

Exhibit No. 134Date 4-7-09Bill No. HB 459

**Grey bill**  
**April 6+, 2009**

## HOUSE BILL NO. 459

INTRODUCED BY GRINDE, AUGARE, BLEWETT, BONIEK, BOSS RIBS, COHENOUR, DICKENSON, DRISCOLL, EBINGER, FLEMING, FRENCH, GLASER, HAMILTON, HANDS, HOLLENBAUGH, KOTTEL, MALEK, MCCLAFFERTY, A. NOONAN, P. NOONAN, PEASE-LOPEZ, POMNICHOWSKI, REINHART, ROUNDSTONE, VAN DYK, VILLA, WILSON, WISEMAN, BECKER, BELCOURT, FUREY, MACDONALD, STEENSON, DI. BARRETT

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE MONTANA VIRTUAL ACADEMY; PROVIDING FOR THE ACADEMY'S PURPOSES AND GOVERNANCE; ~~PROVIDING AN APPROPRIATION;~~ REQUIRING A REPORT TO THE LEGISLATURE; AND PROVIDING AN EFFECTIVE DATE."

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

**NEW SECTION. Section 1. Montana virtual academy -- purposes -- governance.**

- (1) There is a Montana virtual academy at \_\_\_\_\_ a unit of the Montana university system.
- (2) The purposes of the Montana virtual academy are to:
- (a) make distance learning opportunities available to all 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
- (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 virtual academy must be governed by a board with equal representation from the:

- (a) commissioner of higher education or designee;
- (b) superintendent of public instruction or designee;

(c) a Montana licensed and 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 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 policies and guidelines for the Montana virtual 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.

~~NEW SECTION. Section 2. Appropriation. (1) There is appropriated \$4,240,000 from the state general fund for the biennium beginning July 1, 2009, to the university of Montana Missoula for the purpose provided in [section 1].~~

~~(2) The amount of \$2,240,000 of the funding in subsection (1) is a one time only appropriation.~~

**NEW SECTION. SECTION 2. REPORT TO LEGISLATURE.**

THE 62<sup>ND</sup> LEGISLATURE

THE GOVERNING BOARD SHALL PROVIDE  
WITH A REPORT THAT DETAILS:

(1) HOW THE LINE ITEM FUNDING IN HOUSE BILL NO. 645 CITED IN [SECTION 4] WAS SPENT; AND

(2) FUTURE FUNDING REQUIREMENTS AND RECOMMENDATIONS, INSTRUCTOR STANDARDS, CURRICULUM DEVELOPMENT ISSUES, AND EVALUATION OF THE SOFTWARE FOR IMPLEMENTING A SEAMLESS EDUCATIONAL DISTANCE LEARNING CONTINUUM IN THE STATE OF MONTANA.

NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 20, chapter 7, and the provisions of Title 20, chapter 7, apply to [section 1].

NEW SECTION. SECTION 4. COORDINATION INSTRUCTION. IF BOTH HOUSE BILL NO. 645 AND [THIS ACT] ARE PASSED AND APPROVED AND IF HOUSE BILL NO. 645 DOES NOT INCLUDE LINE ITEM FUNDING FOR THE MONTANA VIRTUAL ACADEMY FOR THE PURPOSES OF [THIS ACT], THEN [THIS ACT] IS VOID.

NEW SECTION. Section 5. Effective date. [This act] is effective July 1, 2009.

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