



**Montana Digital Academy Governing Board Meeting  
May 10, 2021**

**MEETING MINUTES**

**Attendees:**

**Members:**

Chairman Joel Graves, Principal, Lincoln County High School  
Anthony Lapke, Vice-Chair, Teacher, Glacier High School  
Adrea Lawrence, Dean, Phyllis J. Washington College of Education, University of Montana  
Luke Muszkiewicz, Chair, Board of Trustees, Helena School District No.1  
Brock Tessman, Deputy Commissioner, Academic, Research & Student Affairs, Office of the  
Commissioner of Higher Education

**Staff:**

Robert Currie, Executive Director, MTDA  
Jason Neiffer, Assistant Director/Curriculum Director, MTDA  
Mike Agostinelli, Instructional Program Director, MTDA  
Christen Cole, Instructional Registrar, MTDA  
Mary Ellen Currie, Budget and Data Manager, MTDA  
Ryan Schrenk, EdReady Program Manager, MTDA  
Jason Leonard, EdReady Instructional Registrar, MTDA  
Virg Hale, EdReady Lead Ambassador  
Jodie Hirsch, Instructional Projects Coordinator

**Members & Staff Absent:**

Sharyl Allen, Deputy Superintendent, Office of Public Instruction

**Guests:**

Elizabeth Kaleva  
McCall Flynn  
Diane Fladmo

**Call to order:**

Meeting called to order by Chairman Graves at 2:30 p.m.

**Approve minutes from March 8, 2021 Meeting:**

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## **Approve minutes from March 8, 2021 Meeting:**

Board Member Muszkiewicz made a motion to approve the minutes of the March 8, 2021 meeting. Board Member Lapke seconded the motion. Chairman Graves called for approval—unanimous.

## **Approve Expenditures through April 30, 2021:**

Board Member Lapke made a motion to approve the expenditure report. Board Member Muszkiewicz seconded the motion. Following discussion, Chairman Graves called for approval—unanimous.

## **Legal Opinion Regarding 20-7-1202: Interpretation of MTDA's Authority to Establish Fees:**

Executive Director Currie introduced Elizabeth Kaleva of the Kaleva Law Office in Missoula to the Board who was in attendance. As the Board had received the opinion previously (April 27, 2021) and had the opportunity to forward questions or comments regarding the opinion he asked if members had any additional questions. He indicated that Elizabeth would be available for the duration of this meeting.

## **Board Member Question on Legal Opinion and Response:**

Following the distribution of the Legal Opinion to the Board, Member Allen requested clarification of the Elizabeth's interpretation of term "MTDA's placement at a unit of the Montana University System". Executive Director Currie mentioned that while the Board received Elizabeth's written response in today's meeting agenda he asked her to review her thinking for the Board. She then provided a summary stating that unlike other public agencies MTDA is solely created in statute. She further stated that MTDA cannot exist in a vacuum and the only agency or public entity it is affiliated with is the MUS. MTDA staff are all MUS employees (at the University of Montana) and the organization follows all protocols and procedures (business practices, human resources etc.) of UM.

## **Recommendation: The Plan to Charge Fees and Adoption of the Process to Receive Public Comment**

Chairman Graves requested a motion to approve the plan for establishing course fees. Board Member Muszkiewicz made the motion and Board member Lapke seconded. Chairman Graves then asked Executive Director Currie to provide an overview of his written recommendation to the Board. He highlighted the fact that as was mentioned in the legal opinion, MTDA's creation in statute only and placement at the University of Montana has always provided its challenges. But with the assistance of the current and previous Deans of the Phyllis J. Washington College of Education (Roberta Evans and Adrea Lawrence) we have been made to feel very welcome and found a home at UM. We have been treated well and have worked well within the University's policies and procedures. He further stated that the Governing Board has, from the inception of MTDA, utilized the statute that created the program to provide the guidance and direction. He indicated that the statute indicates that his role as Executive Director is to develop policies and procedures that are "essential to the success" of the statewide distance learning program, MTDA. Following Board discussion Chairman Graves called for approval-unanimous.

## **MTDA Notice of Rule Adoption and Process:**

Board Member Muszkiewicz made a motion that the Board adopt the recommended rule make process which includes taking written and oral public comment. Board member Lawrence seconded the motion. Chairman Graves asked Executive Director Currie to walk the Board through public comment process. The notice of rule adoption including the plan and the public comment process will be posted on the MTDA website. Executive Director Currie informed the Board that school administrators and other key personnel from districts throughout Montana have been invited to an informational webinar set for Thursday May 13 at 4:00 p.m. to hear

comment process will be posted on the MTDA website. Executive Director Currie informed the Board that school administrators and other key personnel from districts throughout Montana have been invited to an informational webinar set for Thursday May 13 at 4:00 p.m. to hear information and ask questions. The invitation also informed the recipients of the plan and public comment process posted on the MTDA website. The written comment period will open pending Board action at this meeting (May 10) and close on June 8, 2021 at 5:00 p.m. Public comment at the June 14, 2021 meeting may be requested by preregistering for the Zoom call at the link posted on the website. Following discussion Chairman Graves called for approval-unanimous.

**Adjournment:** Chairman Graves adjourned the meeting at 3:15 p.m.

**Future Board Meeting Dates for the 2019-2020 School Year:**

**May 10, 2021**

**June 14, 2021**

**(Meeting Time 2:30 - 3:30 PM MST)**



10 Years of Montana Digital Academy!  
2010-2020... and beyond!