

Consortium Agreement for Title VI Indian Education Formula Grant Program

Directions: The following document is a requirement of all consortium applications under this grant. The lead applicant must upload this verification document no later than the closing date of EASIE Part I. Additional Consortium Agreement Forms for Title VI Indian Education Formula Grant Program should be combined into one .pdf and uploaded into the ED*Facts* Submission System (ESS) prior to close.

- Each participating entity in the consortium application must be eligible to participate in the formula grant program as an eligible entity. Each participating entity within a consortium is eligible must meet the required minimum enrollment criteria with the minimum number of eligible students must be at least 10; or Indian children constitute not less than 25 percent of the total enrollment of the LEA. The minimum enrollment requirement does not apply in Alaska, California, or Oklahoma, or with respect to LEAs located on, or in proximity to, a reservation. Each participating entity is an LEA must provide a free public education.
- Each participating entity identified in the EASIE application is unable to submit a separate application as an individual entity for this same grant.
- The regulations in 34 CFR 75.127-129, governing Group Applications, must be followed in submitting a consortium application.
- Each participating entity in the consortium application must be within the same state due to factors that must be taken into consideration when calculating the award amount, such as state per pupil expenditures or maintenance of effort.
- Each participating entity in the consortium application must identify by category the number of Indian students being counted by each participating entity and must establish the same count period for each participating entity.
- Each participating entity in the consortium application, if applicable, must comply with the Title VI Indian Parent Committee requirements, either by having its own committee or having representation on a joint committee if agreed to by other LEAs in the consortium.
- Consortium Member Agreements for each participating entity in the consortium application must be uploaded within the EASIE system no later than the close date for EASIE Part I.

Applicants that verify their Indian student count with the ED 506 Indian Student Eligibility Form must document their Indian student count by completing the following steps: (1) each year, the applicant must verify there is a valid ED 506 Form for each Indian child included in the count; (2) all ED 506 Forms included in the count must be completed, signed, and dated by the parent, and be on file; (3) the applicant must maintain a copy of the student enrollment roster(s) covering the same period of time indicated in the application as the “count period”; and (4) each Indian child included in the count must be listed on the LEA’s enrollment roster(s) for at least one day during the count period.

For the purpose of applying for an Indian Education Formula Grant application as participating entity in the consortium application, we, the undersigned local educational agencies (LEAs), Tribes, Indian Organizations (IOs) and/or Indian Community Based Organizations (ICBOs) agree to adhere to the requirements under 34 CFR §75.127–129 (below).

General Agreement

It is agreed that the lead consortium member will be _____, which is designated to act on behalf of all participating entities. As a participating entity, we understand that this agreement binds each member of the group to every statement and assurance made by the lead applicant in the application. It is also understood that any false statement provided in the application is subject to penalties under The False Claims Act, 18 U.S.C. 1001.

The lead applicant for the group is the grantee and is legally responsible for --

- (A) The use of all grant funds;
- (B) Ensuring that the project is carried out by the group in accordance with Federal requirements; and
- (C) Ensuring that indirect cost funds are determined as required under 34 CFR §75.564(e).

Legal Responsibility

We also understand that, as a participating entity in the consortium application, we are each legally bound to every statement and assurance in the application and individually responsible to --

- (A) Carry out the activities we agree to perform; and
- (B) Use the funds that we receive under the agreement in accordance with Federal requirements that apply to the grant, including the parent consultation and committee requirements below, if applicable.

ED 506 Indian Student Eligibility Forms: _____ (name of entity) has the ED 506 Forms on file for each eligible student.

Parent Consultation and Committee Requirements, if applicable.

(A) The local program for which we seek funding (“Indian Education Formula Grant program”) was developed in open consultation, including through public hearings, with parents and family members of Indian children, representatives of Indian Tribes on Indian lands located within 50 miles of any school that the agency will serve if such Tribes have any children in such school, teachers and, if appropriate, Indian students from secondary schools, including through public hearings held to provide individuals in each member LEA a full opportunity to understand the program and to offer recommendations regarding the program.

(B) The Indian Education program was developed with the participation and written approval of a Parent Committee, in accordance with section ESEA section 6114(c)(4) (20 USC 7424(c)(4)). The consortium is using: (Select only one option, if applicable to your applicant type.)

1. A single parent committee, whose members are representative of all LEAs in the consortium, either through equal or through proportionate representation. The consortium should submit one Parent Committee Approval Form.

2. Multiple parent committees, one from each LEA in the consortium. Each LEA in the consortium must have its Parent Committee sign a Parent Committee Approval Form. The consortium should submit multiple Parent Committee Approval forms, one from each LEA in the consortium.

LEA Activities and Comprehensive Program

These grant funds will be used to carry out, in each participating entity in the consortium application, a comprehensive program for meeting the needs of Indian children, including their language and cultural needs, consistent with ESEA section 6115 (20 USC 7425). Below list the particular activities and services provided by this grant and the activities or services that each member of the group plans to perform per activities and services identified in the EASIE application.

Signed by the following authorized representatives of the participating entity in the consortium application:

| Printed Name of AR | Signature of the AR |
|--------------------|---------------------|
|--------------------|---------------------|

| Title | Organization | Date |
|-------|--------------|------|
|-------|--------------|------|

Group Applications: From Code of Federal Regulations (34 CFR Part 75)

§ 75.127 Eligible parties may apply as a group.

(a) Eligible parties may apply as a group for a grant.

(b) Depending on the program under which a group of eligible parties seeks assistance, the term used to refer to the group may vary. The list that follows contains some of the terms used to identify a group of eligible parties:

(1) Combination of institutions of higher education.

(2) Consortium.

(3) Joint applicants.

(4) Cooperative arrangements.

(Authority: 20 U.S.C. 1221e-3 and 3474)

§ 75.128 Who acts as applicant; the group agreement.

(a) If a group of eligible parties applies for a grant, the members of the group shall either:

(1) Designate one member of the group to apply for the grant; or

(2) Establish a separate, eligible legal entity to apply for the grant.

(b) The members of the group shall enter into an agreement that:

(1) Details the activities that each member of the group plans to perform; and

(2) Binds each member of the group to every statement and assurance made by the applicant in the application.

(c) The applicant shall submit the agreement with its application.

(Authority: 20 U.S.C. 1221e-3 and 3474)

§ 75.129 Legal responsibilities of each member of the group.

(a) If the Secretary makes a grant to a group of eligible applicants, the applicant for the group is the grantee and is legally responsible for:

(1) The use of all grant funds;

(2) Ensuring that the project is carried out by the group in accordance with Federal requirements; and

(3) Ensuring that indirect cost funds are determined as required under §75.564(e).

(b) Each member of the group is legally responsible to:

(1) Carry out the activities it agrees to perform; and

(2) Use the funds that it receives under the agreement in accordance with Federal requirements that apply to the grant.

(Authority: 20 U.S.C. 1221e-3 and 3474)