

September 3, 2026

Subject: Required Distribution of Class Notice of Settlement Agreement

Dear Superintendent,

The ACLU of Montana writes to inform you of a settlement agreement reached with the Montana Office of Public Instruction (“OPI”) to resolve class action litigation, which will impact school districts. A Montana Court issued an order authorizing notice to the class, under which school districts are being asked to distribute the attached Class Notice to all class members, including all students and the parents or legal guardians of students. **Class members must receive notice no later than September 24, 2026.**

To ensure timely and consistent dissemination of the Class Notice, each school district must complete the following four steps:

1. **Email the Class Notice.** Promptly send an email to all students and to the parents or legal guardians of students enrolled in the district that provides the Class Notice and Settlement Agreement. For your convenience, a template cover communication is attached for district use in transmitting the Class Notice.
2. **Post the Class Notice at each school.** Post a copy of the Class Notice through October 26, 2026 in publicly accessible areas of each school where class members are enrolled. The Settlement Agreement need not be posted.
3. **Include the Class Notice in parent packets.** Distribute the Class Notice and Settlement Agreement in parent packets provided at the commencement of the 2026 school year or in subsequent hard copy correspondence or handouts to parents and students.
4. **Confirm completion by September 14.** By September 14, send written confirmation directly to both the ACLU of Montana and OPI at the addresses provided below that the district has completed the three dissemination steps described above.

Attached here are: (1) the Court order authorizing this request; (2) a suggested cover communication that districts may use to send the Class Notice and Settlement Agreement to students and parents or legal guardians; (3) the Class Notice that must be emailed, publicly posted, and provided in parent packets; and (4) the Settlement Agreement that must be emailed and provided in parent packets.

Please promptly complete these steps and confirm that the district has done so by September 14 to Alex Rate (ratea@aclumontana.org). If you have questions about the required notice process, please contact Alex Rate at ratea@aclumontana.org.

Sincerely,

Alex Rate

Alex Rate

Deputy Director

ACLU of Montana