NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Cammie DuPuis-Pablo, et al. vs. Montana Office of Public Instruction, et al.

Case Number Dv-7-2021-0000398-OC, *Montana Eighth Judicial District Court County of Cascade*

To: Students and Parents or Legal Guardians of any Minor Currently Enrolled in Montana's Kindergarten through 12th Grade Public School System

A Court authorized this notice. This is **not** a lawsuit or solicitation from a lawyer. You are **not** being sued.

PLEASE READ THIS NOTICE CAREFULLY ABOUT YOUR LEGAL RIGHTS.

I. WHAT IS THIS NOTICE ABOUT?

This Notice is to inform you that a proposed settlement (the "Settlement") has been reached in a class action lawsuit (the "Action") against defendants Montana Office of Public Instruction and Montana Board of Public Education ("Defendants") brought on behalf of **all Montana K-12 public school system enrolled students, now and in the future** (the "Class") by 18 class representatives consisting of Indigenous and non-Indigenous students attending Montana public schools represented by their parents/guardians and six Montana Tribes (Fort Belknap Indian Community; Confederated Salish and Kootenai Tribes; Assiniboine and Sioux Tribe of Fort Peck; Northern Cheyenne Tribe; Little Shell Tribe of Chippewa Indians; and Crow Tribe). The Tribes are not members of the class. You have received this Notice because Defendants' records indicate that you are a member of the Class or a parent or legal guardian of a member of the Class. This Notice advises you about the terms of the Settlement and how you can object to the Settlement before it is approved, if you choose. If finally approved by the Court, the Settlement will be binding on you. If you are the parent or legal guardian of more than one student, you may receive this Notice multiple times.

II. WHAT IS THIS LAWSUIT ABOUT?

The Action alleges that Defendants did not implement, monitor, and enforce the guarantees of Montana's Constitution and statutes providing that every Montana public school student, whether Indigenous or non-Indigenous, will learn about the distinct and unique cultural heritage of Native Americans in a culturally responsive manner. The Action seeks a Court order requiring Defendants to alter the way they implement, monitor, and enforce public school instruction in the future, but it does not seek any monetary damages.

The Defendants deny that they violated the law in any respect but have agreed to the Settlement to avoid uncertainties and expenses associated with continuing the case. Under the terms of the Settlement, Defendants have agreed to: enhance oversight of Indian Education for All ("IEFA") implementation through school accreditation determinations, including by requiring evidence of IEFA instruction, expenditures, and tribal cooperation, following up with schools exhibiting deficiencies, and yearly audits of a small subset of schools; include a minimum of three tribal

member representatives on all Negotiated Rulemaking Committees; and require increased IEFA training for educator licensure. Defendants have also agreed to provide guidance and training on tribal consultation and increase their own tribal consultation practices, enhance financial oversight and transparency for IEFA funding, and to submit to three years of monitoring by Plaintiffs to improve future IEFA instruction in Montana's K-12 public school system. Nothing in the Settlement entitles the Class to any monetary payments.

III. WHAT ARE MY RIGHTS AND OPTIONS?

If you or a minor for whom you have legal responsibility fits the description of a Class member (Section I., in bold), you may object to the Settlement and appear at a fairness hearing in Court. If you do not object to the terms of the Settlement, you need not do anything. **Nothing in the Settlement entitles any member of the Class to any monetary payment.** The table below describes your options and how you may exercise them.

Option	Overview	What To Do
1	**Participate in the Settlement** You are, or a minor for whom you have legal responsibility is, a member of the Class. The parties have reached a Settlement that resolves this Action seeking declaratory and injunctive relief. If the Settlement is finally approved by the Court, Defendants will make certain changes that impact public school instruction, as agreed by the terms of the Settlement.	There is no deadline for you to participate as a Class Member. You do not need to do anything.
2	**Object to the Settlement by October 26, 2026** You are, or a minor for whom you have legal responsibility is, a member of the Class. You may object to the Settlement. Your objection is an opportunity to be heard and may persuade the Court to reject, modify, or condition approval of the Settlement. If the Court is not persuaded by your objection, it may approve the Settlement. If the Settlement is finally approved, it will impact the rights of all Class members. If you choose to object to the Settlement, you may do so yourself or through an attorney that you hire and pay for yourself.	To object to the Settlement, or any portion of it, you must file with the Court and serve on Class counsel a written objection on or before October 26, 2026, and appear at the fairness hearing for final approval of the Settlement on December 14, 2026 at 9:00 a.m.. See Sections V. and VI. below for details.

IV. WHAT EFFECT DOES THE SETTLEMENT HAVE FOR CLASS MEMBERS?

If the Court approves the Settlement, you or a minor for whom you have legal responsibility will be bound by the Court's orders and judgements and will release your claims relating to this Action. The claims raised in this Action will be resolved, and you will have no right to sue Defendants about the issues in this Action.

V. WHO REPRESENTS ME?

The Court has appointed the American Civil Liberties Union-Montana, the American Civil Liberties Union Foundation, and the Native American Rights Fund to represent the Class ("Class Counsel"). You do not need to pay these attorneys. If you want to be represented by your own lawyer, you may hire one at your own expense.

VI. WHAT HAPPENS NEXT?

The Court will hold a hearing, currently scheduled on December 14, 2026 at 9:00 a.m., at the Montana Eighth Judicial District Court County of Cascade located at 415 2nd Avenue N, Great Falls, MT 59401, (406) 604-7796 to determine whether the Settlement should be finally approved as fair, reasonable, and adequate. It is not necessary for you to appear at this hearing. If you have submitted an objection and indicated that you intend to appear at the hearing and be heard, you or your attorney may appear. The date and time of the hearing may change without further notice to the Class and/or the Court may order that this hearing be held remotely or telephonically. Check the Court's website for updates at https://courts.mt.gov/CourtLocator/8thJudicialDistrict.

VII. HOW DO I GET MORE INFORMATION?

The above is a summary of the basic terms of the Settlement. **You can read all the terms of the Settlement, enclosed in an email with this Notice or by emailing ratea@aclumontana.org to request a copy be sent to you.**

YOU MAY CONTACT CLASS COUNSEL AT RATEA@ACLUMONTANA.ORG FOR ADDITIONAL INFORMATION REGARDING THIS SETTLEMENT. PLEASE DO NOT CONTACT THE COURT.