**Memorandum of Understanding**

A Memorandum of Understanding (MOU) is a required upload for consortium fiscal leads only. For information regarding MOUs, please see below.

A consortium must designate a lead agent and name that agent in an MOU to be submitted with the grant application. The lead agent is responsible for ensuring that consortium members fulfill all of their fiscal and programmatic responsibilities as subgrantees under Title III. The lead agent is responsible for taking steps, either on its own or through its LEA partners, that result in all participating LEAs meeting their responsibilities under Title III to the English learner (EL) students they serve. These responsibilities include, but are not limited to, ensuring all EL students participate in ACCESS and content assessments when applicable, and completing improvement plans when necessary. Information about most recent targets for improvement, formerly known as Annual Measurable Achievement Objectives (AMAOs) can be found here: http://www.doe.mass.edu/ell/titleIII/default.html. Information about how these and other targets will be used in the future will be forthcoming.

An LEA that has been designated as the lead agent for a consortium has the same role and responsibilities as any other LEA in the consortium, in addition to maintaining control of funds. The Department strongly recommends that lead agents appoint an individual who is familiar with state and federal grant applications and requirements to act as the liaison to the member districts.

**Responsibilities of Lead Agencies:**

* The lead agency is responsible for taking steps that result in all participating LEAs meeting their responsibilities under Title III to the EL children they serve.
* The lead agency is responsible for ensuring that consortium members fulfill their fiscal and programmatic responsibilities as subgrantees under Title III, including, but not limited to, meeting their responsibilities to EL children and teachers in private schools in the communities served by LEAs participating in the consortium per Section 8501, ensuring all EL children participate in ACCESS and content assessments when applicable, and completing improvement plans when necessary.
* The lead agency of a consortium must file with the Department and must maintain a memorandum of understanding (MOU) that indicates that the member LEAs have agreed to form and participate in the consortium, identifies the lead agency, and outlines the manner in which the consortium will meet all Title III requirements and all requirements of Massachusetts law and regulation. The MOU must detail the following:
  + The manner in which the consortium members will meet to determine a plan for meeting the requirements of Title III and state law and regulation, including, but not limited to:
    - Needs of partner districts for improving services for EL students.
    - Needs of partner districts related to professional development to improve instruction for EL students.
    - The plan to efficiently and effectively use Title III funds to meet the identified needs of the consortium partners.
  + The manner in which the consortium will meet all Title III requirements, including, but not limited to: development of Title III improvement plans when required by the DESE and Title III, and the participation of EL students and teachers in private schools.
* The lead agency is responsible for completing the Massachusetts Department of Elementary and Secondary Education FY 2018 Grant Assurances Document.
* The lead agency is responsible for ensuring that all participating LEAs complete the Title III 180 Private School Participation Worksheet and must ensure the opportunity for participation of private school children and teachers in Title III, per Part F of ESSA.
* The lead agency is responsible for submitting the Narrative, briefly describing:
  + the effective programs and activities proposed to be developed, implemented, and administered under the subgrant;
  + how the eligible entity will ensure that elementary schools and secondary schools will assist English learners in achieving English proficiency based on ACCESS, consistent with the State’s long-term goals, and meeting the challenging State academic standards
  + how the eligible entity will promote parent, family, and community engagement in the education of English learners.
* The lead agency is responsible for all financial transactions of the consortium (requisitions, purchases, payments, etc.) and for maintaining records of all financial transactions carried out on behalf of the consortium.
* The lead agency is responsible for ensuring that the Title III funds allocated to the consortium supplement the level of federal, state, and local public funds that, in the absence of such availability, would have been expended for programs for English learners and in no case to supplant such federal, state, and local public funds.

Note: A lead agency may not subgrant Title III funds to other members of the consortium.

**Responsibilities of Participating LEAs:**

LEA members must meet to discuss and develop a local plan that meets the requirements of Title III and Massachusetts law and regulation including the following:

* Needs of member districts for improving services for English learner (EL) students.
* Needs of member districts relating to professional development to improve instruction for EL students.
* Needs of member districts relating to EL parent engagement.
* Completion of the Title III 180 Private School Participation Worksheet for each member district (found in the Title III 180 workbook).
* Ensuring the opportunity for participation of private school children and teachers in Title III, per Title VIII, Part F of the Every Student Succeeds Act
* Completion of a Title III improvement plan with ESE, when applicable.
* Maintaining signed Private School Affirmation forms