gov) on or before **October 31, 2019**. Please cc [Melanie.Mayeux@la.gov](mailto:Melanie.Mayeux@la.gov) and put “Title III Consortium MOU” in the subject line.

Fiscal Agent Is Responsible for:

1. Uploading MOU signed by all members with first submission of Super App. MOU should be uploaded on the Diverse Needs Domain English Language Behavior Budget Detail page.
2. All fiscal transactions of the consortium (requisitions, purchases, payments, etc.) and for maintaining records of all financial transactions carried out on behalf of the consortium. This includes creation of budget in the LDE’s Electronic Grants Management System. (Egms)
3. Providing a fiscal plan for the consortium to reflect budget items for all participating districts. It is encouraged that consortia funds be pooled to leverage services, support, and professional development to increase effectiveness of programs.
4. Ensuring that the consortium members fulfill their fiscal and programmatic under Title III (see above).
5. Assuring that the funds may be used to supplement but not supplant other federal, state, or local public funds.

6. If applicable, work with each participating LEAs to ensure the equitable participation rights of children attending private schools within jurisdiction.
7. At the close of the fiscal year, any unexpended funds will be considered carryover funds for the consortium into the next fiscal year. The fiscal agent is responsible for submitting all reimbursement claims to LDE.
8. Fulfillment of data gathering, reporting and documentation submission requirements for Title III monitoring and reporting purposes.

**Consortium Member Responsibilities:**

1. Individual member LEAs are responsible for submitting all ESEA applicable assurances.
2. The LEA must sign the MOU/Agreement indicating that they understand Title III requirements and the programs and services it will receive from the consortium.
3. Fulfill all Title III annual data reporting requirements, including:
  - Number of students served in Title III language instructional education programs (LIEP);
  - Number of teachers serving in Title III LIEP
4. If applicable, the LEA is responsible for meeting the equitable participation requirements for private schools within its jurisdiction. The school district must submit a written affirmation from each private school serving students who reside in the public school attendance area. This affirmation assures that the private schools are provided meaningful consultation and indicates the titles in which a private school wishes to participate. The LEA and consortium fiscal agent must work together to ensure that the participating private schools receive their equitable share of program service.

**Resources:**

ESEA as amended by Every Student Succeeds (Section 3001)

<https://legcounsel.house.gov/Comps/Elementary%20And%20Secondary%20Education%20Act%20Of%201965.pdf>

Non-Regulatory Guidance: English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA)

<https://www2.ed.gov/policy/elsec/leg/essa/essatitleiiiiguidenglishlearners92016.pdf>

English Learner Tool Kit:

<https://www2.ed.7/12/2017ov/about/offices/list/oela/english-learner-toolkit/index.html>