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FISCAL REPORT

Ask SSC . . . Are the Learning Loss Mitigation Funds Restricted to the Student Populations That Generate Those Funds?



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Q. Are the Learning Loss Mitigation funds in the 2020–21 Enacted State Budget restricted to the population of students that generate those funds?

A. Before we answer your question, let's provide some background and context of the Learning Loss Mitigation funds that are included in the 2020–21 Enacted State Budget.

The 2020–21 State Budget Act includes \$5.3 billion (\$4.8 billion in federal Coronavirus Aid, Relief, and Economic Security [CARES] Act dollars and \$540 million in Proposition 98 funding) to assist local educational agencies (LEAs) in mitigating learning loss related to COVID–19 school closures. Senate Bill 98, the education omnibus budget trailer bill, stipulates that the funding be distributed via the following formulas:

- \$1.5 billion based on the 2019–20 fall 1 census enrollment of students with disabilities ages 3 to 22
- \$2.86 billion based on LEAs Local Control Funding Formula (LCFF) supplemental and concentration grant funding using the 2019–20 Second Principal Apportionment (P–2) certification
- \$980 million based on the proportion of LCFF funds using the 2019–20 P–2 certification

Now, with that context in mind, we can begin to answer the question you posed about the restriction of these funds. While the Learning Loss Mitigation funds are calculated based on three funding formulas using student-specific data, the language does not restrict those funds to be spent exclusively on the student populations that generate them, but rather be used to generally support academic achievement and mitigate learning loss related to COVID–19 school closures. Specifically, statute stipulates that the Learning Loss Mitigation funds are to be expended for any of the following purposes:

- Addressing learning loss or accelerating progress in order 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
- 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

- 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
- 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 the context of distance learning; access to school breakfast and lunch programs; or programs to address pupil trauma and social-emotional learning

It is also important to consider that receipt of the Learning Loss Mitigation funds are contingent upon the completion of an application for funds, the adoption of certain assurances, and the adoption of a Learning Continuity and Attendance Plan (Learning Continuity Plan) by September 30, 2020 (see "[CDE Hosts Webinar on the Learning Continuity Plan Template](#)" in the July 2020 *Fiscal Report*), as well as specified reporting requirements of unexpended funds. This means that while the Learning Loss Mitigation funds are not mandated to be spent on the student populations that generate them, the local stakeholder process required in the development of your Learning Continuity Plan may result in those funds being targeted to those students.

For more information on these funds we invite you to review our [COVID-19 resources table](#) and the California Department of Education's Learning Loss Mitigation [webpage](#), which includes the allocation schedule for the funds, source data, and frequently asked questions section.