# Use of Title III Funds in Distance Learning due to COVID19

1. **May funds under Title III of ESEA provide support for ELs by purchasing software for ELs in the content areas, or would that be considered supplanting when providing remote learning?**

No. Section 3115(g) of ESEA requires Federal funds made available under Title III to be used to supplement the level of Federal, State, and local public funds that, in the absence of such availability, would have been expended for programs for ELs and immigrant children and youth and in no case to supplant such Federal, State, and local public funds.

The supplement-not-supplant requirement applies to funds under Title III of ESEA even when an LEA is conducting remote learning.

Example: An LEA purchases software for high school reading/language arts courses that includes embedded supports for ELs, such as pop-up translations or images to support instruction, then for those ELs in those courses, this could provide their “core” LIEP due to the embedded supports, and **Title III funds could not be used for that software.**

However, while schools are operating via remote learning, Title III funds may be used to supplement the basic instruction or support that must be provided to ELs (i.e., to supplement the LIEP).

Example: The LEA may supplement that coursework with additional online resources and software for ELs or it may wish to add an EL support teacher, using Title III funds, to provide online support or support via telephone calls to students for additional assistance. A district provides core ELA online instruction as well as the required hours of ELD service from Ch. 16-54 through local or other funds. The district then buys Learning A-Z: the ELL Collection with Title III funds to supplement both core ELA and core ELD instruction with an extra dose of language instruction.

1. **If an LEA provides for internet access, hotspots, and tablets or other devices for low-income students who do not have access to technology, may Title III funds provide similar resources for those low-income students who are ELs to enable their internet access?**   
     
   No. If an LEA provides remote learning for everyone, including internet access or educational technology for low-income students, then the LEA cannot use Title III funds for that purpose for the low-income students who are ELs, because that would violate the supplement-not-supplant requirement in section 3115(g) of ESEA.

For general internet access and educational technology, LEAs should use State, local, and other Federal funds to provide the same access for ELs as they do to other students. Federal education funds to support technology can be found at <https://tech.ed.gov/funding/> and <https://oese.ed.gov/offices/office-of-formula-grants/safe-supportive-schools/student-support-and-academic-enrichment-program/> .

In addition, the following are examples of Department programs under the ESEA that provide funds that may be used to support access to devices for students (e.g., tablets, computers) and mobile hotspot devices and data plans:

* Title IV, Part A, Student Support and Academic Enrichment Grants (SSAE);9
* Title V, Part B, Subpart 1, Small, Rural School Achievement Program (SRSA);
* Title V, Part B, Subpart 2, Rural and Low-Income School Program (RLIS);
* Sections 7002 and 7003(b), Impact Aid; and
* Section 4624, Promise Neighborhoods.

The LEA **may use Title III funds** for supplemental hardware or software that is **designed specifically for ELs** (e.g., software to provide language accessibility features or tools) **and that supplement the LIEP**.

Example: The district provides devices and access to accessible online learning through local or other funds. Students participate in core ELA and core ELD instruction through tools such as Zoom, Google Classroom, Google Translate, FlipGrid and Screencastify. In addition, with Title III funds, the district purchases English Picture Dictionary E-books and an Oxford Wordpower Dictionary for Arabic-speaking learners of English Android app for MLL students.

1. **May Title III funds be used to train teachers to use new online platforms and software designed for ELs? Does that training need to be limited to training EL teachers or may the LEA include all teachers who have ELs in their classes?**

Maybe. An LEA may use Title III funds for teacher training if it is specific to MLL/EL needs. The training could include all teachers if it is geared towards meeting the needs of MLL/ELs or if it relates to software or embedded supports for MLL/ELs. **However, if the training is for the same online platform that all teachers will use for all classes**, **and does not address EL needs**, then the use of Title III funds for such training would not be permitted, as **it would be supplanting**, rather than supplementing, other available funding sources.

Example: The district offers training on Zoom and FlipGrid for all teachers to support a variety of core online learning. Local or other funds, not Title III, must be used. The district also provides training to all teachers on how to use BrainPopELL specifically to support MLL/ELs in supplemental language development through distance learning. Title III can support the training on BrainPopELL.