



March 23, 2016

Dear Education Leader:

The undersigned groups have all collaborated over the years to expand opportunities for students in Montana's public schools. We all originally cooperated in the creation of the predecessor to the Montana Digital Academy (which was called the Montana E Learning Consortium) in the early 2000's, and we also reformed the laws to allow instruction to take place outside of the confines of the traditional school building. We all worked on these efforts in the spirit of providing cutting edge access to expanded curricular offerings to students in every school system in the state, in pursuit of the constitutional goal of fully developing the educational potential of each student in our public schools.

Although there is nothing in law that prohibits a school district from using distance learning to fill in portions of its curriculum that are mandated to be offered under the Basic Education Program Offerings specified in ARM Section 10.55.904, we jointly recommend against such practice. One of the most powerful bases of our advocacy for Montana's public schools lies in the roots of the public school system in each community. This starts through "supervision and control" by a locally elected board pursuant to Article X, Section 8 of the Montana Constitution. Equally important, however, are the personal connections that our teachers and administrators foster with each student through their face-to-face interactions on a daily basis. The underlying integrity of our advocacy for community ownership and local control and against consolidation is based on the value of these personal interactions, the supervision and control exercised by the elected board on behalf of its constituents and the resulting relationships that are forged in each community. We lose a good portion of the credibility of our arguments in favor of community ownership and local control if our community public schools are not independently capable of meeting the minimum levels required by ARM Section 10.55.904 without relying on courses offered from a *state* entity like MTDA.

If you do find it necessary to use MTDA courses to help satisfy your obligation for offering courses under ARM Section 10.55.904 in spite of the potential downsides referenced above, you should be aware that outsourcing portions of your existing curriculum could be construed as a change in working conditions, the effects of which would have to be bargained if your staff are organized under a union.

Thank you for your leadership for Montana's Public Schools!

