



## Online and Blended Learning Options for the 2021-22 School Year

During the COVID-19 peacetime emergency, Minnesota public schools were required to offer a distance learning option for families. The peacetime emergency has ended, but many school districts and charter schools would like to continue offering these options for their students and families. The Minnesota Department of Education (MDE) has created a provisional, expedited approval process for online and blended learning so that districts and schools can continue to meet the needs of all students and families. In the 2021-22 school year, schools that are not already approved online learning providers may choose to offer to their resident and previously-enrolled students:

1. [Blended learning](#) where students learn primarily in the building but receive instruction online for up to 20% of their weekly schedule. There is **no requirement to notify MDE** if providing this option.
2. [Blended learning](#) where students learn primarily in the building but receive instruction online for 21% to 50% of their weekly schedule. Districts and charter schools **must notify and submit program information** to MDE for this option.
3. [Blended learning](#) where students receive instruction online for more than 50% of their weekly schedule. Districts and charter schools **must apply for provisional approval as an online learning provider**.
4. [Online learning](#) where students learn fully online away from a school building for one or more courses. Districts and charter schools **must apply for provisional approval as an online learning provider**.

It is important to note that school districts may only *offer* the above options to families and students, they cannot require families and students to opt-in to a blended or online learning option.

### *Do we need to notify MDE?*

Yes	No
<ul style="list-style-type: none"><li>• Districts and charter schools who want to offer blended learning where students learn primarily in the building but receive instruction online for <b>21% to 50% of their scheduled time</b> outside of a school building (#2 above).</li><li>• Districts and charter schools who want to offer blended learning where students learn primarily in the building but <b>receive instruction online for more than 50% of their scheduled time</b> outside of a school building (#3 above).</li><li>• Districts and charter schools that want to offer online learning where students <b>learn fully online away from a school building for one or more courses</b> (#4 above, except existing programs).</li></ul>	<ul style="list-style-type: none"><li>• Existing State-approved online providers.</li><li>• Districts and charter schools who offer <b>blended learning on-site to students who are regularly attending a school building</b>. This can include up to 20% of their scheduled time learning outside of a school building (#1 above).</li><li>• Districts and charter schools who will cooperate with an existing state-approved online learning provider to serve their online or hybrid students. This does not include private online vendors.</li><li>• Districts and charter schools who offer individual courses that blend on-site and digital learning where students attend the course on-site at least one scheduled period per week.</li></ul>

## Blended Learning

"Blended learning" is a form of digital learning that occurs when a student learns part-time in a supervised physical setting and part-time through digital delivery of instruction, or a student learns in a supervised physical setting where technology is used as a primary method to deliver instruction. *Minnesota Statutes 124D.095 Subd. 2.*

### 1. Blended Learning with up to 20% Online Instruction

Districts and charter schools may provide digital learning to their own enrolled students under Minnesota Statutes 124D.095 Subd. 7 (d). This can include "blended learning" models where students who are regularly attending a school building engage in up to 20% of their scheduled instructional time online, outside of a school building. Such programs do not require approval or reporting to MDE but should review the [Blended Learning Statutes and Recommended Elements and Best Practices](#).

### 2. Blended Learning with 21-50% Online Instruction

Districts and charter schools may provide digital learning to their own enrolled students under Minnesota Statutes 124D.095 Subd. 7 (d). This can include "blended learning" models where students who are regularly attending a school building engage in 21% to 50% of their scheduled instructional time online, outside of a school building. These programs must notify MDE by August 2, 2021, using the [program proposal](#) form and should review and submit the [Blended Learning Statutes and Recommended Elements and Best Practices](#) (see Appendix A). These statutes and best practices include communication with families, teacher schedules and workloads, and other key elements to ensure quality and equity-focused programs.

### 3. Blended Learning with >50% Online Instruction

Districts or charter schools who offer an instructional model where more than 50% of the scheduled instructional time occurs online must, by August 2, 2021, apply for provisional approval as an online learning provider using the [program proposal and assurances](#) form. These assurances include statutes and best practices such as communication with families, teacher schedules and workloads, and other key elements to ensure quality and equity-focused programs.

## Online Learning

"Online learning" is a form of digital learning delivered by an approved [online learning provider](#) under paragraph (d). Minnesota Statutes 124D.095 Subd. 2 (c).

### 4. Fully Online Instruction

Districts or charter schools who offer online learning, where students learn fully online away from a school building for one or more courses must, by August 2, 2021, apply for provisional approval as an online learning provider using the [program proposal and assurances](#) form. These assurances include statutes and best practices such as communication with families, teacher schedules and workloads, and other key elements to ensure quality and equity-focused programs.

## Becoming a State-approved Online Provider: Required for Option 3 and Option 4

MDE is providing an expedited online program approval process for the 2021-22 school year. The process is designed to provide a pathway for districts and charter schools who have not yet become state-approved online providers to do so while maintaining high-quality standards and the integrity of the review process. Recognizing that districts and charter schools have a range of needs and capacities, there are three “tiers” of the expedited approval process:

- I. **Provisional approval** is granted for the first semester to districts and charter schools who submit their program proposal and signed assurances form.
- II. **Extending approval** for the second semester is available to districts and charter schools who submit four required pieces of the application: staff assignments, instructional model, special education plans and curriculum alignment.
- III. **Full approval** (equal status with existing approved programs) is available to districts and charter schools participating in cohort-based program evaluation and development during the second semester.

### Provisional approval

*The following tasks and deadlines apply to programs that offer online instruction for more than 50% of students’ weekly schedule or offer fully online learning for one or more courses during the first semester of the 2021-22 school year. Once submissions are reviewed and accepted, applicants will be notified of their status on or before August 16, 2021.*

Deadline	Task
August 2, 2021	Submit the <a href="#">online program information and assurances form</a> .

### Extended approval actions and timeline

*The following tasks and deadlines apply to districts and charter schools that received provisional approval and **wish to extend their program into the second semester**. Once submissions are reviewed and accepted according to the timeline below, applicants will be notified of their status on or before December 6, 2021.*

*Each of the tasks below are under development. More information, support and submission instructions will be provided.*

Deadline	Task
October 1, 2021	Submit updated Staff Automated Reporting (STAR) report listing all teachers in the online program and their assignments.
October 1, 2021	Submit sample weekly schedules indicating how instruction is provided for the various grade bands they serve (K-2, 3-5, 6-8, 9-12) that includes: 1) modality (synchronous/asynchronous); 2) required vs. optional activities; 3) opportunities for individual instruction, peer interaction or collaboration.

Deadline	Task
November 1, 2021	Submit information about the programming and supports for students receiving special education services.
November 1, 2021	Submit documentation illustrating curriculum aligned with current Minnesota K-12 Academic Standards and benchmarks where they exist or national/locally-developed standards.
January 31, 2022	Districts and charters seeking <b>full approval</b> will notify MDE of their intent to either continue the approval process or cease to offer online learning beyond school year 2021-22.
Semester 2 (school year 2021-2022)	Applicants seeking <b>full approval</b> participate in cohort-based professional development activities.
June 1, 2022	Programs completing the requirements of the full approval process receive notification from MDE.

## Questions and Answers

### How are blended and online learning different?

*"Blended learning" is a form of digital learning that occurs when a student learns part-time in a supervised physical setting and part-time through digital delivery of instruction, or a student learns in a supervised physical setting where technology is used as a primary method to deliver instruction. Minnesota Statutes 124D.095 Subd. 2 (b)*

In practice, blended learning includes instructional techniques that incorporate technology like station rotation, flipped classroom, flex learning, etc. Since some of these instructional modalities can find students learning outside of a classroom or even a school building, we draw distinctions based upon how much of a student's schedule is spent online: 20% or less, 21-50%, or more than 50%.

*"Online learning" is a form of digital learning delivered by an approved online learning provider under paragraph (d). Minnesota Statutes 124D.095 Subd. 2 (c).*

Fully online courses are those where students are learning using technology not in a school building. In Minnesota, to offer such courses and receive public school funding, the district or charter school must have an approved application as an online learning provider.

### What considerations should be made regarding teacher workloads and assignments?

We recommend districts and charter schools use best practice when determining teacher schedules, assignments and workloads. This includes schedules that do not require concurrent online and in-person

teaching, adding additional teacher preparation time, and recognizing that online instruction requires significant time and resources.

### **Can we require that every student participates in some form of blended or online learning?**

No. Alternative instructional models such as blended or online learning will be a **choice** for students. **These schedule options can be offered but not required.**

### **Can we contract with a third party vendor?**

Districts and charter schools may contract with vendors for software, curriculum and other services. However, the district or charter school may not:

- Contract for teachers employed by a non-public entity (except for short-term substitutes). Public school teachers must be public employees of the district or charter school.
- Relinquish administrative control and oversight of curriculum and/or instruction. Curriculum must align with Minnesota's K-12 Academic Standards and benchmarks and allow students to meet graduation requirements.
- Pass through public education funds for private uses like enrollment incentives, technology, memberships, or equipment that becomes property of the student other than consumables that are required by the curriculum.

### **Can we cooperate with other online providers?**

Districts and charter schools may make agreements with existing state-approved online providers to serve their own enrolled students with online and blended options. Agreements can be made between the entities to share revenue and provide services. Cooperative agreements allow flexibility for districts or charters to share staff and create more opportunities for students to take a wider variety of courses.

The expedited process described in this document is only required for districts and charter schools that are providing these opportunities themselves and not those cooperating with other state-approved online providers.

### **What does this guidance mean for existing online learning providers?**

Districts and charter schools that are state-approved online learning providers may continue to offer online courses as they have always done with no additional requirements or reporting.

### **Why was this guidance and expedited process created?**

Schools were required to offer distance learning and hybrid options during the 2020-21 school year. Students, families and schools are expressing the desire and need to continue with flexible learning options during the 2021-22 school year. Since the executive orders were rescinded and there was no action taken by the Minnesota Legislature, MDE clarified what forms of digital learning are allowed under Minnesota Statutes 124D.095 Subd. 7 (d) and created a provisional, expedited application approval process for school districts and charter schools to become state-approved online providers.

### **Can we continue to offer flexible learning options that were in place before the COVID-19 pandemic?**

Yes, schools that were offering blended learning options such as blended courses, credit recovery and independent study before the pandemic can continue to offer those options to students according to existing requirements and statutes.

### **Who do I contact with questions?**

Email [mde.onlinelearning@state.mn.us](mailto:mde.onlinelearning@state.mn.us).

## Appendix A: Blended Learning Statutes and Recommended Elements and Best Practices

Minnesota public schools offering blended learning where students learn primarily in the building but receive **instruction online for 21% to 50% of their weekly schedule** must provide program information to MDE that includes a review and submission of the Blended Learning Statutes and Recommended Elements and Best Practices below. These programs must submit by August 2, 2021 using the [program proposal](#) form.

1. Communicate with the board, community, parents and students that you will be offering a blended learning option during the 2021-22 school year.
2. The district or charter school has developed the blended instructional model in collaboration with educator bargaining units (if applicable) to consider teacher workload or assignments.
3. Ensuring that all students continue to receive transportation, nutrition services and other critical components of education, any alternative instructional models such as blended and online learning will be a choice for all students at the identified grade levels. These schedule options can be offered but not required. School districts and charter schools must establish a process and timeline for when students can opt in or out of the online program.
4. Only resident or previously-enrolled students may participate in the program.
5. Instruction during digital learning time is provided by the student's regular teacher(s). The contract of a teacher employed by a district or charter school must meet the requirements of Minnesota Statutes, section 122A.40 or 122A.41, and a charter school must employ or contract with a teacher in accordance with Minnesota Statutes, section 124E.12, subdivision 1.
6. Teachers perform all duties described in Minnesota Rule 8710.0310 defining Teacher of Record.
  - i. *"Teacher of record" means an individual who is responsible for the planning, instruction, and assessment of students in a classroom and authorized to grant students credit for meeting standards attributed to the content taught, or is part of a co-teaching assignment and has shared responsibility for planning, instruction, and assessment of students in a classroom.*
7. Instruction is provided to students using evidence-based practices that include regular, teacher-initiated, meaningful interaction between teachers and students consistent with the required days and hours of instruction.
8. Attendance for membership is taken and records are kept. Such records must be consistent with the district's attendance policy and meet requirements of Minnesota Statutes 120A.22.
9. Students identified as English learners are provided with instruction by a teacher licensed to teach bilingual education or English as a second language, and differentiated instruction in all courses consistent with state and federal law, and communicate with the families of students identified as English learners and encourage their involvement in the students' educational program.
10. The curriculum aligns with Minnesota K-12 Academic Standards under Minnesota Statutes 120B.021 and locally established learning goals consistent with those provided in the in-person school settings.
11. Districts and charter schools may contract with third parties only for curriculum resources, instructional platforms and other support materials, not for teaching staff.
12. Ensuring students receiving special education services are provided services as defined in Minnesota Statutes 125A.03, in accordance with Minnesota Statutes 125A, Minnesota Rules 3525, and the Individuals with Disabilities Education Act, including special education evaluation and development of individualized education programs under Minnesota Statutes 125A.08. A district/charter school offering online or hybrid learning options must develop systems designed to identify pupils with disabilities under Minnesota Rules 3525.0750.

## Appendix B: Blended Learning and Online Assurances

Minnesota public schools offering blended learning where students receive instruction online for **more than 50% of their weekly schedule** or where students learn **fully online** away from a school building for one or more courses must, by August 2, 2021, apply for provisional approval as an online learning provider using the [program proposal and assurances](#) form.

1. Communicating with the school board, local community, families, and students that the proposed program is provisional for the first semester of school year 2021-22 only, with the potential to extend to the second semester of school year 2021-2022 with approval by the Minnesota Department of Education (MDE).
2. The district or charter school has developed the blended or online instructional model in collaboration with educator bargaining units (if applicable) to consider teacher workload or assignments.
3. Ensuring that all students continue to receive transportation, nutrition services and other critical components of education, any alternative instructional models such as blended and online learning will be a choice for all students at the identified grade levels. These schedule options can be offered but not required. School districts and charter schools must establish a process and timeline for when students can opt in or out of the online program.
4. Only resident or previously-enrolled students may participate in the program.
5. Report all online teachers in the STAR system including their assignments. The district/charter school will employ or contract with another district or a cooperative unit for appropriately-licensed teachers to provide online instruction to no more than 40 students in an online learning course or section. The contract of a teacher employed by a district/charter school must meet the requirements of Minnesota Statutes, section 122A.40 or 122A.41, and a charter school must employ or contract with a teacher in accordance with Minnesota Statutes, section 124E.12, subdivision 1.
6. List all cooperative arrangements for employing teachers ([using online form](#))  
*Districts with cooperative agreements with state-approved online providers need not apply themselves.*
7. Teachers will perform all duties described in Minnesota Rules 8710.0310 defining Teacher of Record.  
*"Teacher of record" means an individual who is responsible for the planning, instruction, and assessment of students in a classroom and authorized to grant students credit for meeting standards attributed to the content taught, or is part of a co-teaching assignment and has shared responsibility for planning, instruction, and assessment of students in a classroom.*
8. Instruction is provided to students using evidence-based practices that include regular, teacher-initiated, meaningful interaction between teachers and students consistent with the required days and hours of instruction.
9. Attendance for membership is taken and records are kept. Such records must be consistent with the district's attendance policy and meet requirements of Minnesota Statute 120A.22.
10. Students identified as English learners are provided with instruction by a teacher licensed to teach bilingual education or English as a second language, and differentiated instruction in all courses consistent with state and federal law, and communicate with the families of students identified as English learners and encourage their involvement in the students' educational program.
11. The curriculum aligns with Minnesota K-12 Academic Standards under Minnesota Statutes 120B.021, and locally established learning goals consistent with those provided in the in-person school settings.
12. Districts may contract with third parties only for curriculum resources, instructional platforms and other support materials, not for teaching staff. List all contracted service providers. ([using online form](#))
13. Ensuring students receiving special education services are provided services as defined in Minnesota Statutes 125A.03, in accordance with Minnesota Statutes 125A, Minnesota Rules 3525, and the Individuals with Disabilities Education Act, including special education evaluation and development of



individualized education programs under Minnesota Statutes 125A.08. A district/charter school offering online or hybrid learning options must develop systems designed to identify pupils with disabilities under Minnesota Rules 3525.0750.

14. No payments or other incentives will be provided to enrolling families by either the district/charter school or any contracting entities. Any instructional materials provided are the property of the district/charter school.
15. I understand that upon acceptance, the program qualifies for provisional approval for the first semester of 2021-22 school year only.