

**STATE OF MINNESOTA  
IN COURT OF APPEALS**

**Case No. A17-0033**

---

Tiffini Flynn Forslund, Justina  
Person; Bonnie Dominguez; and  
Roxanne Draughn,

Petitioners,

v.

State of Minnesota State of Minnesota;  
Mark Dayton, in his official capacity  
as the Governor of the State of  
Minnesota; the Minnesota Department  
of Education; Brenda Cassellius, in her  
official capacity as the Commissioner  
of Education; St. Paul Public Schools,  
Independent School District 625;  
Anoka-Hennepin School District 11;  
Duluth Public Schools, Independent  
School District 709; West St. Paul-  
Mendota Heights-Eagan Area  
Schools, Independent School District  
197,

Respondents.

---

**REQUEST FOR LEAVE OF COURT TO FILE AN *AMICUS CURIAE* BRIEF**

---

Timothy J. Louris, Attorney No. 391244  
Miller O'Brien Jensen, P.A.  
120 South Sixth Street, Suite 2400  
Minneapolis, Minnesota 55402

Counsel for *Amicus*:  
**Centro de Trabajadores Unidos en Lucha**

## **AUTHORITY FOR REQUEST**

Centro de Trabajadores Unidos en Lucha (“CTUL”) respectfully requests that the Minnesota Court of Appeals grant it leave to participate as *amicus curiae* in the above-captioned matter pursuant to Rule 129 of the Minnesota Rules of Civil Appellate Procedure.

## **BACKGROUND**

CTUL is a worker-led advocacy organization dedicated to building the power and leadership of low-wage workers. CTUL began as a program of the Workers Interfaith Network, which was created to assist low-wage workers with various workplace issues. CTUL, now an independent organization, partners directly with workers through leadership development and direct action in order to educate workers about their workplace rights, and how to exercise those rights to win change in their workplaces. In building a movement for economic justice, CTUL works to level the playing field between worker and corporate interests.

Through the years, as part of a movement for systemic change in the workplace, CTUL has organized low wage workers of color across the Twin Cities and achieved significant positive impacts on the community. For example, as a result of CTUL’s work, workers throughout the Twin Cities have recovered over two million dollars in stolen wages and won raises in wages that equate to more than five million dollars per year. CTUL’s work in leadership development and community task forces has resulted in greater voice for workers not only in their workplace, but in their communities, as well.

## REASONS FOR AMICUS SUBMISSION

The interests of CTUL are public. CTUL works to create institutions of power in Minnesota that are led by working communities of color with the vision, the capacity, and the stability to innovate, dream big, and accomplish those dreams. Through worker-driven campaigns, CTUL opens space for workers to have a voice in shaping their workplaces, communities, and politics.

As it relates to the education policy at issue in this matter, CTUL believes that workers must engage in the political process through both community and legislative activism to ensure that the voices of the students, parents, and communities are heard in education policymaking. And fundamentally, CTUL believes that there are no short-term solutions to racial and economic inequity; the problems of systemic inequities will not be eliminated through one-off solutions like a \$15 minimum wage, paid sick days, or, as Plaintiffs' lawsuit claims, elimination of long-established statutory teacher tenure rights. Indeed, CTUL advocates that tenure rights are critical to ensuring that Minnesota's teachers retain the ability to freely educate and advocate on behalf of students, fight for equity in education, and lead their communities.

To the extent inequities exist in Minnesota's education system as Plaintiffs' lawsuit alleges, CTUL will assert that those issues may more properly be addressed through legislative and social efforts such as anti-poverty programs, early childhood education, increases in per pupil funding of schools, and *supporting teachers' rights*—not through judicial elimination of critical teacher job protections and due process rights.

Toward that end, CTUL brings to the Court its experience with students, parents, educators, and school communities, as well as other workers throughout Minnesota, and CTUL will support the position of the Respondents by advocating that the Court uphold the Ramsey County District Court's November 9, 2016, decision dismissing with prejudice Plaintiffs' complaint in its entirety. Consideration of the *amicus curiae* will not delay the Court's disposition of this case.

For all the above reasons, CTUL urges this Court to grant its request for leave to participate as *amicus curiae* in the above-entitled matter.

Respectfully Submitted:

Dated: January 24, 2017

**MILLER O'BRIEN JENSEN, P.A.**

/s/Timothy J. Louris

Timothy J. Louris (#391244)

120 South Sixth Street, Suite 2400

Minneapolis, MN 55402

Telephone: (612) 333-5831

Email: [tlouris@mojlaw.com](mailto:tlouris@mojlaw.com)

*Attorney for Amicus Curiae*

*Centro de Trabajadores Unidos en Lucha*