

SUPREME COURT OF MINNESOTA

Education Minnesota-Chisholm v. Independent School District No. 695

662 N.W.2d 139 (Minn. 2003) · No. No. C1-02-291 · Decided June 5, 2003

SUMMARY

The Minnesota Supreme Court affirmed the exclusion of six Early Childhood Family Education instructors from a teachers' bargaining unit. The court held that the instructors provided community education instruction offered on a noncredit basis under the Public Employment Labor Relations Act and therefore were not public employees under the applicable statutory exclusion. The court concluded that the statutory language was clear and unambiguous.

CASE DETAILS

COURT	Supreme Court of Minnesota
WRITING FOR THE COURT	Hanson, Justice; Paul H. Anderson, Justice; Page, Justice
JURISDICTION	Minnesota
DECIDED	June 5, 2003
DOCKET	No. C1-02-291
DISPOSITION	affirmed
PROCEDURAL POSTURE	The teachers' union sought review of an administrative determination by the Minnesota Bureau of Mediation Services excluding part-time Early Childhood Family Education instructors from the union's bargaining unit. The Minnesota Court of Appeals affirmed, and the Minnesota Supreme Court granted review.
STANDARD OF REVIEW	De novo review of statutory construction because construction of a statute is a legal conclusion.
PRECEDENTIAL VALUE	Published Minnesota Supreme Court opinion; precedential.
PARTIES	Education Minnesota-Chisholm v. Independent School District No. 695, State of Minnesota, Bureau of Mediation Services

TOPICS

[statutory interpretation](#)[plain meaning rule](#)[collective bargaining](#)[labor law](#)[administrative law](#)

PRACTICE AREAS

labor law

collective bargaining

administrative law

statutory interpretation

QUESTIONS PRESENTED

1. Whether Early Childhood Family Education instruction is community education instruction offered on a noncredit basis under Minn. Stat. § 179A.03, subd. 14(i).
2. Whether the ECFE instructors therefore qualify as public employees and teachers who must be included in the union's bargaining unit under the Public Employment Labor Relations Act.
3. Whether the statutory phrase "offered on a noncredit basis" is ambiguous as applied to ECFE instruction.

HOLDINGS

1. The phrase is clear and unambiguous as applied to the ECFE program. Instruction is offered on a noncredit basis when it does not result in academic advancement, certification, graduation, or a similar outcome.
2. The six part-time ECFE instructors were properly excluded from the teachers' bargaining unit because their instruction was community education offered on a noncredit basis, and they therefore did not qualify for the statutory exemption from the part-time-employee exclusion.
3. Because the statutory language is clear and unambiguous, the court did not need to examine legislative history.

KEY QUOTATIONS

"The meaning of the phrase "offered on a noncredit basis" is the dispositive question in this case." (143)

"We conclude that the ECFE programs fall within the plain meaning of the term "noncredit."" (144)

"Because we find the terms of the statute clear and unambiguous, we need not examine the legislative history of Minn.Stat. § 179A.03, subd. 14(i)." (144)

FACTUAL BACKGROUND

The Chisholm school district employed six part-time instructors in an Early Childhood Family Education program providing instruction to parents and preschool children. The program was not part of the K-12 curriculum or compulsory education and did not provide certification, graduation, or academic advancement. The instructors were licensed teachers, but each worked no more than the statutory part-time threshold.

PROCEDURAL HISTORY

Education Minnesota-Chisholm petitioned the Bureau of Mediation Services for clarification of the appropriate bargaining unit, arguing that six ECFE instructors should be included. The Bureau ruled that the instructors were not public employees under the Public Employment Labor Relations Act because they were part-time employees providing community education instruction on a noncredit basis. The court of appeals affirmed in a divided opinion, and the supreme court affirmed.

DISPOSITION

affirmed

CASES CITED

- Education Minnesota-Chisholm v. Independent School District No. 695, 649 N.W.2d 474 (Minn. App. 2002)
- In re A.A.E., 590 N.W.2d 773, 776 (Minn. 1999)
- State v. Orsello, 554 N.W.2d 70, 74 (Minn. 1996)
- American Family Ins. Group v. Schroedl, 616 N.W.2d 273, 277 (Minn. 2000)

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