



AN ACT REVISING LAWS RELATED TO THE MONTANA DIGITAL ACADEMY; PROHIBITING A SCHOOL DISTRICT FROM CHARGING A FEE TO A STUDENT WHO ENROLLS IN A MONTANA DIGITAL ACADEMY CLASS THAT THE DISTRICT REQUIRES FOR GRADUATION; PROVIDING FUNDING FOR THE ACADEMY THROUGH FEES FOR COURSES PAID BY SCHOOL DISTRICTS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 20-7-1201, MCA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 20-7-1201, MCA, is amended to read:

"20-7-1201. Montana digital academy -- purposes -- governance. (1) There is a Montana digital academy at a unit of the Montana university system.

(2) The purposes of the Montana digital academy are to:

(a) make distance learning opportunities available to all school-age children through public school districts in the state of Montana;

(b) offer high-quality instructors who are licensed and endorsed in Montana and courses that are in compliance with all relevant education and distance learning rules, standards, and policies; ~~and~~ ~~and~~

(c) emphasize the core subject matters required under the accreditation standards, offer advanced courses for dual credit in collaboration with the Montana university system, and offer enrichment courses.

(3) The Montana digital academy must be governed by a board with equal representation from:

(a) the commissioner of higher education or a designee;

(b) the superintendent of public instruction or a designee;

(c) a Montana-licensed and Montana-endorsed classroom teacher appointed by the board of public education;

(d) a Montana-licensed school district administrator appointed by the board of public education;

(e) a trustee of a Montana school district appointed by the board of public education;

(f) the dean of the school of education of the hosting unit of the Montana university system or a designee

as a nonvoting member; and

(g) the two officers provided for in subsection (5) as nonvoting members.

(4) The governing board shall elect a presiding officer and vice presiding officer to 2-year terms without limitation on the number of terms.

(5) The governing board shall hire a program director and a curriculum director who shall serve as chief executive officer and vice chief executive officer respectively on the governing board in a nonvoting capacity. The program director shall develop and, upon approval of the governing board, implement and publish policies and guidelines for the Montana digital academy pertaining to:

- (a) course offerings;
- (b) software and hardware selection;
- (c) instructor selection;
- (d) partnering school agreements;
- (e) instructor training and curriculum development;
- (f) course evaluation;
- (g) grant opportunities; and
- (h) other activities that are essential to the success of a statewide distance learning program."

Section 2. Funding -- rulemaking authority. (1) (a) In addition to any amount appropriated to the Montana digital academy by the legislature, beginning July 1, 2016, school districts enrolling students at the digital academy shall pay to the digital academy any supplemental fee established by the digital academy that is required to pay for the prorated costs of course delivery that exceed the amount appropriated to the digital academy by the legislature. The fee must be established by the governing board of the digital academy by rule and must be commensurate with the costs of operating the digital academy that exceed the appropriation provided by the legislature.

(b) Fees collected under subsection (1)(a) may be spent only on the operating costs of the digital academy.

(c) The governing board of the digital academy shall adopt rules regarding the establishment of any fees required under subsection (1)(a).

(2) A school district is prohibited from charging a fee to a student who enrolls in a class provided by the

Montana digital academy that the school district requires for graduation.

Section 3. Codification instruction. [Section 2] is intended to be codified as an integral part of Title 20, chapter 7, part 12, and the provisions of Title 20, chapter 7, part 12, apply to [section 2].

Section 4. Effective date. [This act] is effective July 1, 2015.

- END -

I hereby certify that the within bill,
HB 0162, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2015.

President of the Senate

Signed this _____ day
of _____, 2015.

HOUSE BILL NO. 162

INTRODUCED BY N. SCHWADERER

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