

TITLE III Consortia Requirements and Responsibilities

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Presented by :

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OVERVIEW

- **The purpose of Title III of the *No Child Left Behind Act of 2001* (NCLB) is to ensure that limited English proficient (LEP) students, including immigrant children and youth, develop English proficiency and meet the same academic content and achievement standards required of all children.**
- **Schools must use these funds to implement language instruction educational programs which carry out activities that use a scientifically based research approach. The district's plan for addressing the needs of LEP students and immigrant children and youth should be developed in consultation with teachers, administrators, parents, and the community.**
- **Title III funding is allocated on a formula basis according to the number of LEP students in the district.**

Forming a Consortium

- ❖ **Under Section 3114(b) of No Child Left Behind Act of 2001 (NCLB), a State educational agency shall not award a subgrant from an allocation made under subsection (a) if the amount of such subgrant is less than \$10,000.**
- ❖ **As stated in the Non-Regulatory Guidance on the Title III State Formula Grant, March 26, 2002, LEAs that would not otherwise qualify for a subgrant because they do not qualify for an award of at least \$10,000 may submit a joint application with one or more LEAs to qualify.**
- ❖ **The purpose of this webinar is to provide guidance for LEAs that wish to enter into or form a consortium.**

What is a Consortium?

An LEA that receives a grant under Title III Section 3111(a) may collaborate or form a consortium with one or more LEAs to carry out a program for limited English proficient (LEP) students.

How to form a Consortium?

- The LEA interested in forming a consortium should contact those LEAs with an allocation of \$10,000 or less to invite members to form a consortium.
- The combined Title III allocations of all participating LEAs must meet or exceed \$10,000.
- One LEA must agree to serve as the lead LEA/fiscal agent in the consortium and all other participating LEAs should work together to discuss their programmatic needs.
- The lead LEA must complete and submit the Title III application on behalf of the consortium.
- All participating LEAs must sign the Memorandum of Understanding or alternative agreement acknowledging participation in the consortium.
- This Memorandum of Understanding or alternative agreement confirming participation should be signed by the Superintendent or designee. This agreement must be submitted to ADE annually and a copy kept on file with the lead LEA.

What are the benefits of a Consortium?

LEAs are able to access Title III funds for:

- **Programs that increase English language proficiency and student achievement in core content classes; and**
- **High-quality professional development opportunities for classroom teachers, principals, administrators, and other school personnel.**

What is the programmatic responsibility of the Lead Fiscal Agent in a Consortium?

The LEA that agrees to serve as the lead in a consortium becomes the fiscal agent.

The lead LEA is responsible for ensuring that LEAs that are part of the consortium fulfill their fiscal and programmatic responsibilities that outlines how the consortium will meet all Title III, Part A requirements.

The lead LEA can seek technical assistance, both for itself and the LEAs in the consortium.

SAMPLE Forms for Guidance....

CONSORTIA FUNDING FY 20____-20____

The superintendents or designees of each of the local educational agencies (LEA) listed on this certification document agree to form and participate in a Title III consortium of LEAs for the purpose of providing supplementary programs and services to eligible LEP students for the entire duration of the Project period. By affixing their signatures to the certification forms, the superintendents or designees certify that: (1) they will abide by all statutory and regulatory requirements of *No Child Left Behind (NCLB) Act of 2001*, Title III and (2) they will adhere to the legal assurances contained in Title III English Language Acquisition Program Application and Consortia Funding Certification.

Fiscal Agent of Consortium

LEAD Fiscal Agent: _____ LEA CTDS: _____

Print name of administrator/contact person for the Fiscal Agent LEA:

Administrator/Contact:

Title:

Mailing Address:

City:

State:

ZIP:

Telephone: ()

Fax: ()

E-mail:

I certify that, to the best of my knowledge, the information contained in this form is complete and accurate.

Printed Name of Superintendent or Designee

Signature of Superintendent or Designee

Date

LIST OF PARTICIPATING LEAS

The following LEAs, including the fiscal agent, are applying to participate in this consortium. A Title III Consortium Member Application Form is attached for each of the LEA members included on this list (except the Fiscal Agent).

Name of LEA	LEA CTDS	Participating LEA allocation
Fiscal Agent:		
Member 1.		
Member 2.		
Member 3.		
Member 4.		
Member 5.		
Member 6.		
Member 7.		
Member 8.		
Total grant:		

Note: Add an additional sheet if there are more than six consortium members.

SAMPLE Forms for Guidance....

CONSORTIA FUNDING, 20__ - 20__

Participating LEA - Consortium Member

Member LEA: _____ LEA CTDS: _____

Print name of administrator/contact person for consortium member:

Administrator/Contact: _____

Title: _____

Mailing Address: _____

City, State, Zip: _____

Telephone: () _____ Fax: () _____

E-mail: _____

I certify that, to the best of my knowledge, the information contained in this form is complete and accurate.

Printed Name of Superintendent or Designee

Signature of Superintendent or Designee

Date

NOTES

A properly constituted consortium must generate a grant of \$10,000 at minimum.

Complete and attach a copy of this page for each member of the consortium and submit it to:

Renee Bracamonte
(Fax) 602-542-3050

Or

Renee.Bracamonte@azed.gov

SAMPLE Forms for Guidance....

SAMPLE MEMORANDUM OF UNDERSTANDING

XYZ Consortium
Memorandum of Understanding
FY 20__-20__

This Memorandum of Understanding represents the agreed-upon program, services and products to be provided to LEP students in the ABC School District, the DEF School District, the GHI School District and the XYZ School District, (Members), during the 20__-20__ project year. The XYZ School District will act as the lead local education agency (LEA) and member. The consortium shall be named the XYZ Consortium (the Consortium).

The XYZ County School District will be responsible for acting as the fiscal agent for the Consortium and will file the required expenditure reports and maintain fiscal records. The Consortium will plan to expend all Title III funds during the 20__-20__ project year.

The XYZ Consortium will coordinate quarterly meetings for the purpose of assessing the needs of the Consortium. In the event that a member of the Consortium fails to meet the Annual Measurable Achievement Objectives (AMAOs) for one year, all parents of LEP students must be notified.

Lastly, the XYZ Consortium will be responsible for completing and submitting expenditure reports, and any other requests of information from ADE. Signature of the LEA representative represents the consortium has met and conferred and the member LEAs are in agreement to all stated.

Signatures of Authorized Representatives:

Print Name
Consortium Lead LEA Representative
(Superintendent or Designee)

Signature of Consortium Lead LEA
Representative

Date

Print Name
Consortium Member LEA Representative
(Superintendent or Designee)

Signature of Member LEA Representative

Date

Print Name
Consortium Member LEA Representative
(Superintendent or Designee)

Signature of Consortium Member LEA
Representative

Date

Print Name
Consortium Member LEA Representative
(Superintendent or Designee)

Signature of Member LEA Representative

Date

Common plan for the Consortium

Consortium partners must meet to discuss and develop a common plan that addresses the requirements of Title III and other issues including the following:

- **Improving services for limited English proficient LEP students**
- **Professional development to improve instruction for LEP students**
- **Shared objectives and activities to effectively and efficiently use Title III funds to meet the identified needs of the consortium partners.**

Common Plan Grant Options

- Option 1** – Consortium will coordinate all funds and submit one plan.
- Option 2** – Consortium will disseminate the funds to eligible LEAs and keep all separate budgets and plans on file.
- Option 3** – Consortium will use a combination of Option 1 and Option 2 by collaborating with some LEAs and disseminating funds separately for other LEAs.

FUNDING



Consortium Fiscal Agent Role Responsibility

- The fiscal agent receives all funding for its member LEAs.
- The fiscal agent submits all required fiscal reports required by ADE in the Grants Management System on behalf of the consortium members.
 - ✓ *Applications*
 - ✓ *Amendments*
 - ✓ *Completion Report*
 - ✓ *Cash Management Reports*

Use of Federal funds – Required and Authorized

- **Required LEP grantee activities (Section 3115(c)):**
 - Provide high-quality language instruction programs based on scientific research for teaching LEP children.
 - Provide high-quality professional development that is designed to improve instruction and assessment of LEP children, scientifically based, and of sufficient intensity and duration.
- **Authorized LEP grantee activities (Section 3115(d)):**
 - Upgrading program objectives and effective instructional strategies.
 - Identifying, acquiring, and upgrading curricula and materials.
 - Providing tutorials and intensified instruction.
 - Developing and implementing language instruction programs that are coordinated with other relevant programs and services.
 - Providing community participation programs, family outreach, and family literacy programs.
 - Improving instruction through educational technology, electronic networks for materials, training and communication, and incorporating resources into curricula and programs.

Use of Federal Funds – Criteria

Costs must be...

- **reasonable**
 - *A cost is reasonable if, in its nature and amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.*
- **allocable**
 - *A cost is allocable to a cost objective if the goods or services involved are chargeable or assignable to the cost objective in accordance with the relative benefits received.*
- **allowable**
 - *A cost is allowable if it is necessary and reasonable for proper and efficient performance of the award and allocable to the award.*

(OMB Circular A-87)

Use of Federal Funds – Criteria (cont'd)

Do all of the proposed expenditures meet the following criteria:

- Are they allowable?**
- Are they allocable?**
- Are they reasonable and necessary to carry out grant functions?**
- Should they be included in the 2% limit as administrative costs?**
- Do they meet supplement, not supplant requirements?**

2% Cap on Administrative Costs

- Districts have a limit of **2% of the Title III grant award for administration. (section 3115(b))**
- **Administration = administrative costs + indirect costs**
 - *Examples of **administrative costs**:*
 - support staff, coordinators, & other personnel that perform administrative functions
- **Indirect costs =** organization-wide costs 1) incurred for a common or joint purpose benefiting more than one cost objective, and 2) not readily assignable to the cost objectives specifically benefitted.
 - *Example of **indirect costs**:* utility costs

(Source: OMB Circular A-87)

Supplement, not Supplant Requirement - General

Title III funds must be used to supplement the level of Federal, State and local funds that, in the absence of Title III funds, would have been expended for programs for limited English proficient (LEP) students and immigrant children and youth.

(section 3115(g))

Supplement, not Supplant Requirement - General

1. The First Test of Supplanting: Required by Law

The Department assumes supplanting exists if – ***An LEA uses Title III funds to provide services that the LEA is required to make available under State or local laws, or other Federal laws.***

2. The Second Test of Supplanting: Prior Year

The Department assumes supplanting exists if – ***An LEA uses Title III funds to provide services that the LEA provided in the prior year with State, local or other Federal funds.***

Therefore, Title II Funding...

....may not be used to provide core instructional programming, hire staff, and/or provide resources/materials that would be required and/or needed to implement a program.

Doing so would demonstrate supplanting rather than supplementing.

Fiscal Monitoring

- OELAS will conduct **fiscal desk monitoring which may include fiscal on-site visits each year.**
 - The fiscal monitoring will consist of:
 - Reviewing prior year expenditure reports outlining the use of Title III funds
 - A random sampling of expenditures that may require more supporting documentation from the monitored LEA **AND** lead fiscal agent
 - A random sampling of physical inventory (capital outlay purchases)
 - Reviewing time and effort logs
 - Comparing completion reports to be vetted against expenditures and supporting documentation submitted

Thank You!

Contact Information

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