

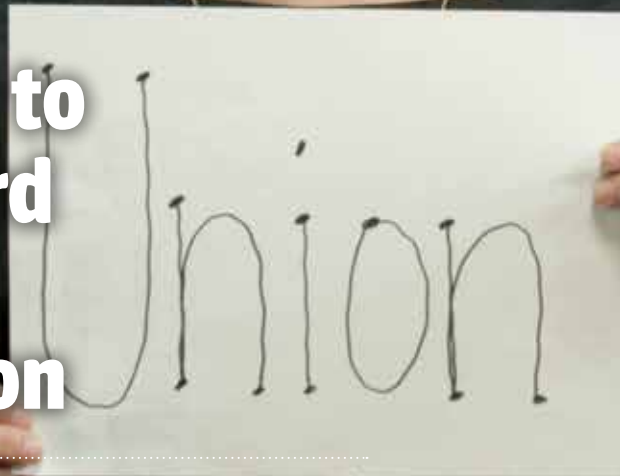
M I N N E S O T A

# EDUCATOR

AUGUST / SEPTEMBER 2022

**New  
leadership  
team ready to  
work toward  
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perfect union**

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EDUCATORS AND STUDENTS**

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## **How to sign up**

If you haven't received an email invitation from notifications@learnupon.com, please email meaonline@edmn.org. (Remember to check your junk/spam folders!) The MEA Online team will respond to your email promptly and send you an automated email invitation with steps to access your account.

If your local is interested in an online PD day for all members, please contact your local field staff to work with the MEA Online team to create accounts.





THE VOICE FOR PROFESSIONAL  
EDUCATORS AND STUDENTS

### August/September 2022 – Volume 25, No. 1

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The Minnesota Educator is published for members to share news about education issues and training opportunities for educators as well as union and political news that affects public education in Minnesota.

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*FRONT COVER: Education Minnesota's new officer team has a long history of union advocacy. Learn more about their goals for the organization on pages 4-6.*

## Looming educator shortage will take our best effort to fix

The anecdotes are starting to tell a story that should worry everyone who cares about public schools: There won't be enough educators for many Minnesota schools to operate properly in the fall.

At a suburban school district, almost 100 of the 600 licensed staff left mid-year or put in their papers April 1. The math department of one grade in an elementary school in the metro left all at once. Then a story about a greater Minnesota district without any special education teachers, then another, and another. A college education program graduating a handful of students instead of dozens.

Together, the separate stories signal a gathering storm. We need to come together as professional educators, from pre-K to college, and figure out how we're going to weather it and recover.

It's not just Minnesota. In mid-July, the American Federation of Teachers released a poll of its members across the country that showed a 34 percent increase in job dissatisfaction among the union's E-12 members since the start of the pandemic, from 45 percent to 79 percent. Among education support professionals, job dissatisfaction reached a record 67 percent.

Educators told pollsters they were frustrated by low wages, chronic staffing shortages and a lack of respect. They were tired of the politicization of public schools and being targeted for political and ideological attacks, a reference to the national, big money campaign against honest lessons about race and gender in public schools. More than all of the others concerns hangs a cloud of anxiety about gun violence. Seventy percent said the fear of gun violence affects the learning environment in their school and half of the AFT's educators said they worried about a mass shooting at their worksite.

Now, nearly four in 10 teachers and nearly half of ESPs said they may leave the job in the next two years. Seventy-four percent of teachers said they would not recommend a career in education.

It's not surprising the staffing shortage is worse in states with the nastiest attacks on students who identify as LGBTQ+ and that impose the most aggressive book bans and gag orders on teachers regarding what can

be taught about the role of racism in American history.

In Florida, Republican Gov. Ron DeSantis and a Republican-controlled Legislature passed the "Stop WOKE Act" that restricted diversity training in schools.

DeSantis rejected more than 50 math textbooks for "indoctrination," including a word problem that mentioned the gender pay gap and a sentence saying the U.S. had not eliminated racism. The Florida Education Association, the labor union of Florida educators, recently released a report saying more than 400,000 students may start the new year without a full-time, certified teacher.

I fear we're going to see a similar situation this fall in Minnesota. Education Minnesota is still gathering data, but it looks like a 7-percentage point decrease in licensed staff since last year is possible. There won't be nearly enough new graduates to replace them.

If true, it will mean more reassigned teachers, more teachers working through their prep time to cover for unfilled jobs, too many students assigned to too few ESPs and more large classes of students combined into lunchrooms and auditoriums. Those crowds of students will be safe, warm and fed—but I have no doubt they will learn less than if they were in a normal classroom with a trained teacher and professional ESPs.

This fall, we must come together and advocate for ourselves and for public education. From telling our stories to friends and neighbors, to working for school board candidates who share our values, to electing politicians who will stand up for safe schools, honest lessons and competitive salaries – it's up to us.

Together,



Twitter: @DeniseSpecht



Denise Specht



## Back-to-school resources online

Education Minnesota values and promotes educator quality and professional development. The Resources section of Education Minnesota's website contains a variety of support for educators as the new school year begins. Go to [www.educationminnesota.org/resources](http://www.educationminnesota.org/resources) to see all of the offerings.

The classroom tools page on our website includes lesson plan links and resources, as well as links to help educators teach, talk and advocate for students of all backgrounds on a variety of issues.

The professional practice page on our website includes tools and resources to help you in your profession, including information for new and early career educators and education support professionals, licensure and credentials and grants.

The professional development page shares all of the free ways to receiving training and support from your union.

## Getting social!

Educators use social media as a way to connect with their communities, colleagues and the world. We will feature posts from Education Minnesota members and locals each issue! Make sure to follow Education Minnesota on Facebook, Twitter, Instagram, Snapchat, YouTube and Pinterest!

Education Minnesota Wrenshall  
July 12 at 3:05 PM

This week Mr. Holter started a 4-part training on cultural competency through the MEA Online - Education Minnesota program.

"This is time well spent over the summer to keep my development forward focused!"

-Mr. Holter

Thank you Mr. Holter for learning and growing for our students this summer!



## Where are you reading your Minnesota Educator?

**Congratulations, Caitlin and Christine Barrett, both teachers from St. Anthony and South Washington County, for being this issue's winning submission!**

We love seeing all of the places where you are reading your Minnesota Educator!

Email a photo to [educator@edmn.org](mailto:educator@edmn.org) or share it on social media using #mneducator of where you are reading your Minnesota Educator to be entered into a drawing to win a \$50 Target gift card! Submissions are due Sept. 9. Happy reading!



## Educators in the news!

Education Minnesota members are often interviewed in their local newspapers or TV station. We will feature a quote each issue!

“

**They never let me down. You show them that they have the talent and they have the ability and they will perform, let me tell you. It's awesome. It really is.**

”

*- Ed Terry, a Randolph High School ag teacher and FFA advisor who retired after 51 years, in a KARE-11 TV story, June 10. Under Terry's leadership, the Randolph FFA has grown from 15 kids more than 40 years ago, to more than 150 today.*

## New statewide officer team looks forward to raising member voices, collective action to support educators, students

President Denise Specht and Secretary-Treasurer Rodney Rowe took office for a fourth three-year term July 1. They are joined on the leadership team by new Vice President Monica Byron, an elementary teacher from Richfield. The Minnesota Educator sat down with the union's leaders to discuss their vision for the next three years.

### Minnesota Educator: What can members look for as the new team takes office?

**Denise Specht:** There is also a new Governing Board taking office this summer. We'll be taking some time to get to know the new board as a whole and identify new priorities. This is an ever-evolving union, changing as the world does. Members can always expect a strong and vibrant union that works to make their lives better at home and at school and helps support public schools that build communities and help students achieve their dreams.

**Monica Byron:** We want to stay proactive and adapt to the needs of our members and the changes we are seeing in public education.

**Rodney Rowe:** There have been a lot of changes in education and our union in the last few years, and there

will continue to be changes. As always, we will navigate that and remain strong.

### Minnesota Educator: How will you approach the next three years, especially after what we have been through the last two?

**Monica Byron:** I will bring a lot of what I learned last year working in classrooms. My job last year was to support because I was a math coach. I subbed a lot and my role could look different. Every day I learned to be flexible and support however I could. As educators, we don't give ourselves enough credit for all that we can do. We are professionals who know the work that can be done and there's power in what we can do. Since 2020, my local union really worked hard to engage members. We probably had more meetings than we ever have had.



*Education Minnesota President Denise Specht has supported locals in all aspects of bargaining, especially Saint Paul and Minneapolis educators who have gone on strike in the last few years.*



Secretary-Treasurer Rodney Rowe stands with Bloomington paras during a recent contract campaign.

We worked together on a lot of issues that came up—not just building-by-building but districtwide. I want to do what we can collectively to support educators all across the state.

**Rodney Rowe:** The sub shortage, the educator shortage—these are going to continue to be issues. We hope to work to bring back the respect to this profession and get educators back into buildings.

**Denise Specht:** The questions I heard a lot in the last two years was, “what is the union doing for me?” or “what are you doing fix this?” That’s a natural question that I completely understand, but if it was just that easy, we would do it! But the union is all of us. It’s going to take all of us to do what is necessary to make the changes needed at home and in schools. We are a powerful union, but we don’t just walk into rooms and bang our fists and get what we want. If we did have that, we would have class sizes of 10 and everything on our wish list. Every local union we visited in the last year, we left feeling their sadness and hopelessness. We left in tears many times. There was so much frustration of, “We have to do something, we have to do something,” and many of them were just happy we were listening. Now we have to continue to listen but move to collective action. We are most powerful when we are taking collective action together and that is how we move forward.

### Minnesota Educator: How have you seen the union adapt and change?

**Rodney Rowe:** We have seen how we can adapt our work in this new world. We see hybrid union meetings, online professional development and our members



New Vice President Monica Byron has a long history of advocacy and leadership in Education Minnesota, her local and nationally. She is one of the founding members of the Education Minnesota Ethnic Minority Affairs Committee.

won’t allow it to go back. We see MEA Online and how many members are using that free service from their union, but we now can also start weaving in in-person meetings when we need to and balance it all.

**Monica Byron:** I’ve seen Education Minnesota really be proactive and we will continue to be forward thinking.

**Denise Specht:** You hear people talk about the three pandemics—COVID, racial reckoning and economic. Those three pandemics have focused our work and focused our priorities in ways we never would have imagined. We have had to evolve, focus and prioritize and hopefully we’ve all become better because of it.

### Minnesota Educator: What is something you are proud to have worked on through the union and hope to continue working on?

**Rodney Rowe:** We have seen the resiliency of our educators—that love of education. Even in the toughest times, they still show up every day for kids. Every local had to find ways to meet student needs and adapt. Name me a profession that can adapt and change the way we have in the last two years. There are so many challenges and it’s been very hard, but the kids still make it worth it. I hope we can just continue to build on our successes and make the changes we need in education through our union’s collective voice.

**Denise Specht:** I’m really proud of how we’ve seen educators speak up for what they need and what their students need. Educators are raising their voices and they are starting to say no instead of yes. We aren’t



quietly accepting things we know are wrong. The University of Minnesota Safe Learning Surveys showed that members identified their own mental health as a concern. That's not a good thing of course, but we're not sweeping those issues under the rug anymore. We are being open and honest about what we need. We don't have to be super people. When educators aren't doing well, students don't get what they need. We have to speak out in order to get what we all need to be successful.

**Monica Byron:** Union is the best five letter word I can say. In Richfield, we had a workload committee, made up of our local union members and administrators. That is where we could raise the issues of not getting prep, not getting subs. We would meet immediately and find a fix, do an MOA or keep it for bargaining. I hope to share this idea with others and elevate ideas like this across the state.



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[conservationminnesota.org/crew](https://conservationminnesota.org/crew)

**CONSERVATION CREW**

CONSERVATION MINNESOTA

## Education Minnesota leadership team

*Read the officers' full biographies, as well as learn who represents you on Education Minnesota's Governing Board, at [www.educationminnesota.org/about-us/who-we-are/#our-leaders](https://www.educationminnesota.org/about-us/who-we-are/#our-leaders).*

## Minnesota Educator: What is a specific project or initiative that you are looking forward to working on most?

**Denise Specht:** Economic disparities, how COVID was handled, racial and social justice—those things are going to be a focal point of the 2022 election. We always talk about this being the most important election of our lifetime, but what educators and their families have gone through in the last two years only emphasizes why this one is really important. I hope people are resting this summer, but we can't rest too long because we need to get those elected who will support educators, their students and their families.

**Monica Byron:** Supporting members, their families and communities. I look forward to going out and meeting with members. I want to be able to lend my voice, especially as an African-American woman, in this role. I want to do what I can to support our work legislatively and electorally—starting with getting education-friendly candidates elected across the state.

**Rodney Rowe:** I look forward to continuing to work with locals individually so they are strong and vibrant and have the support they need. We want to help them run successful school board races and levies. How can we help those communities and relationship building, so that they look to their union for support on all of those things?



## More opportunities for loan forgiveness support as federal waiver deadline nears

Education Minnesota's Degrees Not Debt program has been helping thousands of educators navigate the current Public Service Loan Forgiveness program, many of whom are receiving life-changing loan forgiveness thanks to the Biden Administration's temporary waiver.

The waiver, ending Oct. 31, 2022, includes two of the four PSLF requirements. The first item waived is that qualifying payments had to be made under an income-driven repayment plan. The second is that only payments made on Direct loans could count toward PSLF qualification.

The waiver allows past ineligible loan payments based on payment plan or loan type to count toward the 120 total payments needed to qualify for PSLF. These changes will fulfill a promise of forgiveness made to hundreds of thousands of student loan borrowers.

Requirements that remain in place include being employed within government, a 501c3 not-for-profit or another not-for-profit organization that provides a qualifying service and working for that employer full-time.

As the waiver deadline approaches, the Degrees Not Debt team will be offering three webinars available for Education Minnesota members statewide to provide support as people apply for forgiveness.

The webinars will take place from 4:30-6 p.m. on Aug. 30, Sept. 20 and Oct. 21.

Minnesota State College Faculty members will have two opportunities to connect with the Degrees Not Debt team on Sept. 9 and Oct. 18.

Watch for more details in an email or on Education Minnesota's social media channels and website.

Education Minnesota members have access to an important tool for this process called Summer, which is a free benefit of membership with the American Federation of Teachers.

Summer is an online platform that assists members in applying for and completing the loan forgiveness process. Education Minnesota members also have

access to assistance through our Degrees,Not Debt program.

Members can access training on loan forgiveness options, including one on these new PSLF changes, on MEA Online. Specific questions on this program can be emailed to [DND@edmn.org](mailto:DND@edmn.org) but our Degrees Not Debt team would appreciate specific questions from folks who have read up on the PSLF waiver and taken the training online.

### **Minnesota Teacher Shortage Loan Repayment Program applications open until Aug. 31!**

*Applications for the Minnesota Teacher Shortage Student Loan Repayment Program are open until Aug. 31.*

*The program was established to provide student loan repayment assistance to teachers providing classroom instruction in a teacher shortage area in Minnesota. The purpose of the program is to encourage teachers to teach in license shortage areas and rural school districts. A listing of current shortage areas and rural school districts is available on Minnesota Office of Higher Education's website.*

*Funds are very limited to this program compared to the number of eligible applicants. Selected applicants receive an award up to \$1,000 in loan repayment assistance paid directly to them. Awardees are limited to \$5,000 in total repayment assistance.*

*Go to [www.ohe.state.mn.us/mPg.cfm?pageID=2191](http://www.ohe.state.mn.us/mPg.cfm?pageID=2191) to find out all of the details on if you qualify and how to apply.*

## Mora ESPs expand member engagement during bargaining

Leaders of the Education Minnesota-Mora EASRP local union knew they had to approach bargaining differently this year.

The education support professionals have never received the professional wages or respect they deserve, and the pandemic and directives to work in person only shined a brighter light on this, said Bill Arimborgo, local president.

"We went into this bargaining round seeking higher wages and a sick leave pool to help members who had to use all of their sick leave during the previous school year because of COVID-19," said Arimborgo. "We also wanted to address more respect for our members, an increase in insurance and retirement benefits, which are non-existent."

Arimborgo and others knew they needed to approach this negotiations process differently. They formed an organizing committee and with the negotiations team, they spent a lot of time before negotiations talking to members. It was the first time the union engaged

in one-on-one conversations and centered those conversations on bargaining.

"Listening and keeping an open mind is key for me," said Arimborgo. "We have a very diverse group and members have different priorities. Every member has a voice and it is key that they use their voice. Our negotiations team must listen to those voices and act accordingly."

The negotiations team knew that the push for the contract changes and wage increases they wanted wouldn't come easily. The message to members was, if you want this, you have to show up.

To achieve this, Arimborgo knew it was imperative for him as union president to be communicating consistently with members to keep them engaged in the process.

Arimborgo worked on email updates to members and implemented video messages for the first time, in which he would share any updates from the last negotiations session as well as any asks of members.

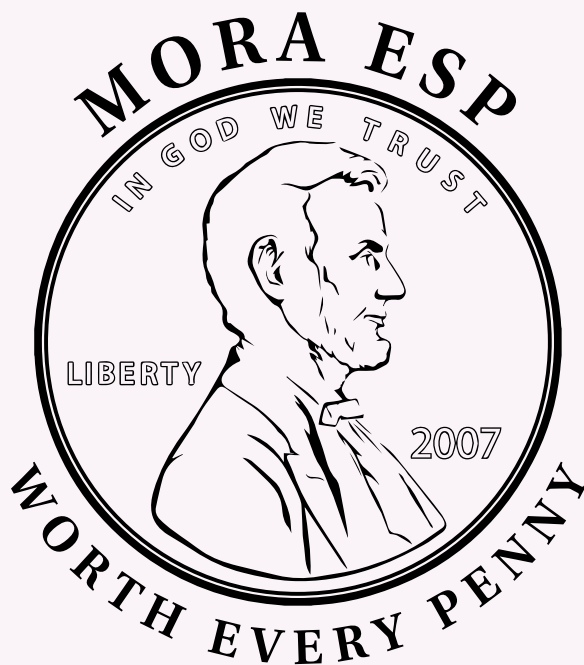
Not only did Arimborgo email these videos out to members, building reps also used them in 10-minute meetings.

One of the biggest asks of members was to come to the negotiations sessions with the district to show solidarity and also to be invested in the process and hear what was being discussed.

"We had excellent member turnout at our negotiation sessions," Arimborgo said. "At one session, we filled the room and had chairs along the side close to the district team. More than 30 members attended that session, almost 50 percent of our membership. This was a powerful message to the district, as they know we are paying attention and we are united in our desire for a contract that honors the work we do."

This tactic and the expanded organizing and communication reinforced the union's approach that contract negotiations are not just the responsibility of the team, but a group effort of the entire union.

The board members commented about the amount of people who showed up.



*The Mora ESPs created a logo for their contract campaign, which focused heavily on increases to reach a living wage. Especially after going above and beyond throughout the pandemic, the tagline "worth every penny" resonated with members.*



*Mora ESP local union president Bill Arimborgo started filming and sharing video updates during negotiations and mediation. This gave him the opportunity to email his message out to members in a quick and easy way, and gave building reps an opportunity to use the videos in their meetings, too.*

ESPs also invited teachers to join them (a small group did) and the board also took notice of that.

The negotiations team were still not happy with how things were going, especially when the district expressed remorse about not having more money to give to employees. The district claimed it couldn't give the ESPs more money because they were "over budget on the new high school" and needed to save money for that.

So the ESPs filed for mediation, something the union had never done before.

"Communicating where we are at in the negotiations process and where we were heading was very important with maintaining support of the membership," said Arimborgo.

As they headed into mediation, the union also had members and supporters start to sign a petition asking the district to honor the work of the Mora ESPs with a fair contract, including competitive wages. They also created a logo for their contract campaign. Almost 200

people signed the petition they presented to the district during mediation.

After their mediation session, the Mora ESPs came to a tentative agreement, which has since been approved by their membership.

Arimborgo knows they didn't get everything they wanted, but the local knows that this is just the start of their work.

"As I have been telling our members, we are not going to fix years of wage inequities in one session, but we must continue to chip away until we receive a livable wage," he said.

The union did have wins with a 403(b) match, an additional holiday and personal day for members who work 197 days or more and the local did make some progress with wages.

Arimborgo not only hopes to build upon what they won in their contract, but also the member engagement and organizing they found success with this round as they already start to prepare for their next contract.



## Educator of color forums invite all members to join

Education Minnesota's Educator of Color Forums are the creation of Education Minnesota's Ethnic Minority Affairs Committee (EMAC), an advisory body that focuses on ethnic minority issues in Minnesota schools. These forums provide space for members of color to connect, share, network and advocate for what educators and students of color need within our union and public education.

If you would like to learn more about the forums, go to [www.educationminnesota.org/advocacy/racial-and-social-justice/educator-of-color-affinity-groups](http://www.educationminnesota.org/advocacy/racial-and-social-justice/educator-of-color-affinity-groups). If you are interesting in joining a forum, fill out the form on the website, contact the forum's leadership or reach out to Education Minnesota's Racial Equity Organizer, Londel French, at [londel.french@edmn.org](mailto:londel.french@edmn.org).

### Ethnic Minority Affairs Committee

Members are appointed to Education Minnesota's Ethnic Minority Affairs Committee by the president of Education Minnesota annually. EMAC meets at least three times per school year to discuss the union's racial equity work and examine the union's roadmap for its racial equity work, a document called the affirmative involvement plan. EMAC also has a presence at Education Minnesota's major events, such as the Minnesota Educator Academy (MEA) conference and Summer Seminar.

The chair of EMAC is a nonvoting member of Education Minnesota's Governing Board. This allows the union's members of color to interact closely with governance, as one of the committee's members attends all governing board meetings to be kept informed of anything that may have a specific impact on members of color.

To learn more about EMAC and see the members, go to [www.educationminnesota.org/about-us/how-we-work/ethnic-minority-affairs-committee](http://www.educationminnesota.org/about-us/how-we-work/ethnic-minority-affairs-committee).



### African American Educators Forum

The African American Educators Forum is a network of educational professionals who are members of Education Minnesota. We provide support and advocacy toward better outcomes for our educators, students and communities.

Connect with us to receive more information and updates:

Email: [aaedforum@gmail.com](mailto:aaedforum@gmail.com)

Website: <https://sites.google.com/view/africanamericaneducatorsforum/home>



### American Indian Education Professionals

The American Indian Education Professionals supports, encourages and advocates for American Indian/Native American educators to create an inclusive and safe learning environment to achieve better outcomes for Native youth.

For more information, contact Tucker Quetone at [tucker.quetone@gmail.com](mailto:tucker.quetone@gmail.com).



### League of Latinx Educators

The League of Latinx Educators is a community built to support and retain Latinx educators, celebrate Latinx cultural identity and advocate for racial equity in our Minnesota schools in order to liberate our peoples from inherited colonialism and systems of oppression.

Connect with the group to receive more information and updates:

Facebook: [www.facebook.com/latinxeducators](https://www.facebook.com/latinxeducators)

Twitter: @league\_latinxED

Instagram: [leagueoflatinxeducators](https://www.instagram.com/leagueoflatinxeducators)

Email: [leaguelatinoeducatorsmn@gmail.com](mailto:leaguelatinoeducatorsmn@gmail.com)

Website: <https://sites.google.com/view/leagueoflatinxeducators>



### Pan Asian Educators Forum

The Pan Asian Educators Forum is a network of education professionals collectively advocating for Asian students, families and educators.

For more information, contact [maria.le@isd623.org](mailto:maria.le@isd623.org).



## Foundation celebrates 30 years of supporting educators, students

For 30 years, the Education Minnesota Foundation for Excellence in Teaching and Learning has been supporting educators and students through grants – funding close to 2,000 projects at more than \$4.5 million.

The foundation was established in 1992 as the MEA Children's Foundation, but became the Education Minnesota Foundation it is today after the merger of the Minnesota Education Association and Minnesota Federation of Teachers in 1998. It is affiliated with Education Minnesota, but functions independently as a nonprofit corporation. Learn more about the foundation and its work at [www.edmnfoundation.org](http://www.edmnfoundation.org).

Recently, the foundation interviewed three recent grant recipients for a promotional video about how these funds have impacted their work and their students.

### **Rachel Moorhouse, K-5 STEM teacher, Lakeland Elementary School, Willmar**

Rachel Moorhouse applied for a classroom-focused grant after taking on her role as a STEM teacher at Lakeland Elementary School in Willmar.

Without the grant from the foundation, Moorhouse said she never would have been able to purchase things like Bee-Bot coding robots, Keva planks or Snap Circuits.

"The money from the foundation allows (students) to use their brain differently than they would have normally in my classroom," she said. "Our fourth grade has an electricity unit. The Snap Circuits that I was able to buy with the money from the foundation allowed them to have the unit be more hands on. It wasn't an abstract. They could see their circuit working or not."

Moorhouse said that using these materials makes her students' learning experience better, as well as her teaching experience.

"If I wouldn't have had these materials, I wouldn't have been able to enrich my students in the components of creativity and collaboration," she said. "Being able to see them all together building something is so fulfilling."

Thanks to her one grant, Moorhouse said students in her classrooms for years to come will be able to use these materials.

### **Adrienne Young Koplitz, Spanish teacher, Hidden Oaks Middle School, Prior Lake-Savage**

Receiving an IMPACT grant from the foundation has allowed the Prior Lake-Savage Education Association's Coalition for Teachers of Color to grow their presence and do more to support the BIPOC students and staff in their district.

The grant has helped the CTOC work on their five organizational goals.

To increase membership engagement, the CTOC used grant funding to host monthly meetings for BIPOC staff, as well as other social gatherings and shared space as needed.

"When racially motivated things happen in Prior Lake, in Minnesota or in the nation in general, it impacts BIPOC staff differently," said Adrienne Young Koplitz, one of the leaders of the group. "We want to make safe spaces to talk and share."

Leadership development is another area funded by the grant. The CTOC has been working with the district's human resources department to work with teachers who haven't received a Tier 3 license but want to work toward it using the portfolio process. The grant helps fund a scholarship to help with those costs.

The CTOC also works on internal education, mobilizing their co-conspirator network of white teachers and BIPOC community members, said Young Koplitz. They used grant funds to bring in trainings from Humanize My Hoodie and Dr. Bettina Love.

Grant funding also helped with external outreach to support the CTOC's parent affinity groups, as well as their goal of transparency.

"It's not a quiet allyship. We're able to be loud about it," Young Koplitz said. "What we're doing for kids matters, and you're able to see it. Receiving the grant helped us as an organization, as staff and in turn helped our kids."



## **Lori Halverson-Wente, instructor of communication, Rochester Community and Technical College**

Lori Halverson-Wente has applied for individual professional development grants from the Education Minnesota Foundation before, but recently, she and her colleagues decided to apply for a Higher Education PD grant as a group.

As teachers of communication, Halverson-Wente said they wanted to learn the process of the IDI, or intercultural development inventory, so they could bring it into their classroom as well as grow personally as educators.

"It was really for our students who need teachers who understand intercultural communication competency," she said. "It's so important that all students have a welcoming environment."

Without the grant from Education Minnesota, Halverson-Wente said she wouldn't have been able to afford the training.

"Grants are for the betterment of the common good," she said. "Teachers already dip into their own funds for their classrooms and students. These grants are an investment in teachers but also in their students."

"Education Minnesota Foundation grants help teachers dream a little bit more, achieve a little bit more and share a little bit more."

## **2022-23 Education Minnesota Foundation grants**

The Education Minnesota Foundation for Excellence in Teaching and Learning has multiple grants available this year. For details about the grants and how to apply, go to [www.edmnfoundation.org](http://www.edmnfoundation.org). There's a grant waiting for you!

### **Professional Development Grants for teachers, ESPs and higher education faculty**

Awarded twice a year, ESPs and teachers may request up to \$1,500, and higher education faculty may request up to \$3,000 to take the lead in acquiring and sharing new skills and knowledge. These skills might include new instructional ideas, technology, working with parents, attending a conference, etc.

A Professional Development Grant can also be used for groups to either attend professional development or be trained at their worksite.

Deadlines: Nov. 4 and April 7

### **National Board Certified Teachers Scholarship**

Members can receive \$500 per component, up to \$1,000 total. Deadline: Nov. 4

### **Classroom-Focused Grants**

Applicants may request up to \$3,000 for a project you design now and implement in the upcoming school year. These grants are available to licensed personnel who wish to improve their practice and student achievement. Deadline: Dec. 2

### **Second-Year Classroom Grants**

Previous classroom-focused grant recipients may request up to \$3,000 to expand on their original objectives, and who have the potential to realize additional goals based on the learning and outcomes of their first grant. Deadline: April 7

### **IMPACT Grant**

IMPACT Grant projects must be coordinated by an active member of Education Minnesota who has teamed up with a nonprofit organization or their local union/school district. Approximately \$15,000 is available for one year. The budget should reflect a one-year project. Deadline: Jan. 13

## Recent Supreme Court decisions reshape constitutional rights

By Eva Wood and David Aron

In its most recent term, the U.S. Supreme Court issued a number of decisions that overturned longstanding precedent on a host of hot-button social issues, including abortion, vouchers, religion in schools and gun control regulations. The following is a summary of three decisions that have the greatest potential impact on the rights of Minnesotans and Minnesota educators.

### I. Vouchers for religious schools: *Carson v. Makin*

#### The decision

The Supreme Court considered a First Amendment challenge to a Maine law that provides private school tuition assistance to families in school districts in rural parts of the state that lack a public secondary school as long as the private school receiving the assistance is nonsectarian, or non-religious. Maine added the nonsectarian requirement to its law in 1981 out of concern that providing direct aid to religious schools would violate the Establishment Clause of the First Amendment. The lower courts agreed with the state that this restriction was constitutional because it prohibited public funds from being used for religious purposes, consistent with the Establishment Clause.

Writing for the court's 6-3 majority, Chief Justice John Roberts reversed the lower courts and held that the Maine law violated the Free Exercise Clause by allowing tuition assistance for private nonsectarian schools while prohibiting it from going to religious ones. The court held that Maine is not obligated to fund religious schools, and that it could instead provide public secondary school options to all students in the state. However, since the state has chosen to allow tuition assistance to nonsectarian private schools, barring religious schools from receiving the same public funds amounted to unconstitutional discrimination against religion.

#### The dissent

Justice Stephen Breyer dissented, along with Justices Elena Kagan and Sonia Sotomayor. In the dissent's view, the Maine law restricts funds from religious schools not

due to their religious character, but rather due to their use for religious instruction, a distinction the Supreme Court had previously recognized as constitutional. It cautions that "state funding of religious activity risks the very social conflict based upon religion that the Religion Clauses were designed to prevent."

Justice Breyer's dissent raises alarm about the implications of the *Carson* decision for other state laws prohibiting government funding of religious instruction. He asks whether the decision "mean[s] that a public school district that pays for public schools must pay equivalent funds to parents who wish to send their children to religious schools? Does it mean that school districts that give vouchers for use at charter schools must pay equivalent funds to parents who wish to give their children a religious education?"

The dissent would have allowed the Maine law to stand because it "supports, rather than undermines, the Religion Clauses' goal of avoiding religious strife." Justice Breyer points out that the religious schools themselves expressed concern that receiving public funds might require them to alter their educational programs. Finally, the dissent argues that the court's decision marks a concerning shift away from government neutrality toward religion that will undermine religious pluralism.

#### What it means for Minnesota educators

Like the court's decision in *Espinoza v. Montana Department of Treasury* (2020), this decision moves the U.S. closer to a legal regime where any restriction on government funding for religious education is unconstitutional. This would be a dramatic shift in the Supreme Court's interpretation of the First Amendment that would negatively impact the resources available to public schools. For now, however, the court

insists that public funding for private schools is not required unless the district makes the same funding available to private nonsectarian religious schools.

Because Minnesota does not currently allow vouchers for any private school tuition, this decision would not immediately require the state to fund private religious schools. That would likely change if Minnesota fails to retain a pro-public education majority in the Legislature or the Governor's office, underscoring the urgency of this fall's elections.

Private school vouchers have long been a priority for many Minnesota Republicans, even though private schools are not required to accept all students and private religious schools are exempt from certain state and federal anti-discrimination laws. If Minnesota were to enact vouchers, the *Carson* decision would likely require that any funds be made available to religious private schools on the same basis as non-religious ones.

## **II. Prayer at public school events: *Kennedy v. Bremerton School District***

### **The decision**

In another notable decision involving religion and public schools, the court held that the First Amendment protects the right of public employees to engage in "personal religious observance" at a school-sponsored event without retaliation. Joseph Kennedy was an assistant coach in the Bremerton School District whose practice of praying on the 50-yard line of the football field after games, sometimes with student-athletes, generated concern from district officials that his conduct would put the district in violation of the Establishment Clause of the First Amendment. After Kennedy continued to pray on the field despite requests by the district to do so in a less public space, the school district placed him on administrative leave and recommended against the renewal of his coaching contract, at which point he sued the district.

Writing for the 6-3 majority, Justice Neil Gorsuch found that the school district burdened Kennedy's exercise of his religion in a manner that was not "neutral" or "generally applicable," since the district's actions were targeted at Kennedy specifically because of his religious activity. The court rejected the defense for the conduct offered by the school district and accepted by the lower

*This Legal Briefs column, written by Education Minnesota attorneys, is one of an occasional series on legal developments that affect educators.*

courts—that allowing Kennedy to pray on the football field after the game would amount to a government endorsement of religion under the court's decision in *Lemon v. Kurtzman* (1971).

The majority criticizes the "Lemon test" as flawed, and asserts that the proper test for determining when religious conduct by school employees or officials violates the Establishment Clause is whether it forces or persuades students to participate in religious activity. Based on its insistence that Kennedy's conduct was not coercive and did not interfere with his coaching duties, the court held that it was protected by the First Amendment.

### **The dissent**

Writing for the court's three liberal justices in dissent, Justice Sotomayor criticized Gorsuch's characterizations of the prayer as private and non-coercive, despite significant factual evidence to the contrary. The dissent notes: "The record reveals that Kennedy had a long-standing practice of conducting demonstrative prayers on the 50-yard line of the football field. Kennedy consistently invited others to join his prayers and for years led student-athletes in prayer at the same time and location. The court ignores this history. The court also ignores the severe disruption to school events caused by Kennedy's conduct."

Justice Sotomayor also emphasizes the court's departure from longstanding precedent, noting that the court "has consistently recognized that school officials leading prayer is constitutionally impermissible." The majority ruling, she writes, "charts a different path, yet again paying almost exclusive attention to the Free Exercise Clause's protection for individual religious exercise while giving short shrift to the Establishment Clause's prohibition on state establishment of religion."



### What it means for Minnesota educators

As a result of this decision, policies and practices by public schools restricting religious expression by employees may be more open to First Amendment challenges than previously. However, employees should not interpret the court's decision as a license to pray with students at any point in their duty day, especially during instructional time, given the court's insistence that Kennedy's prayer was private and at a time when he had no other work obligations.

While this decision does not explicitly overrule *Lee v. Weisman* (1992), which held that school officials violated the First Amendment by leading students in prayer during a graduation ceremony, it will likely generate more disputes about the line between protected and unprotected religious activity by public employees. Prior to this decision, most courts would have found that schools need not allow Kennedy's conduct at a school-sponsored event, but school districts and courts may need to give this type of activity greater latitude if the employee is doing so in their individual capacity and can demonstrate that it was not coercive to students.

### III. Abortion: *Dobbs v. Jackson Women's Health*

#### The decision

In a decision overturning nearly 50 years of legal precedent, the U.S. Supreme Court held that the U.S. Constitution does not confer a right to abortion. The court considered a 2018 Mississippi state law that banned most abortion operations after the first 15 weeks of pregnancy. Lower courts had blocked the law from taking effect based on the court's rulings in *Roe v. Wade* (1973) and *Planned Parenthood v. Casey* (1992). Those decisions prohibited states from banning abortion before fetal viability, generally within the first 24 weeks, on the basis that a woman's choice of whether or not to terminate a pregnancy falls within the right of privacy protected by the Fourteenth Amendment's Due Process Clause.

The court ruled 6–3 to reverse the lower court rulings; a smaller majority of five justices joined the opinion overturning *Roe* and *Casey*. The majority decision was written by Justice Samuel Alito and joined by Justices

Clarence Thomas, Gorsuch, Brett Kavanaugh, and Amy Coney Barrett, all of whom were nominated by Republican presidents. Chief Justice Roberts agreed with the judgment upholding the validity Mississippi law even though it conflicted with *Roe* and *Casey*, but he would not have overruled *Roe* or *Casey* in their entirety.

The majority criticizes both the historical evidence relied on by the court in *Roe* as well as its legal reasoning. The court asserted that the only way to analyze whether the Constitution protects a right not explicitly mentioned is to determine whether the asserted right is “deeply rooted in the nation's history and tradition.” The court cited the existence of criminal penalties for abortion at the time of ratification to conclude that the Constitution does not protect a right to abortion, holding that the authority to regulate it lies with “the people and their elected representatives.”

#### The dissent

Justices Breyer, Kagan and Sotomayor jointly wrote the dissent. In the introductory statement, they warn, “the right *Roe* and *Casey* recognized does not stand alone. To the contrary, the Court has linked it for decades to other settled freedoms involving bodily integrity, familial relationships, and procreation. Most obviously, the right to terminate a pregnancy arose straight out of the right to purchase and use contraception. In turn, those rights led, more recently, to rights of same-sex intimacy and marriage. Either the mass of the majority's opinion is hypocrisy, or additional constitutional rights are under threat. It is one or the other.”

The three dissenting justices also argue the precedent was struck down not because of new scientific developments or societal changes, but due to changes in the makeup of the Supreme Court itself. They point out the rarity of the Supreme Court removing constitutional rights instead of expanding them, and note with sadness that “young women will come of age with fewer rights than their mothers and grandmothers had.”

### What it means for Minnesota educators

In the immediate future, abortion will remain legal in Minnesota based on a 1995 ruling by the Minnesota Supreme Court that abortion is protected under the Minnesota Constitution. In July 2022, a state district court found that a number

of Minnesota restrictions on abortions, including a 24-hour waiting period, two-parent notification for minors, and a requirement that only physicians may perform abortions, violated the Minnesota Constitution and were invalid. Nevertheless, the court's decision in *Dobbs* has already revived abortion bans in many states, including all of those neighboring Minnesota except Iowa, which is likely to reinstate a ban that had previously been declared unconstitutional. *Dobbs* also opens the door to a federal ban on abortion.

In addition, *Dobbs* raises questions about whether the current Supreme Court majority will continue to recognize a constitutional right to same-sex marriage, interracial marriage and contraception, all of which are based on a long-recognized right to privacy within the Fourteenth Amendment.

Finally, future decisions interpreting the Constitution as protecting only the legal rights existing at the time of ratification—the approach articulated by the majority—could be harmful to women, minorities and other marginalized groups, who were not viewed as full citizens and did not enjoy anything close to legal equality until much more recently in our history. For those concerned about preserving these rights, electing state legislators and constitutional officers who will protect and defend them became even more critical.

*Wood is a staff attorney at Education Minnesota and Aron is general counsel.*



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## Political Action Committee Refund Request

Thousands of members of Education Minnesota decide to contribute to the union's political action committee. The PAC is one of our main tools to bring the educator voice to the policy debate by electing people who will listen. Those PAC dollars go back to local unions to help them win school board and levy elections, as well as support pro-public education candidates at the state and national level.

In accordance with Education Minnesota Bylaw Article 2, Section 3, Subd. b, I hereby request the following:

\_\_\_\_\_ Please refund to me \$25 of my Education Minnesota's dues that will be contributed to the general account of Education Minnesota Political Action Committee for the 2022-23 academic year.

**ALL OF THE FOLLOWING FIELDS ARE  
REQUIRED. PLEASE PRINT LEGIBLY.**

Name: \_\_\_\_\_

Last 4 digits of SS#: \_\_\_\_\_

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Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Local/Affiliate: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

A request for refund of the Education Minnesota Political Action Committee contribution will not affect membership rights or benefits. Retired members are not assessed, thus do not qualify for the refund.

### DEADLINE FOR REFUNDS:

Refund requests MUST be received by the Education Minnesota Political Action fund:

- 1) By Oct. 31 for continuing members; or
- 2) Within 30 days of signing a membership application for new members.

**Checks will not be mailed until  
the end of November, after all  
forms have been processed.**

**ORIGINAL SIGNATURE NEEDED.**

Return this form to:  
Education Minnesota Accounting Department  
Attn: Refund Request  
41 Sherburne Ave.  
St. Paul, MN 55103-2196

## Education Minnesota Foundation for Excellence in Teaching and Learning Refund Request

Contributions to this foundation will provide financial support for innovative programs initiated by Education Minnesota members, locals and affiliates that promote educational access for learners and excellence in teaching. Grants also support professional development for education support professionals and higher education faculty.

In accordance with Education Minnesota Bylaw Article 2, Section 3, Subd. c, I hereby request the following:

\_\_\_\_\_ Please refund to me my \$5 foundation assessment that would be contributed to the Education Minnesota Foundation for Excellence in Teaching and Learning for the 2022-23 academic year.

**ALL OF THE FOLLOWING FIELDS ARE  
REQUIRED. PLEASE PRINT LEGIBLY.**

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Local/Affiliate: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

A request for refund of the Education Minnesota Foundation for Excellence in Teaching and Learning assessment will not affect Education Minnesota membership rights or benefits but will make you ineligible to receive a grant from this foundation. Retired members are not assessed, thus do not qualify for the refund.

### DEADLINE FOR REFUNDS:

Refund requests must be received by the Education Minnesota Foundation for Excellence in Teaching and Learning:

- 1) By Oct. 31 for continuing members; or
- 2) Within 30 days of signing a membership application for new members.

**Checks will not be mailed until  
the end of November, after all  
forms have been processed.**

**ORIGINAL SIGNATURE NEEDED.**

Return this form to:  
Education Minnesota Accounting Department  
Attn: Refund Request  
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St. Paul, MN 55103-2196



## Education Minnesota endorsed candidates

Education Minnesota members have been participating in screenings of candidates at the local and statewide levels. The Education Minnesota Political Action Committee and Executive Committee, made up of members from across the state, have recommended the following candidates for election as of June 24. More endorsements will be available at [www.edmnvotes.org](http://www.edmnvotes.org) before Election Day, which also includes information on our endorsement and local screening processes. \* indicates current or former Education Minnesota member

### Governor and Lt. Governor

Gov. Tim Walz\* and  
Lt. Gov. Peggy Flanagan

### Attorney General

Attorney General Keith Ellison

### State Auditor

State Auditor Julie Blaha\*

### Secretary of State

Secretary of State Steve Simon

### U.S. House of Representatives

CD2: Angie Craig

CD3: Dean Phillips

CD4: Betty McCollum

CD5: Ilhan Omar

### Minnesota House

House District 3A – Rob Ecklund

House District 3B – Mary Murphy

House District 7A – Julie Sandstede\*

House District 7B – David Lislegard

House District 8A – Liz Olson

House District 11B – Eric Olson

House District 18A – Jeff Brand

House District 18B – Luke Frederick

House District 19A – Carolyn Treadway

House District 52B – Ruth Richardson

House District 56A – Robert Bierman

House District 56B – John Huot

### Minnesota Senate

Senate District 3 – Grant Hauschild

Senate District 7 – Ben DeNucci

Senate District 8 – Jennifer McEwen

Senate District 18 – Nick Frenz

Senate District 19 – Kate Falvey\*

Senate District 31 – Jason Ruffalo

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## In-person and virtual MEA conferences to be held this fall

Every October, educators from across the state get ready for the biggest professional development in Minnesota—Education Minnesota's MEA conference in downtown St. Paul.

This year, your union will have both a traditional, in-person conference at the RiverCentre and offer a virtual conference on Thursday, Oct. 20. Online courses are also available year-round on Education Minnesota's MEA Online for members to complete at their own pace.

The MEA conference and MEA Online are always free and open to Education Minnesota members only.

Registration for both the in-person and virtual conferences will go live Aug. 31 at <https://edmn.me/MEA2022>. Register early to get into the workshops you want.

Attendees can earn general continuing education credit for attending the MEA conference. In addition, some sessions might help you fulfill state relicensure

requirements in reading instruction, identifying early-onset mental illness in students, positive behavioral interventions, English language learners and suicide prevention. Check with your district's continuing education committee on whether you will receive credit.

Free onsite child care will also be available during the MEA conference for in-person attendees. You must register in advance; registration will open in August.

### MEA DETAILS

*When: 8 a.m. to 3:30 p.m., Thursday, Oct. 20, 2022*

*Where: Saint Paul RiverCentre and online.*

*Admission: Free and open to Education Minnesota members and aspiring educators only.*

*Registration: Opens Aug. 31!*

### OCT. 20 SCHEDULE

*General session: 9-10:30 a.m.*

*Workshops: 10:45 a.m.-3:30 p.m.*

*Exhibits: 8 a.m. to 2:30 p.m.*



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## ***Nominations open for the 2022-23 ESP of the Year***

Nominations are open until Sept. 25 for the next Education Minnesota Education Support Professional of the Year.

The program honors exemplary professional and union work by an Education Minnesota member in any ESP job category, including paraprofessional/education assistant, secretarial/clerical, custodial, food service, maintenance and trades, transportation, groundskeeping, security, technology services, health services and others.

All Education Minnesota ESP members who have been members for at least three years as of Aug. 31, 2022, are eligible. Individuals can be nominated by anyone associated with Minnesota schools.

The ESP of the Year represents peers throughout the profession and connects to communities as an ambassador, and is Minnesota's nominee for the National Education Association's ESP of the Year award.

The ESP of the Year receives a \$1,200 honorarium, their choice of an iPad, Chromebook or tablet, plus an expense-paid trip to the NEA's Education Support Professional National Conference.

To learn more about the program and nominate a candidate for 2022-23 Education Minnesota ESP of the Year, go to [www.educationminnesota.org/news/awards-and-honors/esp-of-the-year](http://www.educationminnesota.org/news/awards-and-honors/esp-of-the-year).

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