

Title III, Part A Consortium

Guidance for Fiscal Agents & Consortium Members

Background

This document was created to provide guidance on creating and using consortiums to meet the needs of English Learners (ELs) and is designed to assist local educational agencies (LEAs) in understanding Title III, Part A (Title III) consortium requirements.

Title III funding is intended to help ensure that:

1. ELs, including immigrant children and youth:
 - attain English proficiency and
 - develop high levels of academic achievement.
2. Teachers, administrators, and other school leaders receive assistance in developing and enhancing their capacity to provide effective instructional programs; and
3. Parental, family, and community participation in language educational programs is promoted and implemented.

Consortium Overview

The Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA) requires LEAs to receive a minimum allocation of \$10,000 in order to be awarded a Title III subgrant [ESSA § 3114(b)].

- LEAs whose EL population is large enough to generate an allocation of at least \$10,000 are referred to as **stand-alone** LEAs.
- LEAs that do not qualify for an allocation of at least \$10,000 may choose to partner with other LEAs to form a Title III consortium or they may release funds. LEA who choose to join a consortium are referred to as **consortium members**.
- LEAs that wish to form a consortium must select one member-LEA to act as **fiscal agent** and lead for the consortium.

LEAs are permitted and encouraged to create their own consortia. Together, consortium members must qualify for at least a \$10,000 allocation to be approved for a grant as a Title III consortium. As a member of a Title III consortium, LEAs may choose to use their funds in combination or as individual entities to achieve program goals. Title III consortium members must work closely and collaboratively during each phase of the yearly grant cycle (e.g., program/budget planning, Title III budget and assurance submission, grant implementation, purchasing) to ensure that each LEA's needs are adequately addressed and jointly submitted in the Consolidated Funding Application (CFA). For this reason, it is recommended that each Title III, Part A consortia consist of no more members than can be supported by a single LEA fiscal agent.

Under the following circumstances, an LEA may be unable to join a consortium and may be required to release Title III funds:

- A consortium member LEA is unable or unwilling to meet all required deadlines for budget submission.

- Upon final allocation changes, a consortium drops below \$10,000 in total allocations and is unwilling or unable to recruit a new member LEA.
- A consortium is unwilling or unable to identify a fiscal agent.

The fiscal agent and consortia members shall establish a **Memorandum of Understanding (MOU)** outlining how all participating LEAs will meet obligations under Title III. The MOU should include timelines and activities and should address reimbursements and administrative costs between consortium members and the consortium fiscal agent. All Title III funds, including consortium funds, should only be used for items and activities allowable under Title III.

IMPORTANT: The Tennessee Department of Education (department) considers consortium and fiscal agent memberships finalized by **June 1** of each year. Requests to join or exit a consortium will not be accepted after June 1, except in the case of an LEA choosing to exit the consortium because its final allocation was \$10,000 or more and suddenly it became a stand-alone LEA.

Fiscal Agent Information and Responsibilities

The fiscal agent of an LEA Title III, Part A Consortium bears the following responsibilities:

1. Reviewing the Title III consortium guidance and participating in any department consortium trainings.
2. Submitting the consortium's collaboratively developed budget (including amendments) in the CFA on the **Title III Budget page**. **Note: The Optional Program Code field should include the name of the receiving LEA consortium member.**
3. Providing a copy of the MOU in the *Related Documents* page of the Title III section in the CFA.
4. Ensuring that Title III funds are shared and/or spent to benefit all consortium members equitably and ensure fulfillment of Title III required activities.
5. Controlling all fiscal transactions of the consortium (e.g., requisitions, purchases, payments).
6. Keeping carryover amounts minimal and ensuring any carryover that is available is budgeted to the consortium member it originated from the following fiscal year.
7. Maintaining records of all inventory lists and financial transactions carried out on behalf of the consortium.
8. Monitoring of expenditures of all participating consortium members to ensure compliance with [Title III Supplement, Not Supplant](#) requirements.
9. Ensuring that any carryover funds are allocated to the consortium member's budget.

Consortium Member Information and Responsibilities

Once an LEA agrees to be part of the consortium, it assumes responsibilities such as:

1. Reviewing the Title III consortium guidance and participating in any department consortium trainings.
2. Submitting the LEA's developed budget (including amendments) in the CFA on the **Consortia Review page of the English Learners section**. Consortium members who place their budget on the *Title III Budget page* will be asked to move it to the correct section.
3. **IMPORTANT:** Notifying the fiscal agent anytime a change is made to the consortium member's budget. Consortium members must share the Title III budget (including amendments) with the consortium's fiscal agent as soon as it is approved within the CFA. Failure to do so may result in a delay of the entire consortium's ability to make purchases and draw down funds in a timely manner.
4. Meeting all stated deadlines for budget and invoice submission as established by the department or the consortium and/or fiscal agent.
5. Completing all obligations as outlined in the Title III funding application within the CFA.

6. Keeping carryover amounts minimal and tracking spending to ensure any carryover that is available is budgeted and spent in the next fiscal year.
7. Meeting the equitable participation requirements for eligible non-public schools within its boundaries as applicable. The LEA and the fiscal agent must work together to ensure that the participating non-public schools receive their equitable share of program service. More information about equitable services for Title I, Part C can be found [here](#).

Consortium Administrative Costs

At the fiscal agent’s request, consortia members must contribute up to two percent (2%) of their Title III allocation to the fiscal agent to cover the work that is involved with managing consortium funds. The fiscal agent is the entity that incurs administrative costs associated with the administration of the grant funds for the consortium. Thus, the fiscal agent is permitted to use up to two percent (2%) of each consortium members’ allocation for indirect or direct administrative costs. Administrative costs must be outlined on the consortium’s MOU.

Consortium Timeline

This timeline is subject to change based on the availability of funds and other factors.

Date	Event
May 1	<p>CFA due in ePlan:</p> <ul style="list-style-type: none"> • Consortia members must enter their budgets on the Consortia Budget Review page of the CFA. • Fiscal Agents must enter the LEA’s individual budget (i.e., not including consortium members) on the Title III Budget page of the CFA. • Consortium members’ and fiscal agents’ funds are separate and remain in each LEA’s budget in the CFA.
May 1 - July 1	<p>Department reviews all CFAs:</p> <ul style="list-style-type: none"> • CFA reviewers work with consortium members, including fiscal agents, to ensure individual members’ budgets are approved. • Once a consortium member’s budget has been approved in the CFA, the consortium member must send the budget to the fiscal agent. • Consortium members’ and fiscal agents’ funds are separate and remain in each LEA’s budget in the CFA.
July 1	<p>All CFAs approved by the department and all Title III consortiums are finalized.</p>
Date TBD	<p>Final allocations loaded to the CFA:</p> <ul style="list-style-type: none"> • Any Title III funds released by LEAs will be reallocated to LEAs that accepted funds. • Consortium members’ and fiscal agents’ funds will be combined in the fiscal agent’s CFA. • The fiscal agent must complete a revision to add the consortium’s funds to the <i>Title III Budget</i> in ePlan. • Any changes in allocation will automatically changes the CFA into a revision status and the LEA must work to make needed changes to the budget.

Consortium Allowable Use of Funds

Consortium members and fiscal agents may utilize consortium funds for any allowable use under Title III. For more information on the allowable use of Title III funds, see the [Title III Allowability Guide](#) and [Title III Allowability Scenarios](#). All Title III purchases must also be in compliance with [Title III Supplement, Not Supplant](#) requirements.

Title III Consortium Frequently Asked Questions

1. ***Does an LEA have to join a Title III consortium in order to receive Title III funds?***

If the LEA does not have enough ELs to generate the minimum \$10,000, then yes, the LEA must be part of a consortium to access any Title III funding.

2. ***If an LEA releases Title III funds, does it relieve the LEA of its obligation to deliver Title III services?***

No, all LEAs, regardless of Title III funding, must meet all state and federal regulation pertaining to EL and immigrant students.

3. ***How many LEAs need to come together to form a consortium?***

There must be at least two (2) LEAs to form a consortium and one (1) of the LEAs must serve as the fiscal agent for the consortium.

4. ***What is the benefit of being in a Title III consortium?***

In creating consortia, LEAs that would not otherwise be able to receive Title III allocations are able to receive funds. In addition, members of consortia can combine resources, ideas, and best practices to improve academic outcomes for ELs.

5. ***Can a non-public school be part of the consortium?***

No. However, each LEA is responsible for meeting the equitable participation requirements for eligible non-public schools within its boundaries.

6. ***What does my LEA do if we do not agree with the decisions of the fiscal agent?***

Consortium members and the fiscal agent should collaborate on the creation of the consortium's MOU. The MOU should define relationships and requirements of all consortium members, including the fiscal agent. The development of the MOU should help promote understanding among all participating LEAs.

7. ***Can an LEA consortium member leave the consortia and join another one if they do not agree with the other members of the consortia?***

No, the LEA cannot leave or change within the fiscal year and consortium decisions and assignments are final on June 1, except in the case of an LEA choosing to exit the consortium because its final allocation was \$10,000 or more and suddenly it became a stand-alone LEA.

8. ***Is carryover allowed in a consortia?***

Yes, carryover is allowed. However, if the fiscal agent and consortia members are properly planning and implementing their respective Title III programs, carryover should be minimal. Any available carryover must be budgeted to the appropriate consortia member by the original fiscal agent in the following fiscal year.

9. ***Who can I contact if I still have questions or need assistance?***

Contact your assigned [ESEA Divisional Coordinator](#) or Hannah.Gribble@tn.gov.