CAH 60-0325-41216

STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS

Sheena Haack,

Complainant,

vs.

Minnewaska Independent School District 2149, Superintendent Chip Rankin, and the Minnewaska School Board,

Respondents.

PRIMA FACIE ORDER FOR DISMISSAL

On October 1, 2025, Sheena Haack (Complainant) filed a Fair Campaign Practices Complaint (Complaint) with the Court of Administrative Hearings. The Complaint alleges that Minnewaska Independent School District 2149, Superintendent Chip Rankin, and the Minnewaska School Board (collectively Respondents) violated Minn. Stat. § 211B.09 (2024) of the Fair Campaign Practices Act[1] by advocating for voters to support a pending school bond referendum, scheduled to be voted on during the November 4, 2025 general election.[2] The Complaint also alleges Respondents violated Minn. Stat. § 211A.02 (2024) by failing to register and report expenditures.[3] The Chief Administrative Law Judge assigned the matter to Administrative Law Judge James E. LaFave on October 2, 2025.

After reviewing the Complaint and its attachments, including the audio recording, the Administrative Law Judge finds the Complaint does not set forth a prima facie violation of either Minn. Stat. § 211B.09 or Minn. Stat. § 211A.02. For the reasons detailed in the Memorandum below, the Complaint is dismissed.

Based upon the Complaint and the supporting filings, and for the reasons set out in the accompanying Memorandum, the Administrative Law Judge issues the following:

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[1] Minn. Stat. §§ 211B.01–.37 (2024).

[2] Fair Campaign Practices Complaint at 5 (Oct. 1, 2025) (The Complaint included multiple attachments, which will be cited to in this Order as follows due to their lack of page or exhibit numbers: Exhibit 1 – Meeting Invitation; Exhibit 2 – Meeting transcript; Exhibit 3 – Audio recording of the meeting; Exhibit 4 – Literature distributed at the meeting).

[3] Complaint at 6.

ORDER

The Complaint is **DISMISSED**.

Dated: October 6, 2025

JAMES E. LAFAVE
Administrative Law Judge

NOTICE

Under Minn. Stat. § 211B.36, subd. 5 (2024), this Order is the final decision in this matter and a party aggrieved by this decision may seek judicial review as provided in Minn. Stat. §§ 14.63-.69 (2024).

MEMORANDUM

On September 23, 2025, a meeting was held at Bob Lange's farm in Glenwood, Minnesota.[4] The invitation stated that "Bob Lange, Ted Reichmann, Jake Wildman, and their families invite you to an informational meeting regarding the upcoming school bond issue. We will provide the latest information as well as have Superintendent Rankin and school board members present."[5] The Complaint alleges that a "quorum" of the Minnewaska School Board was in attendence.[6] Respondent Rankin spoke in support of the school bond, and literature was distributed detailing what the money raised by the proposed tax increase would be spent on, and providing information about education outcomes in agriculture.[7] The Complaint alleges that the Respondents' appearances at this meeting, Respondent Rankin's statements, and the literature distributed constitute violations of Minn. Stat. § 211B.09.[8] The Complaint goes on to assert that school district rescources were used to organize, staff and to communicate with people about the meeting thereby implicating Minn. Stat. § 211A.02, which governs financial reporting.[9]

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.[10] 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.[11]

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[4] Exhibit (Ex.) 1 at 1.
[5] Ex. 1 at 1.
[6] Ex. 2; Ex. 3; Complaint at 5.
[7] Ex. 4.
[8] Complaint at 5-7.
[9] *Id.* at 6.
[10] *See* Minn. Stat. § 211B.32, subd. 3.
[11] *Barry v. St. Anthony-New Brighton Indep. Sch. Dist. 282*, 781 N.W.2d 898, 902 (Minn. Ct. App. 2010).

For purposes of a prima facie determination, this tribunal 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.[12] 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.[13]

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.[14]

II. Prohibited Public Employee Activities (Minn. Stat. § 211B.09)

The Complaint states that Minn. Stat. § 211B.09 "prohibits 'any employee or official of the state or a political subdivision' from using 'official authority or influence to interfere with or affect the result of an election.'"[15] This language, however, appears nowhere in Minn. Stat. § 211B.09.[16] Minn. Stat. § 211B.09 states:

> [a]n employee or official of the state or of a political subdivision may not use official authority or influence **to compel a person** to apply for membership in or become a member of a political organization, to pay or promise to pay a political contribution, or to take part in political activity. A political subdivision may not impose or enforce additional limitations on the political activities of its employees.[17]

The difference between the Complaint's version of § 211B.09 and the actual language of the statute is crucial. While Complainant's version bars use of official authority or influence from acting to "**interfere with or affect** the results of an election," what is actually prohibited by Minnesota law is using that authority or influence to **compel** a person to take part in political activity – such as voting for or against a school bond issue.[18]

To successfully allege a prima facie violation of Minn. Stat. § 211B.09, Complainant must put forward facts that would support finding Respondents used their authority to influence or compel others to engage in a political activity. The term "compel" is not defined by statute for purposes of campaign activity. The standard definition of "compel" is "to drive or urge forcefully or irresistibly" or "to cause to do or occur by overwhelming pressure."[19] Nothing in the record permits an inference that Minnewaska School District, Respondent Rankin, or the Minnewaska School Board compelled any attendees to do anything. As the Complaint accurately states, the meeting, remarks, and

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[12] *Id*.
[13] *Abrahamson v. St. Louis Cty. Sch. Dist*., 819 N.W.2d 129, 136 (Minn. 2012).
[14] *Barry,* 781 N.W.2d at 902.
[15] Complaint at 5.
[16] *See* Minn. Stat. § 211B.09.
[17] (Emphasis added).
[18] *Compare* Complaint at 5 *with* Minn. Stat. § 211B.09 (emphasis added).
[19] "*Compel*," Merriam-Webster Dictionary, https://www.merriam-webster.com/dictionary/compel (last visited Oct. 2, 2025).

literature shown rise only to the level of "explicit advocacy intended to influence the outcome of the upcoming election."[20] Respondent Rankin's remarks were limited to discussion of the future benefits of the increased funding. Such remarks are clearly presented to persuade rather than compel when unaccompanied by coercion or consequences for noncompliance.[21] The other School Board members' presence at the meeting, standing alone, similarly fails to rise to the level of compelling others to engage in a political activity.

III. Financial Reporting (Minn. Stat. § 211A.02)

The Complaint also raises possible violations of Minn. Stat. § 211A.02, though these are presented as a hypothetical rather than explicitly alleged.[22] That section of the Fair Campaign Finance Act details the requirements for political committees or candidates regarding filing financial reports.[23] In relevant part, it requires a committee or candidate "who receives contributions or makes disbursements of more than $750 in a calendar year" to file a financial report.[24] No facts relating to the amount of money spent on the meeting, or the source of any funds spent, are included in the Complaint. Additionally, § 211A.01, subd. 4a, defines a committee as "a group established by a candidate of two or more persons working together to support the election of the candidate to a political subdivision office." Since the expenditures here related only to a ballot question, rather than a candidate, even if $750 had been raised or spent, reporting under § 211A.02 would not be required.

IV. Conclusion

The Complaint does not set forth a prima facie violation of Minn. Stat. § 211B.09 or § 211A.02 and is therefore **DISMISSED**.

J. E. L.

[20] Complaint at 6.
[21] *See, e.g.* Complaint at 5-6.
[22] Complaint at 6.
[23] Minn. Stat. § 211A.02.
[24] Minn. Stat. § 211A.02, subd. 1(a).