

Title III, Part A—English Learners Subgrant Eligibility and Business Rules

Introduction

Goal and Purpose

It is the goal of the Iowa Department of Education (Department) that all English learners (ELs)—including those attending public and accredited nonpublic schools in Iowa—are served through Title III, Part A (Title III) of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESSA). The Title III subgrants are designed to enhance language instruction educational programs for all ELs in the state, ongoing professional development for educators serving ELs, and EL family and community engagement activities. Local education agencies (LEAs) that generate at least \$40,000 hold their own single subgrants. LEAs generating at least \$10,000 may opt to hold their own single subgrant or may opt to continue participating in a Title IIIA consortium. LEAs generating less than \$10,000 must join a consortium to receive Title IIIA support. The purpose of this document is to summarize the business rules for Title III subgrantees.

Eligibility to Hold a Single Subgrant

For an LEA to be eligible to hold its own EL subgrant for Title III, it must generate an annual allocation of \$10,000 or more (Sec. 3114(b)). The Department determines Title III allocations based on the number of ELs in the LEA, as reported in the previous year's certified enrollment data. These counts include all ELs enrolled in the LEA as well as those enrolled at participating accredited nonpublic schools within the LEA's boundaries. Please note: If the LEA does not meet the established eligibility requirements, it must receive Title III support as part of a consortium.

Subgrant Requirements

All Title III subgrantees—whether a single subgrant LEA or an AEA serving as fiscal agent for a consortium of LEAs—must complete the following requirements:

- Complete the program application in the Consolidated Application by October 15 annually.
 - Identify an individual to complete the program application, a business manager to manage the budget, and an EL program staff member who will partner with the business manager to ensure allowable activities are planned and requirements of the subgrant are met.
 - Fund all three required Title III activities (see Title III Guidance for more information on specific activities).
 - Ensure all activities supplement, not supplant, core EL services.
 - Use no more than 2% of the allocation for direct administrative expenses (Sec. 3115(b)).
- Submit quarterly claims in the Consolidated Application by the last day of the reimbursement period.

Equitable Services

The subgrantee must oversee the plan, design, and implementation of equitable services to ELs at each accredited nonpublic school within its boundaries:

- Engage in timely and meaningful consultation with the appropriate nonpublic school officials beginning January 1 and throughout the school year.

- Make the final decisions regarding which services it will provide based on the specific needs identified by the nonpublic school and the method by which services will be provided (i.e., directly, indirectly through third-party vendors or another independent entity; 34 C.F.R. § 200.64(b)(4)).
- Complete an annual nonpublic consultation agreement in the Consolidated Application by March 15.
- Provide equitable services either directly or through a contract with an independent third-party vendor beginning the first day of the school year.

The subgrantee must maintain control of the public funds and cannot delegate these responsibilities to the nonpublic school or its officials (nor pay or reimburse the nonpublic school or its staff to provide equitable services).

LEA Business Rules

Eligible single subgrant LEAs must abide by the following business rules:

- LEAs holding a single subgrant must fulfill all requirements described under Subgrant Requirements and Equitable Services.
- When an LEA holds its own subgrant, it cannot also participate in an AEA consortium.
- Any unspent funds will remain available proportionately through the AEA and will not carry over directly to the new single subgrantee, as federal funds cannot be de-obligated.

AEA Business Rules

AEAs must abide by the following business rules:

- AEAs must fulfill all requirements described under Subgrant Requirements and Equitable Services. Please note that LEAs with single Title III subgrants complete their own nonpublic consultation agreements with the nonpublic schools within their boundaries.
- LEAs within an AEA consortium participate in Title III by pooling their funds generated for Title III activities. The AEA serves as the fiscal agent of the consortium and provides Title III services to all LEAs and participating nonpublic schools in the consortium.
- If an LEA holds its own subgrant, it cannot also participate in an AEA consortium. The only exception is proportionate carryover which must be accessed by new single subgrantees through the AEA, as federal funds cannot be de-obligated.

Questions and Additional Guidance

For program guidance and contact information, visit the Department's [ESSA Guidance and Allocations](#) webpage.