

**STATE OF MINNESOTA  
IN COURT OF APPEALS**

**Case No. A17-0033**

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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.

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

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Counsel for *Amicus*:  
**Minnesota Neighborhoods Organizing for Change**

## **AUTHORITY FOR REQUEST**

Minnesota Neighborhoods Organizing for Change (“MNNOC”) 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**

MNNOC is a grassroots, member-led organization building power in under-resourced communities and communities of color across the Twin Cities. Together, MNNOC members fight for racial and economic justice by building powerful, active campaigns for workers' rights, expanded voting rights, quality public education, environmental justice, and police accountability.

## **REASONS FOR AMICUS SUBMISSION**

The interests of MNNOC are public. MNNOC’s mission is to assist public and private organizations and agencies which seek to promote social and economic justice and the welfare of the State of Minnesota and its people; and to encourage, promote and implement social justice projects which will benefit the members of the organization, and the people of the State of Minnesota.

MNNOC has partnered with organized labor, and educators to bring awareness to inequities in public education, employment, housing and policing practices in communities of color. MNNOC has addressed these issues by organizing individuals from those communities whom have been impacted the most. In turn, these individuals, with support from MNNOC, have raised their voices and brought light to these inequities

and disparities through political activism and policy initiatives. Their actions have included “walk-ins” with educators to demand what the children and community needed from their schools. As well as city hall marches and packed public hearings to demand better policies on wages, sick leave, and other workplace issues. Those efforts have led to the adoption of the sick and safe leave policy for workers in the city of Minneapolis. MNNOC has also brought the voice of communities of color to the state capitol demanding that the governor directly address racial disparities. Those efforts resulted in millions of dollars being allocated to organizations and programs with missions aimed at addressing those disparities.

To the extent inequities exist in Minnesota’s education system as Plaintiffs’ lawsuit alleges, MNNOC 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.

MNNOC can assist the Court in understanding how its decision regarding Minnesota’s teacher tenure and due process statutes will affect Minnesotans who rely on educators to raise their voice about inequities in schools. MNNOC thrives on giving people of color a voice and the momentum to push policymakers to do more than just listen. We have a stake in curing the inequities in our education system, and that is why it is so important for teachers to be able to speak out against the challenges facing students of color, parents, and school communities—to help ensure educational equity for all—without fear that they may unjustly lose their jobs as a result.

MNNOC believes that strong teacher voices are essential for effecting the necessary change required to overcome the disparities in our education system. Therefore, MNNOC 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, MNNOC 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.**

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