

BEFORE THE MONTANA DEPARTMENT  
OF LABOR AND INDUSTRY

IN THE MATTER OF HUMAN RIGHTS BUREAU CASE NO. 0063012041:

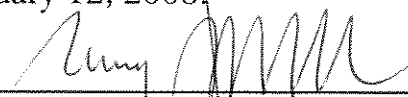
|                        |   |                    |
|------------------------|---|--------------------|
| FRANCINE DUPUIS,       | ) | Case No. 1176-2007 |
|                        | ) |                    |
| Charging Party,        | ) |                    |
|                        | ) |                    |
| vs.                    | ) | ORDER OF DISMISSAL |
|                        | ) | AND NOTICE OF      |
| RONAN SCHOOL DISTRICT, | ) | APPEAL RIGHTS      |
|                        | ) |                    |
| Respondent.            | ) |                    |

\* \* \* \* \*

Pursuant to the Hearing Officer's order of January 8, 2008, the parties to this case having reached an agreement that, in exchange for Dupuis' dismissal of this action and agreement not to file any actions against the district for use of the names and symbol the district will continue to use, the district will not sanction or use any symbols (other than the "Flying R" with wings consisting of feathers as it currently exists) for any extra or co-curricular programs and will remove such symbols, including arrowheads, etc., on gymnasium floors, at the next regularly scheduled maintenance, while continuing to use the names "Chiefs" and "Maidens" and the "Flying R" symbol, to represent its extra and co-curricular programs. There were no other and further terms. No party reserved the right to seek attorney fees and costs in district court. A copy of the settlement agreement is attached to this order. This contested case is dismissed with prejudice as fully settled on the merits..

To the extent that there are any extant protective orders and/or sealed documents and evidence, the hearing officer's orders remain in full force and effect and the documents and evidence remain sealed until such time as a tribunal with jurisdiction shall vacate or modify the orders or unseal the documents and evidence.

DATED: February 12, 2008

  
\_\_\_\_\_  
Terry Spear, Hearing Officer  
Hearings Bureau, Montana Department of Labor and Industry

\* \* \* \* \*

## NOTICE OF APPEAL RIGHTS

This dismissal is the department's decision resolving the merits of the claims asserted by Dupuis against the district. A party who wants to appeal the department's decision MUST WITHIN 14 DAYS OF ISSUANCE OF THIS NOTICE FILE A NOTICE OF APPEAL AND 6 COPIES with:

Human Rights Commission  
c/o Katherine Kountz  
Human Rights Bureau  
Department of Labor and Industry  
P.O. Box 1728  
Helena, Montana 59624-1728

ALL SUBMISSIONS FILED WITH THE COMMISSION MUST INCLUDE THE ORIGINAL AND 6 COPIES OF THE ENTIRE SUBMISSION. You must also serve your notice of appeal on all other parties of record.

If there is no appeal of the department's decision, that decision becomes the final agency decision. No further proceedings are then possible upon the claims resolved by the final agency decision—judicial review is only available AFTER timely appeal of the department decision to the Human Rights Commission. Mont. Code Ann. §§ 49-2-512(1) and 49-2-505(3)(c) and (4).

\* \* \* \* \*  
CERTIFICATE OF MAILING

Copies this day deposited in the U.S. Mail, postage prepaid, addressed to:

YOLANDA PAGE  
PO BOX 278  
PABLO MT 59855

FRANCINE DUPUIS  
BOX 812  
PABLO MT 59855

ELIZABETH KALEVA  
PO BOX 9312  
MISSOULA, MT 59807-9312

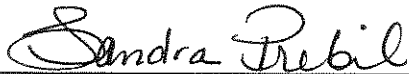
Copies this day deposited in State of Montana Interdepartmental mail service,  
addressed to:

KATHY HELLAND HUMAN RIGHTS BUREAU  
PO BOX 1728  
HELENA MT 59601

KATHERINE KOUNTZ, BUREAU CHIEF  
HUMAN RIGHTS BUREAU  
PO BOX 1728  
HELENA MT 59601

MARIEKE BECK LEGAL SERVICES BUREAU  
PO BOX 1728  
HELENA MT 59601

Signed this 12<sup>th</sup> day of February, 2008.



Legal Secretary, Hearings Bureau  
Montana Department of Labor and Industry

Dupuis Dismissal Order

