CAH 23-0325-41286

STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS

Kathryn Dewey,

Complainant,

v.

ISD 911
(Cambridge-Isanti School District),

Respondent.

NOTICE OF DETERMINATION OF PRIMA FACIE VIOLATION AND NOTICE OF AND ORDER FOR PROBABLE CAUSE HEARING

On October 29, 2025, Kathryn Dewey (Complainant) filed a Fair Campaign Practices Complaint (Complaint) with the Court of Administrative Hearings.[1] The Complaint alleges ISD 911 (Cambridge-Isanti School District) (Respondent) violated Minn. Stat. § 211B.11 (2024) of the Fair Campaign Practices Act (the Act).[2] The Chief Administrative Law Judge assigned the matter to Administrative Law Judge Suzanne Todnem on October 30, 2025.

The Complaint establishes a prima facie violation of Minn. Stat. § 211B.11. For the reasons detailed in the memorandum below, this allegation will proceed to an expedited probable cause hearing and, if necessary, a hearing before a panel of three administrative law judges.

ORDER

1. **Hearing.** This matter is scheduled for a telephone expedited probable cause hearing to be held before Judge Todnem at **1:00 p.m.** on **Thursday, November 6, 2025**. At the appointed time, the parties are directed to:

(a) Telephone **651-395-7448**, and, when prompted,

(b) Enter the conference code: **162 207 200#**.

The parties are responsible for calling into the probable cause hearing.

2. **Evidence.** By **4:30 p.m.** on **Wednesday, November 5, 2025**, the parties must provide to the Judge all evidence bearing on the case, with copies of the same items sent to the opposing party. The parties shall provide copies of any filings to the opposing party via **email**.

[1] Complaint (Compl.) (October 29, 2025).
[2] Minn. Stat. §§ 211A.01-.14, 211B.01–.37 (2024).

3. **Hearing Rights.** The probable cause hearing will be conducted pursuant to Minn. Stat. § 211B.34 (2024). Information about probable cause proceedings and copies of state statutes may be found online at http://mn.gov/oah and www.revisor.leg.state.mn.us.

At the probable cause hearing, all parties have the right to be represented by legal counsel or appear on their own behalf. In addition, the parties have the right to submit evidence, affidavits, and argument for consideration by the Administrative Law Judge.

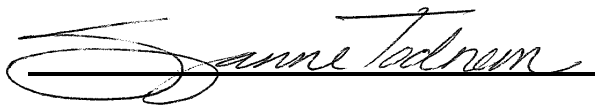
4. **Filing.** Any document filed with the Court of Administrative Hearings, or any documents that a party wishes to make part of the hearing record, must be filed in one of the following ways: (1) by **eFiling** through the Court of Administrative Hearings' eFiling system; (2) by **mail**; (3) by **facsimile**; or (4) by **personal delivery**. *See* Minn. Stat. § 14.58; Minn. R. 1400.5550, subp. 5 (2025). The eFiling system is accessible at: http://mn.gov/oah/forms-and-filing/efiling/. The Court of Administrative Hearings' facsimile number is: (651) 539-0310.

5. **Disposition.** After the probable cause hearing, the Judge will either: (1) dismiss the Complaint based on a determination that the Complaint is frivolous, or that there is no probable cause to believe that the violation(s) of law alleged in the Complaint has occurred; or (2) determine that there is probable cause to believe that the violation(s) of law alleged in the Complaint has occurred and refer the case to the Chief Administrative Law Judge to schedule an evidentiary hearing. Evidentiary hearings are conducted pursuant to Minn. Stat. § 211B.35.

If the Administrative Law Judge dismisses the Complaint, Complainant may seek reconsideration of the decision on the record by the Chief Administrative Law Judge pursuant to Minn. Stat. § 211B.34, subd. 3.

To request an interpreter, email oah.courtpersonnel@state.mn.us or call (651) 361-7900. Any party who needs an accommodation for a disability in order to participate in this hearing process may request one in writing. To request an accommodation pursuant to Title II of the Americans with Disabilities Act, the parties should electronically submit an accommodation request at: https://mn.gov/oah/lawyers-and-litigants/title-ii.jspTitle. To request the accommodations form in paper format, call 651-361-7900.

Dated: November 3, 2025



Administrative Law Judge

MEMORANDUM

Respondent has a bond referendum on the ballot, scheduled to be voted on during the November 4, 2025, general election.[3] On October 8, 2025, the Cambridge Isanti High School served as a polling place for early voting.[4] At around 3:30 p.m. on October 8, 2025, the Complaint alleges that Kim Goodmanson, an employee of Cambridge-Isanti School District, campaigned for the passage of the referendum within the high school.[5] This included displaying signs advocating for the referendum, speaking with parents, and directing a parent to go upstairs and vote "yes" for the referendum.[6] The Complaint included images alleged to be Ms. Goodmanson campaigning for the referendum.[7]

On October 29, 2025, Complainant filed the Complaint with the Court of Administrative Hearings.[8] The Complaint alleges Respondent violated Minn. Stat. § 211B.11 when Ms. Goodmanson campaigned inside the Cambridge Isanti High School when the polls for early voting were open.[9]

Respondent filed correspondence dated October 31, 2025.[10] The Act does not contemplate responsive filings to the Complaint. The October 31, 2025, correspondence from Respondent was not considered in the prima facie determination. The Judge will consider the correspondence along with any additional evidence submitted by the deadline for evidence provided above.

I. Standard for Prima Facie Determinations

To establish a prima facie violation of the Fair Campaign Practices Act, a complainant must allege sufficient facts to show that a violation of law has occurred.[11] The complaining party must submit evidence or allege facts that, if accepted as true, would be sufficient to prove a violation of Minn. Stat. §§ 211A.01-.14, 211B.01-.37.[12]

For purposes of a prima facie determination, the Court must accept the facts that are alleged in the Complaint as true, without independent substantiation, provided that those facts are not patently false or inherently incredible.[13] In determining whether a complaint alleges sufficient facts to state a prima facie case, reasonable inferences must be drawn in the light most favorable to the Complainant.[14]

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[3] Compl. at 4, Affidavit (Aff.)
[4] *Id*.
[5] *Id*.
[6] *Id*.
[7] *Id*. at 5-7, Attachment A.
[8] Compl.
[9] *Id*. at 4, Aff.
[10] Respondent correspondence (Oct. 31, 2025).
[11] *See* Minn. Stat. § 211B.32, subd. 3.
[12] *Barry v. St. Anthony-New Brighton Indep. Sch. Dist. 282*, 781 N.W.2d 898, 902 (Minn. Ct. App. 2010).
[13] *Id*.
[14] *Abrahamson v. St. Louis Cty. Sch. Dist*., 819 N.W.2d 129, 136 (Minn. 2012).

A complaint must be dismissed if it does not include evidence or allege facts that, if accepted as true, would be sufficient to prove a violation of Minn. Stat. §§ 211A.01-.14, 211B.01-.37.[15]

II. Analysis

Minn. Stat. § 211B.11 prohibits soliciting and campaigning near polling places during early voting hours. The statute provides in part:

> A person must not[] ask, solicit, or in any manner try to induce or persuade a voter to vote for or refrain from voting for a candidate or ballot question; or wear, exhibit, or distribute any item that displays . . . the number, title, subject, slogan, or logo of a ballot question that appears on the ballot . . . . The prohibitions [above] apply during voting hours[] throughout the absentee and early voting periods[] within a polling place[] and within 100 feet of the room in which a polling place is situated, to the extent practicable.[16]

In this case, the Complaint alleges Ms. Goodmanson, Respondent's employee, retrieved signs from the front office of the high school.[17] The Complaint further alleges that the signs advocate for the referendum's passage and the high school is an early voting polling place.[18]

At this stage of the case, the Administrative Law Judge must accept the allegations listed in the Complaint as true, without further substantiation, and determine whether the Complaint provides sufficient facts to show that a violation of the law has occurred. Drawing reasonable inferences in the light most favorable to Complainant as required, the allegations establish a prima facie violation of Minn. Stat. § 211B.11, subd. 1.

III. Complainant's Requests for Actions by the Court of Administrative Hearings

The Complaint also includes the following requests for relief:

1. That the Court redact the personal information and address of the Complainant; and

2. That the Court issue an injunction halting the election until this matter is resolved.[19]

The Court of Administrative Hearings is an executive-branch court, created by statute and strictly bound to a limited jurisdiction.[20] What this Court may and may not do

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[15] *Barry,* 781 N.W.2d at 902.
[16] Minn. Stat. § 211B.11, subd. 1 (a-b(1)(i)-(ii)).
[17] Compl. at 4, Aff.
[18] *Id*.
[19] Compl. at 1.
[20] *See generally* Minn. Stat. ch. 14.

is defined entirely by the statutory language passed by the Minnesota Legislature and signed into law by the Governor.[21]

First, according to Minn. Stat. § 211B.33(a), if the assigned administrative law judge determines that a complaint sets forth a prima facie violation of chapter 211B, the judge must schedule a probable cause hearing. The hearing may be conducted by conference telephone or by interactive television, but the hearing must be open to the public.[22] The law does not provide for anonymous adjudication of election law matters. The Complaint form indicates as much in its Tennessen Warning, which includes: "The law governing this process makes all records relating to the hearing, including this Complaint, open to the public."[23]

With regard to the request for an injunction to halt the election, Minn. Stat. § 211B.35 explicitly lists the possible outcomes for a final order in this matter. There are only four available dispositions of a Fair Campaign Practices complaint: (1) dismiss the complaint; (2) issue a reprimand; (3) impose a civil penalty of up to $5,000 for any violation; or (4) refer the complaint to the appropriate county attorney.[24] Nothing in the Fair Campaign Practices Act empowers the Administrative Law Judge to issue an injunction to halt an election.

IV. Conclusion

Complainant has established a prima facie violation of Minn. Stat. § 211B.11, subd. 1. Further proceedings will be held on the Complaint, and the Administrative Law Judge will hold a probable cause hearing as ordered above.

S. T.

[21] *See, e.g. Minnesota Internship Ctr. v. Minnesota Dep't of Educ.*, 996 N.W.2d 34, 47 (Minn. Ct. App. 2023), review granted (Jan. 31, 2024), aff'd, 10 N.W.3d 178 (Minn. 2024) ("Administrative agencies are creatures of statute and they have only those powers given to them by the legislature.").
[22] Minn. Stat. § 211B.36, subd. 4.
[23] Compl. at 3.
[24] Minn. Stat. § 211B.35, subd. 2.