

March 31, 2022

Billings School District 2
Board of Trustees
415 N. 30th Street
Billings, MT 59101

Dear Trustees,

I am writing to request you promptly amend District Policy 2050 for Billings West High School Junior, Ms. Emily Pennington. Parents and trustees alike understand the importance of a high school diploma for the prospects and success of Montana students. I am a steadfast supporter of local control but have been moved to write given the circumstances of this case, and as a matter of principle. Emily should have the opportunity to graduate from Billings West with her classmates, and I respectfully ask the School Board to do everything within your power to make that possible.

As you know, Emily's academic progress at a young age was delayed on medical grounds, including a six month stint in a Salt Lake children's hospital, through no fault of her own. It is unreasonable to restrict her considering that she has suffered from leukemia, seizure disorders, and has needed open heart surgery. This has resulted in her senior year enrollment date of September 10, 2022 falling approximately two months after her 19th birthday. The Individuals with Disabilities Education Act (IDEA) was crafted to support the educational opportunities for young disabled American children between the ages 3 through the day preceding their 22nd birthday. Both Federal and Montana law empower Local Education Agencies (LEAs) to establish age thresholds for their students, based on the specific needs of each community. Policy 2050, first adopted in 2004, however precludes students above age 19 from enrolling in School District 2 which is antiquated and does not appear to reflect the immediate needs of your community. The current one size-fits-all policy is clearly not in Emily's best interest, or in the interests of future students like Emily who overcome enormous challenges to complete their high school education.

As you are aware, the purpose of IDEA is to ensure schools consider the needs of each student and I am concerned that Policy 2050 may impose additional barriers for students in certain circumstances. I urge you to swiftly add flexibility within Policy 2050 for Emily Pennington and in so doing, affirm the students who are fighting to complete their education. Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in blue ink that reads "Steve Daines". The signature is written in a cursive style with a large, stylized "S" at the beginning.

STEVE DAINES
United States Senator