MEMORANDUM

TO: Finance Committee

FROM: Katema Ballentine, Business Office

DATE: August 13,2020

SUBJECT: Learning Loss Mitigation Funding (LLMF)

**CARES Act GEER Funding**

The Learning Loss Mitigation Funding (LLMF), authorized by the 2020–21 budget package, appropriates $5,334,997,000 from three different funding sources to be allocated to local educational agencies (LEAs) in order to support transitional Kindergarten through 12th grade pupil academic achievement and mitigate learning loss related to COVID-19 school closures.

The LLMF is comprised of three different funding sources: $355,227,000 CARES Act Governor's Emergency Education Relief (GEER) funds, $4,439,844,000 CARES Act Coronavirus Relief (CR) Fund, and $539,926,000 from the state General Fund (GF).

Funds apportioned to LEAs from the GEER Fund are to be used from March 13, 2020, to September 30, 2022, inclusive, and all other funds apportioned pursuant to the Learning Loss Mitigation Funds shall be used from March 1, 2020, to December 30, 2020, for activities that directly support pupil academic achievement and mitigate learning loss related to COVID-19 school closures, and shall be expended for any of the following purposes:

**Application for Funds**

Eligible LEAs must complete an application by July 15, 2020, in order to receive funds through the first apportionment, expected to go out starting September 2020.

**Use of Funds**

(1) Addressing learning loss or accelerating progress to close learning gaps through the implementation, expansion, or enhancement of learning supports that begin before the start of the school year and the continuation of intensive instruction and supports into the school year.

(2) Extending the instructional school year by making adjustments to the academic calendar, increasing the number of instructional minutes provided during each week or school day, or taking any other action that increases the amount of instructional time or services provided to pupils based on their learning needs.

(3) Providing additional academic services for pupils, such as diagnostic assessments of pupil learning needs, intensive instruction for addressing gaps in core academic skills, additional instructional materials or supports, or devices or connectivity for the provision of in-classroom and distance learning.

(4) Providing integrated pupil supports to address other barriers to learning, such as the provision of health, counseling, or mental health services, professional development opportunities to help teachers and parents support pupils in distance-learning contexts, access to school breakfast and lunch programs, or programs to address pupil trauma and social-emotional learning.

**PART II: Other Assurances for Learning Loss Mitigation Funds Ivy Academia assures that:**

(1) As a condition of receipt of these funds:

The checkbox was selected, certifying that I have read the applicable certifications, assurances, terms, and conditions identified on this grant application and I agree to comply with all requirements as a condition of funding.

(a) An eligible LEA shall certify that funding received will be used in full compliance with federal law, as detailed in the GEER and CR Fund assurances below, and shall adopt, on or before September 30, 2020, at a regularly scheduled meeting of the governing board or body of the LEA, a learning continuity and attendance plan pursuant to Section 43509 of the Education Code.

(b) This does not preclude an eligible LEA from receiving or expending funds before the adoption of its learning continuity and attendance plan for the 2020–21 school year.

(c) Each eligible LEA shall maintain a file of all receipts and records of expenditures made pursuant to this section for a period of no less than three years, or, where an audit has been requested, until the audit is resolved, whichever is longer. Receipts and records that are required to be retained by each eligible local educational agency shall be made available to the Superintendent, upon request. The Superintendent shall take action to recoup any federal disallowances of funds allocated to eligible local educational agencies, as applicable.

(d) An eligible LEA shall report, on or before August 31, 2020, the balance of any unexpended funds received from the CR Fund to the Superintendent. Funds that are not expended by December 30, 2020, shall be reported to the Superintendent within 30 days, and the Superintendent shall initiate collection proceedings.

(e) An eligible local educational agency shall report, on or before August 31, 2021, the balance of any unexpended funds received from the GEER Fund to the Superintendent. Funds that are not expended by September 30, 2022, shall be reported to the Superintendent within 30 days, and the Superintendent shall initiate collection proceedings.

GEER Fund PART I: General Assurances for Local Educational Agencies (LEAs) For any GEER funds received, Ivy Academia will comply with the requirements in Section 442 of the General Education Provisions Act (GEPA) (20 U.S.C. 1232e):

1. The LEA will administer each program covered by the application in accordance with all applicable statutes, regulations, program plans, and applications;
2. The control of funds provided to the LEA under each program, and title to property acquired with those funds, will be in a public agency and that a public agency will administer those funds and property;
3. The LEA will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, federal funds paid to that agency under each program;
4. The LEA will make reports to the State agency or board and to the U.S. Secretary of Education, as requested, as may reasonably be necessary to enable the State agency or board and the Secretary to perform their duties and that the local educational agency will maintain such records, including the records required under Section 1232f of this title, and provide access to those records, as the State agency or board or the Secretary deem necessary to perform their duties;
5. The LEA will provide reasonable opportunities for the participation by teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of each program;
6. Any application, evaluation, periodic program plan or report relating to each program will be made readily available to parents and other members of the general public;
7. In the case of any project involving construction, the LEA will provide reasonable assurances that–

(a) the project is not inconsistent with overall State plans for the construction of school facilities, and

(b) in developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed by the Secretary under Section 794 of title 29 in order to ensure that facilities constructed with the use of Federal funds are accessible to and usable by individuals with disabilities;

1. The LEA has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in each program significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects;

(9) None of the funds expended under any applicable program will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization. (20 U.S.C. 1232e)