

October 27, 2020

## Clarifying Guidance for Shifting Learning Models and Implications for Activities and Athletics

Dear School Leaders,

We have been working with a number of you across the state to clarify questions about shifting learning models and the implications it has on activities and athletics. As a result, we want to ensure that we are providing clear, cohesive information to support you and your teams as you have conversations with your school community.

The goal of the [Safe Learning Plan](#) is to protect the health and wellness of our students, staff and families, and to prioritize safe in-person learning for students.

The Safe Learning Plan guidance that was shared at the end of July articulated a five-step process that school district and charter school leaders must use in determining learning models. The county-level data was the first point of data that needed to be used to determine your learning model to start the school year. The county data gave you a starting point to consider the status of the virus within your area. In addition to the case rates within your county, you considered a variety of factors, including your ability to meet health requirements and best practices for each learning model. As a result, we had all three learning models implemented across the state. Based on county numbers solely, some districts and charters chose to be more restrictive than the data indicated, some chose to be exactly where the data indicated, and some worked with the Minnesota Department of Health and the Minnesota Department of Education to be less restrictive than the data indicated.

Now that we are two months into the school year, school districts and charter schools are working through step five of the Safe Learning Plan – and this has always been part of the guidance process. On page eight of the Safe Learning Plan, step five states: **“After the initial selection of a learning model for school opening, the decision to shift to an alternative learning model should center on the impact of COVID-19 at the school level, while maintaining awareness of changes in viral activity in the community through continued review of the biweekly county-level case data.”** This means that school districts and charter schools will need to take into account not only the county-level case data when determining

learning models, but also the number of confirmed cases, quarantines, and close contacts in your school community, each school building within your district, and other data such as individuals with influenza-like illness.

This is what we are calling the “scalpel approach.” This approach allows school districts and charter schools within the same county to have different learning models. For example: a county may have four school districts within its boundaries which would give them all the same county base data; however, when each of the school districts review their community data and school data, their viral spread might be vastly different. As a result, some of the districts in that county may need to move to distance learning while others can remain in hybrid. Beyond this, some districts may have local factors or mitigation strategies that allow or prohibit students from accessing learning in person. This scalpel approach is why some school districts that have high county-level case data are still operating in an in-person or hybrid learning model.

Activities and athletics have always been part of the conversation when considering learning models. When this plan was introduced, MDE articulated that if a school district or charter school had county data that would put them in an in-person or hybrid learning model and they chose to be more restrictive in a distance learning model then they could have activities and athletics. On page 10 of the Safe Learning Plan it states that if a school district is required to be in distance learning, then extracurricular activities must be discontinued and that “in general, implementation of a distance learning model should occur for a minimum of one incubation period (two weeks) when there is evidence of substantial, uncontrolled community transmission or significant levels of illness in the school setting.”

As more districts and charter schools are considering moving to distance learning because of case counts, we are hearing more questions about activities and athletics. The good news is, the answer is the same as it has been since July. Your learning model will dictate whether or not your students can participate in activities and athletics. If you are in-person, hybrid, or more restrictive distance learning by choice then your students can participate in activities and athletics. If you are required to be in distance learning then your students cannot participate in activities and athletics. To determine your learning model, you should walk through step five in the Safe Learning plan with your Regional Support Team. You will need to take into account not only the county-level case data when considering a change to your learning model, but also the number of confirmed cases, quarantines, and close contacts in your school community, each school building within your district, and other data such as individuals with influenza-like illness.

If your data indicates that you can be in an in-person or hybrid model, but you choose to move to distance learning, you can continue to have activities and athletics. To determine whether or not activities and athletics should be continued or discontinued, you should review the amount of spread happening with your activities participants and athletes.

If your data indicates that substantial, uncontrolled community spread is occurring and/or there is a significant degree of impact on the school community, with multiple confirmed cases or

large-scale outbreaks occurring among students and staff, then you must move to distance learning and discontinue activities and athletics for a minimum of two weeks.

The language in [Executive Order 20-82](#) states that school districts and charter schools must adhere to the parameters set forth in the Safe Learning Plan for 2020-2021. As a school leader, if the data indicates that you must move to distance learning and you choose not to move, [Minnesota Statutes 2019, section 12.21, subdivision 3\(11\)](#) gives authority to the Commissioner of Education to curtail school activities for the safety, health, and wellness of our students, staff, and community. This includes in-person learning, hybrid learning, activities and athletics.

Our partnership in this work is critical. Thank you for courageously leading and walking our students and families through one of the most trying times in recent history. You are all deeply appreciated.

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