



## TITLE III, Part A: English Language Learners and Immigrant Students Guidance on Allowable and Unallowable Expenditures

Below is a general overview of allowable and unallowable activities to support Title III, Part A program planning activities.

Supplementary Instructional Support for  
English Language Learners/Multilingual Learners (ELLs/MLLs) and Immigrant Students

### **TITLE III, PART A - ELL GRANT**

**Purpose:** To help states, school districts, and schools provide effective services that improve the English language proficiency and academic achievement of English Language Learners/ Multilingual Learners (ELLs/MLLs) and to provide guidance on the requirements of Title III, Part A of the [Every Student Succeed Act \(ESSA\)](#).


- A State Education Agency (SEA) and its Local Education Agencies (LEA) may use Title III funds for activities relating to ELLs/MLLs that were previously required under Title III and are now required under Title I as long as:
  - specific use of funds is consistent with the purpose of Title III and meets federal guidelines for “reasonable and necessary costs.”
  - specific use of funds is supplemental to the SEA’s or LEA’s civil rights obligations to ELLs/MLLs under Title VI and the [Equal Education Opportunity Act \(EEOA\)](#); and
  - SEA or LEA also uses Title III funds for activities required under Title III.


### **Required Activities that target the needs of English Language Learners/Multilingual Learners (ELLs/MLLs):**


1. Increase the English proficiency of ELLs/MLLs by providing effective, supplemental language instruction educational programs, including the instructional use of both English and a child’s home language, demonstrating the effectiveness of the programs in increasing:
  - English proficiency; and
  - student academic achievement in the core academic subjects;
2. Provide high-quality effective professional development to classroom teachers (including Early Learning Program staff and teachers in classroom settings that are not the settings of language instruction educational programs), principals, administrators, and other school or community-based organizational personnel, that is
  - designed to improve the instruction and assessment of ELLs/MLLs;
  - designed to enhance the ability of such teachers to understand and use curricula, assessment measures, and instructional strategies for ELLs/MLLs;

TITLE III, Part A: Guidance on Allowable Expenditures

- able to demonstrate the effectiveness of the professional development in increasing children’s English proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and
- of sufficient intensity and duration (which shall not include activities such as one-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers’ performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher’s supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and/or any local educational agency employing the teacher.

3.  Conduct parent, family, and community engagement, in addition to the required uses of funds for supplementing language instruction educational programs for ELLs/MLLs and providing professional development to teachers and school leaders.


 **Note 1:** LEAs that use Title III subgrant funds to support preschool-aged Emergent Multilingual Learners (EMLLs) should ensure that its language instruction and other services are developmentally appropriate for EMLLs, culturally responsive, reflective of the latest research on effective instruction for EMLLs in early learning programs, and supportive of all EMLL’s needs.

 **Note 2:** An LEA may not use Title III subgrant funds to administer the annual English language proficiency assessment (e.g., to pay for substitute teachers or materials or for the cost of scoring State English language proficiency assessments).



**Allowable Activities that target the needs of English Language Learners/Multilingual Learners:**

ESSA requires LEAs to achieve one of the purposes described above by undertaking one or more of the following activities:

***Examples of Title III ELL/MLL Allowable Uses***

- Supplementary educational programs that work to increase English language proficiency and academic achievement of ELLs/MLLs
-  Providing effective supplemental language instruction educational programs that meet the needs of ELLs/MLLs, including early childhood education programs that demonstrate success in increasing (A) English language proficiency; and (B) student academic achievement (ESEA Section 3115(c)(1))
- Providing professional development that is: (B) sustained (not stand-alone, 1-day, or short-term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused.


### TITLE III, Part A: Guidance on Allowable Expenditures

- Promoting parent, family, and community engagement through community participation programs, family literacy services, and parent outreach and training activities to ELLs/MLLs and their families.
- Upgrading ELL/MLL programs objectives and effective instruction strategies.
- Improving the instruction program for ELLs/MLLs by identifying, acquiring, and upgrading curricula, instructional materials, educational software, and assessment procedures.
- Tutorials and supplemental materials (including home language) for ELLs/MLLs
-  Early college high school or dual enrollment programs for ELLs/MLLs. This new provision presents a valuable opportunity to promote college and career readiness for ELLs/MLLs and to bridge their transition to postsecondary education. Title III funds cannot, however, be used to fulfill an LEA's obligations under Title VI and the EEOA, including an LEA's basic obligation to provide a Language Instruction Education Program to all ELLs/MLLs in the district that is educationally sound and has been proven successful.
-  Improving instruction, including the provision of educational technology, for all ELL/MLL subgroups: Newcomers, Developing ELLs/MLLs, Long Term ELLs/MLLs, ELLs/MLLs with disabilities, Students with Interrupted/Inconsistent Formal Education (SIFE), and Former ELLs/MLLs.

## ***TITLE III, PART A - IMMIGRANT GRANT***


### **Allowable Activities that target the needs of Immigrant Children and Youth:**

LEAs must use the immigrant subgrant to provide enhanced supplemental instructional opportunities for immigrant children and youth. Activities may include:

-  Support for the recruitment, hiring, and training of effective teachers, including teachers who became certified through State and local alternative routes to certification;
- Provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth;
- Identification, development, and acquisition of curricular materials, educational software, and technologies to be used in the program;
- Supplemental instructional services that are directly attributable to the presence of immigrant children and youth in the LEA, including the payment of costs of providing additional classroom






TITLE III, Part A: Guidance on Allowable Expenditures

supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instruction services;


- Other supplemental instructional services that are designed to assist immigrant children and youth to achieve in elementary and secondary schools in the U.S., such as programs of introduction to the educational system and civics education;
-  Activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents and families of immigrant children and youth by offering comprehensive community services; and
- Family literacy, parent and family outreach, and training activities designed to assist parents and families to become active participants in the education of their children;

<p><b>BUDGET CODES</b></p>	<p><b>TITLE III, PART A – LANGUAGE INSTRUCTION FOR ENGLISH LANGUAGE LEARNERS (ELLs/MLLs)</b>  <b>Project Code 0293-18-XXXX</b></p> <p><b>TITLE III, PART A – IMMIGRANT CHILDREN AND YOUTH</b>  <b>Project Code 0149-18-XXXX</b></p>
<p><b>CODE 15: SALARIES</b></p>	<ul style="list-style-type: none"> <li>• Supplemental language instruction educational services for ELLs/MLLs and immigrant students.</li> <li>• Title III funds may be used to hire staff up to the maximum 2% permitted for administrative costs.</li> <li>• All Title III language instruction educational program staff must be certified in Bilingual Education (Bilingual Extension) or in English to Speakers of Other Languages (ESOL).</li> <li>• Trained supportive personnel may only be funded under Title III to provide specific services to ELLs/MLLs before- or after-school or during an extended day.</li> </ul>
<p><b>CODE 16: SUPPORT STAFF SALARIES</b></p>	<ul style="list-style-type: none"> <li>• Trained supportive personnel, including Teaching Assistants, may be funded under Title III to provide supplemental language instructional education services.</li> <li>• Secretarial or clerical positions may be funded under Title III to support Title III activities, programs, and services beyond the regular school hours.</li> </ul>
<p><b>CODE 40: PURCHASED SERVICES</b></p>	<ul style="list-style-type: none"> <li>• Title III funds may be used to provide family literacy, parent outreach, and training activities designed to assist parents and families to become active participants in the education of their children and to provide activities, in coordination with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents and families of immigrant children and youth by offering comprehensive</li> </ul>

community services.

- Provide effective professional development opportunities for all teachers, principals, and administrators, including early education teachers and other school or community-based organization personnel, that:
  - are designed to improve the instruction and assessment of ELLs/MLLs;
  -  enhance the ability of teachers and principals to understand and implement curricula, assessment measures and practices, and instructional strategies for ELLs/MLLs;
  -  are effective in increasing children’s English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of teachers of ELLs/MLLs; and
  -  are of sufficient intensity and duration to have a positive and lasting impact on the teachers’ performance in the classroom. This does not include one-day or short-term events, unless as part of a teacher’s comprehensive professional development plan that is based on a needs assessment.
-  Provide community participation programs, family literacy services, and parent outreach and training to ELLs/MLLs and their families, and improve the instruction of ELLs/MLLs, which may include ELLs/MLLs with disabilities, by acquiring or developing educational technology and accessing electronic networks.
- Consultant costs should be itemized, reasonable and supportive of the language instruction educational program.
-  Offer early college high school or dual or concurrent enrollment programs or courses designed to help ELLs/MLLs achieve success in postsecondary education. This new provision presents a valuable opportunity to promote college and career readiness for ELLs/MLLs and to bridge their transition to postsecondary education.

TITLE III, Part A: Guidance on Allowable Expenditures

<p><b>CODE 45: SUPPLIES AND MATERIALS</b></p>	<ul style="list-style-type: none"> <li>• Items with a unit cost under \$5,000.</li> <li>• Title III funds may be used to identify, acquire, and upgrade curricula, instructional materials, and educational software, and assessment procedures.</li> </ul> <p><b>NOTE:</b></p> <ul style="list-style-type: none"> <li>• Supplies and materials should be supplemental and listed in clearly defined categories.</li> <li>• Materials, refreshments, transportation, etc. for parent involvement activities may be included.</li> <li>• Excessive costs for materials and supplies that take away from direct student services are not allowed.</li> </ul>
<p><b>CODE 46: TRAVEL EXPENSES</b></p>	<ul style="list-style-type: none"> <li>• Title III funds may be used to pay for costs of transportation, or such other costs as are directly attributable to supplemental instructional services.</li> <li>• Travel expenses for professional development should be itemized and include a purpose and destination.</li> </ul>
<p><b>CODE 80: EMPLOYEE BENEFITS</b></p>	<ul style="list-style-type: none"> <li>• Benefits can only be claimed for staff positions identified in Codes 15 and 16, in the same proportion as the FTEs.</li> </ul>
<p><b>CODE 90: INDIRECT COST</b></p>	<ul style="list-style-type: none"> <li>• The LEA may claim part, all, or none.</li> <li>• Indirect cost and/or professional salaries may not exceed the 2% limit for the total administrative cost.</li> </ul>
<p><b>CODE 49: BOCES SERVICES</b></p>	<ul style="list-style-type: none"> <li>• Provide high-quality professional development for all teachers, principals, and administrators, including early education teachers and other school or community-based organizational personnel that are designed to enhance their ability to understand and use curricula, assessment measures, and improve instructional strategies for ELLs/MLLs.</li> <li>• Title III funds may be used to provide family literacy, parent outreach, and training activities, with justification.</li> <li>• Title III funds may be used to provide tutorials, mentoring and academic or career counseling, with justification.</li> </ul>
<p><b>CODE 30: MINOR REMODELING</b></p>	<ul style="list-style-type: none"> <li>• NOT ALLOWED.</li> </ul>
<p><b>CODE 20: EQUIPMENT</b></p>	<ul style="list-style-type: none"> <li>•  All equipment items with a unit cost of no more than \$5,000. A purpose statement is required.</li> </ul>

- All equipment must be itemized, described to include quantity, unit cost and proposed expenditures, inventoried, and tracked.
  - Title III funds may be used to improve instruction for ELLs/MLLs and Immigrant Students by providing for:
    - the acquisition or development of educational technology or instructional materials;
    - access to, and participation in, electronic networks for materials, training, and communication; and,
    - the incorporation of the resources described into curricula and programs funded under Title III.
    - all equipment and materials that are for the exclusive use of ELLs/MLLs and Immigrant Students.
- NOTE:**
- Equipment should be supplemental and listed in clearly defined categories.
  - Excessive costs for materials and supplies that take away from direct student services are not allowed.



**A note about translating materials:** The use of Title III funds for translation and interpretation has now become allowable under the ESSA.

- LEAs may use Title III funds for the translated parental notification on ELL/MLL identification that is now required under Title I, Part A.
- Title III funds may be used to supplement an LEA’s activities if the LEA is already meeting its obligation to ensure meaningful communication with ELL/MLL parents in a language they can understand.
- Title III funds must supplement, not supplant, State, local, and other Federal funds. Title III funds cannot be used to fulfill an LEA’s obligation under Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act. Title III funds may not be used to translate required state exams.

**Resources:**

[ESSA Title III Guidance – English Learners](#) (September 23, 2016)

[Non-Regulatory Guidance: English Learners and Title III Program](#) October 5, 2016