January 25, 2023

Dear Colleague,

Our recovery from the COVID-19 pandemic will take more than just restoring the "pre-pandemic" education systems. To truly recover and reimagine education, we must take bold action to transform systems to address opportunity and achievement gaps. For the field of educational technology, it will require us to consider the ways in which technology can advance equity and should protect students at the same time. Additionally, it will require innovative work of piloting, refining, and scaling technologies that make a meaningful impact on the holistic learning and development of students or the "whole learner." These efforts must be built on a robust and streamlined infrastructure of devices, connectivity, capacity, and protections. Many schools and communities, particularly high-need schools and communities, lack the connectivity, resources, and support for teachers and leaders needed to implement digital learning strategies as a means to improve student achievement. The purpose of this letter is to provide information to State, district, and eligible partnership grantees on three core areas for maximizing investment in educational technology. Section 1 provides an overview and examples of Federal funds to support technology-based learning strategies. Section 2 provides example questions to support the selection of high-quality educational technology strategies.

Over the course of the COVID-19 pandemic, several rounds of emergency funds were provided to States, local educational agencies (LEAs), and schools[1] to respond to the impact of the COVID-19 pandemic on students in pre-K–12 education. The U.S. Department of Education (Department) released a combined FAQ to answer questions about the Elementary and Secondary School Emergency Relief (ESSER) Fund and the Governor's Emergency Education Relief (GEER) Fund. The combined FAQ highlights the variety of allowable uses of these funds to address pandemic response and recovery. Two uses that are particularly important in the context of educational technology are:

1. Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the LEA that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.

---

[1] Under ESSER, established in the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Pub. L. No. 116-136 (March 27, 2020), and further funded under the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, 2021, Pub. L. No. 116-260 (December 27, 2020) and the American Rescue Plan (ARP) Act of 2021, Pub. L. No. 117-2 (March 11, 2021), the Department awarded grants to State educational agencies (SEAs) for the purpose of providing LEAs that receive funds under part A of Title I of the Elementary and Secondary Education Act of 1965 (ESEA), including charter schools that are LEAs, with emergency relief funds to address the impact the COVID-19 pandemic has had, and continues to have, on elementary and secondary schools across the Nation. Under GEER, established in the CARES Act and further funded under the CRRSA Act, the Department awarded grants to Governors for the purpose of providing LEAs, institutions of higher education (IHEs), and other education-related entities with emergency support as a result of the COVID-19 pandemic. GEER funds for an LEA are intended to support its ability to continue to provide educational services to its students and to support the ongoing functionality of the LEA.

2. Addressing the academic impact of lost instructional time among an LEA's students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, including by—

   a. Administering and using high-quality assessments that are valid and reliable to accurately assess students' academic progress and assist educators in meeting students' academic needs, including through differentiating instruction.

   b. Implementing evidence-based activities to meet the comprehensive needs of students.

   c. Providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment.

   d. Tracking student attendance and improving student engagement in distance education.[2]

Other recent Federal funds are also available to support educational technology. In November 2021, the Infrastructure Investment and Jobs Act was signed into law and provided $65 billion for broadband. This historic investment brings with it increased coordination across Federal funding streams. The Department supports these efforts by contributing to the [Federal Broadband Funding Guide](https://tech.ed.gov/files/2023/01/2023.01_Dear_Colleague_Federal_Funding_Technology.pdf), which provides an overview of several of the Department's programs and other Federal agency programs that can be used to support increasing broadband access for students.

The enclosed document provides some examples of how funds under Titles I through IV of the Elementary and Secondary Education Act of 1965 (ESEA) and the Individuals with Disabilities Education Act (IDEA) may support the use of technology to improve instruction and student outcomes. Examples are limited to the ESEA and IDEA due to the scale of these programs, but funds from many other formula and competitive grant programs that are administered by the Department may also be used for this purpose. It is important to note that many other Federal formula and competitive grant programs allow funds to be used to support digital learning, even if the program statutes do not reference educational technology explicitly.

These examples clarify opportunities to use Federal grant funds to support digital learning, including: (1) improving and personalizing professional learning and other supports for educators; (2) increasing access to high-quality digital content and resources for students; (3) facilitating educator collaboration and communication; and (4) providing devices for educators and students to access digital learning resources. Funding in these four areas is important because technology itself is not a panacea. Technology can help improve learning and educational outcomes for students only when teachers are well supported with appropriate resources and have an opportunity to integrate technology with high-quality instruction.

Coordination of Federal program support can help maximize the impact of available resources. For example, a school incorporating digital learning in a Title I schoolwide program might use Title I, Part A

---

[2] This document uses various terms to discuss the ways technology can be incorporated into education, such as digital, online, and virtual learning. In most cases, we have selected the terms that were used in an authorizing statute for a particular program. These terms do not generally connote the types of pivots and shifts that happened during the pandemic in moving to "emergency remote learning." Rather, these terms refer to more general practices that have been used when integrating technology into educational contexts.

2

funds to provide digital learning resources to support all students and staff if this use is supported by the school's comprehensive needs assessment and schoolwide plan. In addition, the school might use Title II, Part A funds to help teachers improve their teaching through the use of effective blended learning practices, Title III, Part A funds to provide access to supplemental technology specifically for English learners (ELs), and Title IV, Part A funds to facilitate the use of open educational resources. Supplemental funds awarded to rural school districts through the Small, Rural School Achievement Program (SRSA) and the Rural and Low-income School Program (RLIS) may also be used to support technology instruction in schools.

Of course, any use of Federal education funds for these purposes must comply with applicable privacy laws and regulations, as well as the specific program requirements of each program.

We hope the examples and other information provided below will be helpful in your efforts to leverage advances in technology to improve student learning outcomes and advance equity.

Sincerely,
Roberto J. Rodríguez
Assistant Secretary
Office of Planning, Evaluation, and Policy Development

Enclosure

Leveraging Federal Funds for Teaching and Learning with Technology

There are a number of funding sources that can be used to fund different parts of the educational technology ecosystem. To support decision makers in understanding both the types of activities and their alignment with Federal funding streams, the U.S. Department of Education (Department) offers the examples below to help identify some of the ways in which grantees may use funds made available under the Elementary and Secondary Education Act (ESEA), Individuals with Disabilities Education Act (IDEA), Elementary and Secondary School Emergency Relief (ESSER), and Governor's Emergency Education Relief (GEER) to support teaching and learning with technology. These include activities such as professional development, the development and acquisition of digital materials and resources for students, educator communication and collaboration online, and providing devices for educators and students to access digital learning resources. Each Federal grant program has requirements that govern the use of funds, including allowable costs, eligible participants, and the requirement applicable to many Federal grant programs that Federal funds supplement, and not supplant, State and local (and, in some cases, other Federal) funds. The examples below highlight how a grantee might use Federal funds for technology consistent with these provisions, but individual expenditures should be evaluated on a case-by-case basis.

Section 1: Understanding the Federal Funding Landscape

1. Professional Development – Grantees may use program funds in several ways to help educators implement technology-enabled strategies equitably, use data systems to support and improve teaching, and provide educators with access to job-embedded, sustained, and collaborative professional development to support the effective use of technology.

    Support Educators Use of Digital Learning Tools
    Local educational agencies (LEAs) may use Title II, Part A funds to hire coaches to tailor professional development to the needs of individual educators for assistance in equitably integrating technology into curricula and instruction which may include training in safe and healthy online behaviors and digital literacy. For example, coaches might help educators learn to use selected devices, platforms, online assessments, or digital materials, or to implement technology-supported, content-specific instructional practice. ESEA sec. 2103(b)(3)(E)(i). Additionally, States and districts may use Title II, Part A and Title IV, Part A funds to support ongoing professional development on how to implement blended learning models and to support planning activities for blended learning programs. A district, for example, might use funds to provide initial professional learning for educators on effective blended learning model instruction, collaborative planning time, and ongoing, job-embedded professional learning opportunities to improve educator practice. These continuing opportunities could include access to digital professional learning resources, a collaborative community of practice, and/or coaching. ESEA secs. 2101(c)(4)(B)(ix); 2103(b)(3)(E)(i); 4109(a)(4).

    Leverage Technology to Expand Access to High-Quality Professional Development
    States and districts may use Title II, Part A funds to provide digital learning opportunities to support ongoing, job-embedded, collaborative, digitally-literate professional learning for educators, to help educators better understand the core content of the subject areas they teach, improve their instruction and teaching practice, demonstrate proficiency in using

technology to support teaching and learning, and thereby better prepare students for postsecondary education and the workforce. ESEA secs. 2101(c)(4)(B)(ix), (xvii), and (xviii); 2103(b)(3)(E)(i) and (b)(3)(M). School districts may also use Title I, Part A funds for similar purposes to benefit educators in Title I schoolwide programs or Title I educators in targeted assistance programs. ESEA secs. 1114(a)(1), (b)(7)(A)(iii)(IV); 1115(a), (b)(2)(d). In addition, States and districts may use Title III, Part A funds to provide supplemental professional development to teachers, principals, and other school leaders to help them provide more effective instruction to English learners (ELs) through digital or online methods. ESEA, secs. 3111, 3115.

Implement Systems to Collect, Manage, and Analyze Data
States and districts may use Title II, Part A funds to support programs that implement systems and supports for educators to learn and to effectively use data to improve instruction and decision-making for school improvement efforts that also protect student privacy. ESEA secs. 2101(c)(4)(B)(xx); 2103(b)(3)(E)(ii) and (b)(3)(H). Similarly, districts may use Title I, Part A funds to help educators in Title I schools manage and analyze student data to improve instruction and decision-making for school improvement efforts. ESEA secs. 1114(b)(7)(A)(iii)(IV); 1115(b)(2)(d).

2. Student Materials, Resources, and Support – Federal funds may also be used by grantees to provide access to digital materials to better support students.

   Provide Access to Digital Resources
   States and districts may use Title IV, Part A funds to help educators better discover, use, and share digital content. This might include training educators to find and adapt relevant Open Educational Resources (OER). ESEA secs. 4104(b)(3)(C)(vi) and 4109.

   Enhance Instruction for English Learners with Digital Resources
   Districts may use Title III, Part A funds to improve instruction for ELs, including those with a disability, by acquiring and upgrading curricula and programs, using digital learning resources and software, including materials in languages other than English, although such use of funds must be supplemental to the district's civil rights obligation to serve ELs. ESEA sec. 3115(d)(2) & (7).

   Support Universal Design Principles and the Use of Technology in the Classroom for Students with Disabilities
   States may use IDEA, Part B section 611 funds reserved for authorized State-level activities, other than administration, to support activities to help reduce paperwork including expanding the use of technology in the individualized education program (IEP) process for children with disabilities, parents, and teachers; to improve the use of technology in the classroom by children with disabilities to enhance learning; and to support the use of technology, including technology with universal design principles and assistive technology devices, to maximize accessibility to the general education curriculum for children with disabilities. IDEA sec. 611(e)(2)(C)(ii), (e)(2)(C)(iv), and (e)(2)(C)(v). Districts may use their IDEA, Part B funds to provide the specific assistive technology devices and services that the IEP Team identifies in the IEP as necessary for an

individual child with a disability to receive a free appropriate public education under IDEA. IDEA secs. 613(a)(2)(A)(i); 614(d)(3)(B)(v); 614(d)(4)(A).

3. Educator Communication and Collaboration – Federal funds may be used by grantees for technology to enhance collaboration among educators, subject matter experts, and parents/caregivers, as well as members of the school community.

    Use Technology to Communicate with Parents
    States may use IDEA, Part D State Personnel Development Grants (SPDG) to encourage and support the training of both special education and general education teachers and administrators who provide early intervention, educational, and transition services to improve results for children with disabilities to effectively use and integrate technology into curricula and instruction to improve teaching, decision making, school improvement efforts, and accountability; to enhance learning by children with disabilities; and to effectively communicate with parents of students with disabilities. IDEA sec. 654(a)(2)(A)-(C).

    Use Technology to Connect Educators with Science, Technology, Engineering, and Mathematics (STEM) Professionals
    States and districts may use Title IV, Part A funds to purchase software and devices that are an essential component of a grantee's plan to facilitate collaboration between schools and practicing scientists or engineers, and to increase access to science, technology, engineering, math, and computer science courses. ESEA secs. 4104(b)(3)(A)(i)(I); 4107(a)(3)(C)(v).

4. Devices & Connectivity – Federal funds may be used by grantees to purchase devices and internet connectivity for students to access digital learning materials and collaborate with peers and educators.

    Address Shortfalls
    Districts may use Title IV, Part A funds to build technological capacity and infrastructure by purchasing devices, equipment, and software applications to address shortfalls. Districts may not use more than 15 percent of the funds provided under ESEA section 4109(a) for this purpose. ESEA sec. 4109(a)(2); (b).

    Respond to the Impacts of the Coronavirus
    Districts may use ESSER and/or GEER emergency relief funds to purchase educational technology (including hardware, software, and connectivity) that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.

While the Department does not have programs specifically designated for broadband access, there are several programs that may be flexibly leveraged towards activities to promote digital equity and inclusion. More information about those programs and the unique flexibilities that each provides, including allowable uses, can be found on the BroadbandUSA Federal Funding site.

Section 2: Questions for Selecting Educational Technology Strategies (i.e., Systems, Models, Platforms, and Tools)

In this section, we highlight a number of questions that can help support decision-making related to the critical areas of needs assessment, policy and infrastructure, alignment with instructional approach, professional learning, and evidence.

This set of questions can be used to guide a school- or district-level leadership team through priority considerations for **a needs assessment**. A well-conducted needs assessment can help identify the most pressing concerns and determine whether a technological solution can help to meet these concerns.

1.   What are the team's practices for needs assessment and decision-making?
    a.   Are individuals representing different constituent groups, especially those who have been traditionally underserved, from the State educational agency (SEA) or LEA included in planning assessment activities, collecting, and organizing data, interpreting information, determining priorities, and driving implementation?
    b.   Does the needs assessment design help to disentangle technological inputs from non-technological inputs?
    c.   What processes do you have in place to leverage the strengths and respective time commitments of each member of the needs assessment team?
    d.   Will the needs assessment strategically leverage both informal conversations and systematic gathering of both quantitative and qualitative data to identify needs?
2.   What processes does the team have in place for interpreting the result of a needs assessment? Particularly, how will the team control for bias in this interpretation?
3.   What protocols or plans does the team have for continuing to refine the needs assessment during the piloting and scaling of new technology strategies?

This set of questions can guide a leadership team through important considerations for determining alignment between **policy and infrastructure** considerations and potential strategies or administrative tools (e.g., student information systems and learning management systems) that are being considered.

1.   Does your SEA maintain procurement standards, consistent with the Uniform Guidance requirements (2 CFR Part 200), that must be considered in a selection process?
2.   Is the strategy included on a list of vetted and competitively priced instructional materials or devices to select from the SEA, regional consortia, or LEA?
3.   Do the contractual agreements or terms of service provided by this potential partner meet core obligations and best practices surrounding data privacy?
4.   Does the potential partner observe and clearly identify cybersecurity best practices and breach protocols?
5.   Do the materials align with accessibility guidelines? Are they perceivable, operable, understandable, and robust enough to make sure all students can use them?
    a.   Have the materials been evaluated by a third party to assess their compliance with accessibility standards?

b. If the strategy integrates educator created materials, does it also offer supports and features for helping improve the accessibility of those materials?

c. Does the program include features for granting students, especially students with disabilities, multiple means of accessing the curriculum?

6. What interoperability standards are used to ensure the strategies will be able to validate results and share data across appropriate systems? (e.g., learning tools interoperability (LTI), application programming interface (API), single sign-on (SSO), etc.)

7. What options will leadership have for maintaining and retrieving the data collected by the strategy if the agreement is not renewed, or the provider is unable to complete the contract performance?

8. Is the strategy compatible with all relevant devices authorized for use in schools and districts? Would the new strategy offered by the potential partner adequately function on the device?

    a. Does the strategy offer sufficient flexibility to support students' continued instruction and progress on strategy materials once they leave the school building, including options for low bandwidth/ or offline settings?

    b. Does the device integrate with current storage and maintenance systems?

This set of questions can guide leadership through important considerations in selecting strategies that align with an ideal **instructional approach.**

1. Does the strategy create ample opportunity for students to:
    a. Engage in creative and collaborative project-based work?
    b. Engage in self-regulated learning strategies?
    c. Engage in abstract practice and procedural problems?
    d. Exercise choice and agency in their terms of place, pace, and mode of learning?
    e. Access integrated social emotional learning supports?
    f. Adapt materials to their specific learning needs?

2. What processes do the team have in place for letting a broad range of potential partners understand our instructional approach and learning needs?

This set of questions can guide leadership through important considerations in selecting strategies that provide and complement existing **professional learning** supports:

1. What kind of professional learning will your team and the potential partner organize to support educators in adapting their pedagogy and practice? Will it:
    a. Connect to specific content and standards?
    b. Incorporate active learning?
    c. Leverage job-embedded, collaborative practices?
    d. Include coaching?
    e. Provide sustained and continuous supports?
    f. Align to relevant goals for school improvement and equitable outcomes?
    g. Deepen capacity and understanding regarding digital literacy and online health & safety?

This set of questions can guide leadership through important considerations for determining the level of **evidence** associated with a potential strategy.

1. On a continuum between anecdotal, correlational, and causal, what kind of evidence is available to support this strategy?

2. How [rigorous](#) was the study design for statistical evidence gathered to support this strategy?
3. Where formal research has been conducted, how similar is our context to the context of the research study(ies) supporting this strategy, especially in factors such as vision for teaching & learning, infrastructure & operations, professional learning, and competing priorities?
4. Did the study gather evidence related to a single outcome or multiple outcomes? If only a single outcome is reported, what additional information could be provided to support inferences for additional outcomes?
5. What flexibilities do the terms of service provide to report research results about this strategy to a wider community about the effectiveness of this product?
6. Does the contract contain language that would stop us from sharing outcomes either positive or negative?

These are just a few examples of allowable uses of grant program funds that may support the development, implementation, and expansion of technology-based approaches to help improve student achievement and educator effectiveness. To identify further opportunities, please review the statutes, regulations, and guidance for each Federal program. Additional resources on the use of technology to support learning are available at tech.ed.gov. If you have any questions about this document, please contact the Office of Educational Technology or the offices administering ESSER and GEER, Titles I, II, III, or IV of the ESEA, or IDEA, directly. Contact information is provided below.

U.S. Department of Education Contacts

Educational Technology Kristina Ishmael, Deputy Director Office of Educational Technology Kristina.Ishmael@ed.gov	**ESSER and GEER** Britt E. Jung, Group Leader Office of State & Grantee Relations, Office of Elementary and Secondary Education Britt.E.Jung@ed.gov
Title I, Part A; Title II, Part A; Title III, Part A Patrick Rooney, Director Office of School Support and Accountability, Office of Elementary and Secondary Education OESE.Titlei-a@ed.gov OESE.Titleii-a@ed.gov OESE.Titleiii-a@ed.gov	**Title IV, Part A** Hamed Negron-Perez, Education Program Specialist Office of Safe and Supportive Schools, Office of Elementary and Secondary Education Hamed.Negron-Perez@ed.gov
IDEA State lead listed: https://www2.ed.gov/policy/speced/guid/idea/monitor/state-contact-list.html Monitoring and State Improvement Planning, Office of Special Education Programs	