

Subject Distance Learning and Hybrid School Options

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Overview

H.F. 59 defines distance learning, provides school board control over design of the school year, describes the method for counting pupils for the 2020-2021 school year under the three potential different service models, authorizes a hybrid home-school model of education, and dedicates \$15 million of federal CARES Act funding for student Internet connectivity purposes.

Summary

Section	Description
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| 1 | Distance learning [§ 120A.412].
Defines “distance learning” in statute as remote teaching where students have daily interactions with their licensed teacher or teachers and are provided appropriate education materials. Daily interaction with teachers includes access to teachers online and by telephone during normal school hours and on normal school days. [Note that Minnesota Statutes do not currently define distance learning but that the governor’s emergency executive orders describe the characteristics of distance learning.] |
| 2 | Pupil units [§ 126C.05].
Includes in the definition of average daily membership and adjusted pupil units, for the 2020-2021 school year only, any student participating in an on-site instruction, a hybrid model of instruction, distance learning, or a distance learning parent-based program under section 6. |
| 3 | Fund transfers; revenue redirection.
Expands the 2020 session law that authorizes school districts to make fund and account transfers to redirect any reserved or restricted operating account revenue |

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- stream to help balance the budget during the 2020-2021 school year. Requires the written approval of the school board before funds may be redirected.
- 4 **Four-day school weeks allowed for all school districts.**
Under current law, unless a school district has approval from the commissioner of education, a district must generally conduct school five days a week (holidays excepted) and must have at least 165 instructional days in its school calendar. Current law includes a minimum number of hours of instruction for students. This one-year exception allows a school district to meet fewer days so long as the minimum number of hours are met.
- 5 **Labor day start; high school students.**
Minnesota Statutes generally prohibit a school district from starting school prior to Labor day. This onetime provision authorizes a school district engaging in distance learning to start school before labor day for students in grades 9 to 12.
- 6 **Parent-based distance learning program.**
Subd. 1. Purpose. States that the purpose of a parent-based distance learning program is to provide additional learning opportunities for students during distance learning periods.
Subd. 2. Applicability. Authorizes parent-based distance learning for the 2020-2021 school year only.
Subd. 3. Eligible student. Defines an eligible student as a public school student who was enrolled in a Minnesota school district or charter school on March 13, 2020, who has not already graduated from high school.
Subd. 4. Parent responsibilities. Requires a parent who wishes to provide home-based distance learning to provide the student's school with written notice of the parent's intent to provide parent-based distance learning and comply with the state's compulsory instruction law. Authorizes a parent to withdraw from the arrangement at any time and return the student to the school district or charter school.
Subd. 5. School responsibilities. Requires a school district or charter school to allow an eligible student to participate in parent-based distance learning. Authorizes the school to continue to enroll the student and generate state aid for that student in the same manner as all other students.
Requires a school district or charter school that enrolls a parent-based distance learning student to provide the eligible student with a computer, textbooks, individualized instructional materials, standardized tests, software, and

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education technology in the same manner as for other students attending the school. If the student's family does not have access to adequate Internet service, requires the school to provide Internet services for the student. Requires a school that provides access to noninteractive coursework online to make this coursework available to the parent-based distance learning student.

States that the enrolling school is not required to provide the student access to its teachers as a part of the parent-based distance learning program and that the enrolling school is not required to provide compulsory instruction for that student.

Requires the enrolling school to readmit the student if the school receives written notice from the parent terminating their child's participation in the program and requires the enrolling school to reassign a parent-based distance learning student to the school's regular distance learning program in the same manner as it would a student transferring from another school.

Subd. 6. Grade progression and graduation. Requires the enrolling school to recognize the courses completed by a parent-based distance learning program student in the same manner as it recognizes any other student's courses who transfers into the school.

Requires the enrolling school to award its high school diploma to a parent-based distance learning student in grade 12 who satisfies the school's graduation requirements and successfully completes the parent-based distance learning program during the 2020-2021 school year.

7 Public health e-learning days.

For the 2020-2021 school year only, defines "public health e-learning day" (similar to an inclement weather e-learning day) as a school day where a school offers full access to online instruction provided by students' individual teachers due to a public health hazard, including the threat of an outbreak of a communicable or infectious disease.

Authorizes a public health e-learning day if: (1) the governor authorizes the commissioner of education to alter school schedules, curtail school schedules, or order schools closed under Minnesota Statutes, section 12.21, due to an infectious disease outbreak; or (2) a school district or charter school chooses to close a school due to an infectious disease outbreak.

Requires a public health e-learning day to count as a day of instruction and includes the hours of instruction under Minnesota Statutes, section 120A.41.

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- 8 Distance learning broadband access grant program.**
Authorizes \$15 million in grants from federal CARES Act funding for the commissioner of education to award grants to school districts and charter schools for wireless or wire-line broadband access for a limited duration to students currently lacking Internet access so that the students may participate in distance learning. Establishes an application process. Prioritizes grants to schools where: (1) the location of a school is in or near an unserved area of the state; (2) there is a high percentage of students who live in a household without wired or wireless broadband service; and (3) where a high percentage of students were provided Internet access by the district or charter school during the spring of 2020.
- 9 School attendance.**
Authorizes each school board, upon adoption of a written resolution of the school board, to resume instruction for enrolled students for the 2020-2021 school year in a manner determined by the school board. Authorizes the board to provide on-site instruction, distance learning, or a hybrid option.

Requires on-site instruction to comply with all COVID-19 prevention guidelines issued by the Department of Health, to the extent practicable.

States that a distance learning online instruction model determined by the school board may reflect the model developed by the commissioner of education for the 2019-2020 school year.

Defines “hybrid instruction” to include on-site education as well as distance learning. Allows a school board to determine the hours of and schedule for the on-site instruction component of a hybrid model.
- 10 Appropriation; broadband and connectivity.**
Appropriates \$15,000,000 in fiscal year 2021 from the coronavirus relief federal fund to the commissioner of employment and economic development for transfer to the commissioner of education for emergency distance learning wireless or wire-line broadband access for student grants for school districts and charter schools. Reserves up to five percent of the appropriation for administrative costs. Requires the commissioner of education to report the grant amounts, per pupil funding for each grant recipient, and the number of students benefitting from enhanced connectivity by November 30, 2020.



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