



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

**FEB 2 5 2016**

Dear Chief State School Officer:

I would like to take this opportunity to applaud the hard work that has taken place in States, local educational agencies (LEAs), and schools across the nation this year. You have each done a tremendous amount of work to address your State's most pressing education challenges and to enhance the support to educators and students. As summer nears, I know that many of you are thinking about how to leverage existing resources to ensure meaningful summer learning opportunities for students.

As you know, summer can be a stressful time as families seek to ensure that students stay actively engaged in learning outside of the traditional school year. With this in mind, I am writing to remind you that Federal funds may be used to support robust summer learning in a number of programs under the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001 (ESEA). In addition, programs supported by other Federal legislation, including the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV), the Workforce Innovation and Opportunity Act (WIOA), and the Individuals with Disabilities Education Act (IDEA), may support summer learning opportunities. I encourage you to continue working to ensure that LEAs and schools in your State understand that they may use remaining fiscal year 2015<sup>1</sup> Federal funds under these programs for summer learning, and to work in a timely manner with LEAs and schools interested in updating their budgets and plans to use funds for this purpose.

Among the ESEA programs under which opportunities for summer learning are allowable, there are two in which summer learning is a particularly good fit. Title I, Part A (Title I) funds may be used to support a variety of extended learning time (ELT) opportunities for students consistent with applicable statutory and regulatory requirements. These opportunities include summer school for eligible students. In particular, Title I funds may be used to support ELT opportunities for all students in Title I schools operating schoolwide programs and for those students identified as most at risk of failing to meet the State's academic achievement standards in Title I schools operating targeted assistance programs. An LEA generally may not use Title I funds to pay for ELT in Title I schools while also using non-Title I funds to support ELT in non-Title I schools. However, an LEA that wants to provide ELT programs *for only low-achieving students* in both its Title I and non-Title schools may be able to do so, consistent with 34 C.F.R. § 200.79. If an LEA or school wants to provide ELT services that include both academic and non-academic enrichment activities, it might consider using Title I, Part A funds, as appropriate, for the academic component and partnering with community organizations to provide the non-academic

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<sup>1</sup> Please see the January 28, 2016 Dear Colleague Letter for information on formula funds for school years 2015-2016 and 2016-2017, as it relates to orderly transition to the Every Student Succeeds Act. Available at <http://www2.ed.gov/policy/elsec/leg/essa/index.html>.

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*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

activities. Title I funds may also be used for summer activities designed to help prepare eligible students for the upcoming school year. For example, funds might be used for a summer academy to help eligible 8<sup>th</sup> grade students transition to high school. Similarly, funds might be used for a summer program to prepare eligible students to succeed in higher-level courses.

Title IV, Part B of the ESEA authorizes the 21<sup>st</sup> Century Community Learning Centers (CCLC) program, which supports the creation and expansion of community learning centers that provide academic enrichment opportunities during non-school hours for children, particularly students who attend high-poverty and low-performing schools. The program helps students meet state and local academic achievement standards in core academic subjects, such as reading and math; offers students a broad array of academic enrichment activities that can complement their regular academic programs; and offers literacy and other educational services to the families of participating children.

Under the 21<sup>st</sup> CCLC program, an eligible entity that presently has a subgrant from the State may be eligible to receive additional funds under the program to carry out activities in the summer that advance student academic achievement. As we approach the summer months, a State that has funds remaining from its grant competition(s) may use those remaining funds to expand or enhance current activities in the summer, or to expand programs in non-participating schools within an LEA that has a 21<sup>st</sup> CCLC subgrant. When considering adding additional funds, States should use program performance data and other evidence-based practices to develop summer learning programs that would yield measurable results.

To support implementation of the 21<sup>st</sup> CLCC program, the U.S. Department of Education (ED) facilitates an on-line community focused on identifying, highlighting, sharing, and scaling best practices related to high-quality summer programs that result in reduction of the learning lag. The portal provides resources and tools to help design and implement effective summer learning programs, and includes creative ideas, such as aligning summer programming with resources and activities from the National Park Service to learn about the great outdoors, creating summer reading programs, visiting museums, and participating in summer community events. This online community is available at <https://y4y.ed.gov/summerlearning>.

In addition, ED is working in coordination with the U.S. Department of Labor (DOL) to strengthen, improve, and support the public workforce system through implementation of WIOA. WIOA requires an integrated approach to planning, implementation, and administration of six core programs designed to prepare youth and adults for successful workforce participation and continued educational achievement. The core programs include the ED-administered Adult Education and Family Literacy Act (AEFLA) program, for which out-of-school youth who are at least 16 years of age are eligible. Under AEFLA, 82.5 percent of a State's funds must be awarded to local eligible providers who offer a range of adult education and literacy services, including instruction and services below the postsecondary level that increase an individual's ability to attain a secondary school diploma or recognized equivalent, transition to postsecondary education and training, and obtain employment. Another WIOA core program, the DOL-administered Title I youth formula program, requires that 75 percent of funds be used on services for out-of-school youth which will, in turn, help young adults obtain high school diplomas, prepare for and successfully complete postsecondary education and training, and achieve high levels of career readiness. Local areas must spend at least 20 percent of youth formula funds on work experience activities such as summer jobs, pre-apprenticeship, on-the-job training, and internships so that youth can be prepared for employment.

If you have any additional questions regarding Title I of the ESEA or the 21<sup>st</sup> CCLC program, please do not hesitate to contact one of the program officers for your State in the Office of State Support or the Office of Academic Improvement. If you have questions regarding Perkins IV, please contact Edward Smith in the Office of Career, Technical and Adult Education (OCTAE) at [edward.smith@ed.gov](mailto:edward.smith@ed.gov). Questions regarding adult education programs under WIOA may be addressed to Christopher Coro in OCTAE at [christopher.coro@ed.gov](mailto:christopher.coro@ed.gov). Questions regarding IDEA may be addressed to Matthew Schneer in the Office of Special Education Programs at [matthew.schneer@ed.gov](mailto:matthew.schneer@ed.gov).

Thank you again for your commitment to improving educational outcomes for all students. We look forward to our continued partnership in this critical work.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann Whalen". The signature is fluid and cursive, with the first name "Ann" and the last name "Whalen" clearly distinguishable.

Ann Whalen

Senior Advisor to the Secretary Delegated the  
Duties of Assistant Secretary for Elementary  
and Secondary Education

cc: State Title I Directors  
State 21<sup>st</sup> CCLC Directors  
State Career and Technical Education Directors  
State Special Education Directors