

**STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

**PROBABLE CAUSE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF KARLA NELSON REGARDING NSPMOEA AND EDUCATION MINNESOTA PAC

On October 29, 2025, the Campaign Finance and Public Disclosure Board received a complaint submitted by Karla Nelson regarding NSPMOEA, Board registration number 30782, and Education Minnesota PAC, Board registration number 30558. Education Minnesota PAC is a political fund and its supporting association is Education Minnesota.¹ NSPMOEA is a political fund with a supporting association of the same name, which is an abbreviation of the name North St. Paul-Maplewood-Oakdale Education Association.²

The complaint alleged that the complainant received three NSPMOEA mailers, with the first received on October 19,³ the second received on October 22,⁴ and the third received on October 24, 2025. The mailers were independent expenditures supporting a North St. Paul-Maplewood-Oakdale (ISD 622) School Board candidate, Sam Rosemark. NSPMOEA's treasurer, Katie Semmerling, certified that fund's 2025 pre-general report of receipts and expenditures as true, and the report was filed on October 21, 2025. The report covered the period from January 1 through October 20, 2025. The report included a single in-kind contribution received from Education Minnesota PAC dated October 20, 2025, valued at \$2,504.51. The report included a single corresponding in-kind independent expenditure described as "Printing, Postage, Design, and Tax for Mailer". On October 28, 2025, NSPMOEA filed two large contribution notices pursuant to Minnesota Statutes section 10A.20, subdivision 5, disclosing two in-kind contributions received from Education Minnesota PAC on October 23, 2025, each valued at \$2,504.51 and described as "Postage, Printing, Design, and tax for mailer".⁵

The complaint alleged that the second mailer was likely produced within the period covered by the 2025 pre-general report. The complaint alleged that an in-kind contribution was undervalued. The complaint alleged that the disclaimer on the mailers should have stated that they were paid for by Education Minnesota PAC. The complaint also appeared to allege that Education Minnesota PAC was required to file a 2025 pre-general report.

¹ cfb.mn.gov/reports-and-data/viewers/campaign-finance/political-committee-fund/30558/

² cfb.mn.gov/reports-and-data/viewers/campaign-finance/political-committee-fund/30782/

³ October 19, 2025, was a Sunday. On October 20, 2025, the complainant sent an email to Board staff with a photograph depicting a portion of the first NSPMOEA mailer she received.

⁴ On October 22, 2025, the complainant posted a photograph depicting a portion of the second NSPMOEA mailer she received on Facebook: [facebook.com/KarlaForKids/posts/pfbid02Qus49BgFPoobNzASFo1zgD9GN6yiKpDvnBcTuBQrJAVvw96etjn2EJS8v9ij8F44l](https://www.facebook.com/KarlaForKids/posts/pfbid02Qus49BgFPoobNzASFo1zgD9GN6yiKpDvnBcTuBQrJAVvw96etjn2EJS8v9ij8F44l).

⁵ A large contribution notice is required to be filed by the end of the next business day after receipt, and a late filing fee accrues at a rate of \$50 per business day thereafter. The imposition of a late filing fee is independent of the Board's authority to conduct investigations.

On November 11, 2025, the Board's chair determined that the complaint stated a prima facie violation of Minnesota Statutes section 10A.20, subdivisions 3-4, with respect to NSPMOEA's 2025 pre-general report, because the report did not include an in-kind contribution and corresponding in-kind independent expenditure accounting for the second mailer. The Board's chair determined that the complaint also stated a prima facie violation of Minnesota Statutes section 10A.025, subdivision 2, paragraph (b), with respect to Ms. Semmerling, because she certified NSPMOEA's 2025 pre-general report to be true, and filed a large contribution notice, listing dates for in-kind contributions received from Education Minnesota PAC that allegedly were inaccurate.

The Board's chair determined that the complaint did not state a prima facie violation of Minnesota Statutes sections 211B.04 or 10A.17, subdivision 4, because the disclaimer on an in-kind independent expenditure is not required to identify the entity that made an in-kind contribution to the entity that made the expenditure.⁶ The Board's chair determined that the complaint did not state a prima facie violation of Minnesota Statutes section 10A.20, subdivision 5, because the complaint did not identify a large contribution notice that was required to be, and was not, filed with the Board, and to the extent the complaint alleged that one or more of the large contribution notices filed by NSPMOEA undervalued in-kind contributions received from Education Minnesota PAC, that allegation was based on speculation unsupported by evidence. Likewise, the Board's chair determined that the complaint did not state a prima facie violation of Minnesota Statutes sections 10A.20 or 10A.025, subdivision 2, with respect to the cost of the mailers because that allegation was based on speculation unsupported by evidence. The Board's chair determined that the complaint did not state a prima facie violation of Minnesota Statutes sections 10A.20, subdivisions 3-4, or 10A.025, subdivision 2, with respect to Education Minnesota PAC and its treasurer, because the complaint did not allege facts or provide evidence indicating that Education Minnesota PAC was required to, or had, filed a campaign finance report covering any portion of 2025.⁷ Lastly, the Board's chair determined that despite citing Minnesota Statutes section 10A.025, subdivision 3, which pertains to record keeping requirements, the complaint did not state a prima facie violation of that provision because it did not allege facts that would constitute a violation.

On November 14, 2025, the complainant provided statements from a resident of Oakdale and a resident of Maplewood, stating that they received each of the three NSPMOEA mailers. The Oakdale resident stated that she received the first mailer in mid-October, the second on October 22, and the third in late-October or early November of 2025.

⁶ See, e.g., [Findings, Order, and Memorandum in the Matter of the Investigation of Expenditures Made by the Minnesota DFL Senate Caucus Party Unit \(Dec. 17, 2013\)](#) (concluding that a party unit that received in-kind contributions from another party unit and made corresponding in-kind independent expenditures was required to identify itself within the disclaimers, but not the party unit that made the in-kind contributions).

⁷ Education Minnesota PAC is required to file a 2025 year-end report.

Due to the timing of the Board chair's prima facie determination in relation to the Board's December 2025 meeting and a request from the respondent for additional time to respond, the Board voted to extend the deadline to make a probable cause determination during its meeting on December 3, 2025, pursuant to Minnesota Statutes section 10A.022, subdivision 3, paragraph (e).

On December 19, 2025, counsel for Education Minnesota, Meg Luger-Nikolai, provided a written response on behalf of NSPMOEA. Ms. Luger-Nikolai stated:

The Association reported the contributions that they had received as soon as they were aware of the value of the contribution, and would have been unable to make an accurate report to the Board in the absence of that data.

The Association received an in-kind contribution of a postcard mailing from Education Minnesota during the fall elections in 2025. Education Minnesota requested the production of the mailings on October 10, 2025. However, neither Education Minnesota nor the Association received an invoice until October 22, 2025, whereupon the Association reported the contribution.

Unfortunately, they did not understand that because the postcards were already in production, they were to have reported the expense at the time that the postcards went into production, nor were they aware of where the postcards were in the production and mailing process until after they received an invoice. Both Education Minnesota and its vendor partners have changed their practices in order to ensure that there is no longer a gap in invoicing.

In response to follow-up questions from Board staff, Ms. Luger-Nikolai stated in a January 2, 2026, email that an order was placed for the three mailers on October 10, 2025, with the intent that the mailers would be sent out serially. Ms. Luger-Nikolai said that a complete invoice from the vendor was received on October 20, 2025. Ms. Luger-Nikolai explained that Education Minnesota PAC provided a statement to NSPMOEA regarding the first mailer on October 20, and provided statements to NSPMOEA regarding the second and third mailers on October 22, 2025. Ms. Luger-Nikolai included copies of the statements that Education Minnesota PAC provided to NSPMOEA. The first statement was dated October 20, and the second and third statements were dated October 22, 2025. Each statement valued the in-kind contribution made to NSPMOEA at \$2,504.51 and provided a detailed breakdown of the costs incurred by Education Minnesota PAC. Ms. Luger-Nikolai stated that she does not know precisely when the mailers were delivered to ISD 622 residents.

The Board considered this matter at its meeting on February 4, 2026. Ms. Nelson appeared before the Board. Ms. Luger-Nikolai appeared before the Board on behalf of NSPMOEA.

Analysis

When the Board chair makes a finding that a complaint raises a prima facie violation, the full Board then must determine whether probable cause exists to believe an alleged violation that

warrants an investigation has occurred. Minn. Stat. § 10A.022, subd. 3 (d). A probable cause determination is not a complete examination of the evidence on both sides of the issue. Rather, it is a determination of whether there are sufficient facts and reasonable inferences to be drawn therefrom to believe that a violation of law has occurred. Minn. R. 4525.0210, subp. 3a.

If the Board finds that probable cause exists, the Board is required to determine whether the alleged violation warrants a formal investigation, considering the type and magnitude of the alleged violation, the knowledge of the respondents, any benefit to be gained from a formal investigation, the availability of Board resources, and whether the violation has been remedied. Minn. R. 4525.0210, subp. 5. If the Board finds that probable cause exists but does not order a formal investigation, the Board is required to either dismiss the complaint or order a staff review. Minn. R. 4525.0210, subp. 6.

False certification

Minnesota Statutes section 10A.025, subdivision 2, paragraph (b), provides that “An individual shall not sign and certify to be true a report or statement knowing it contains false information or knowing it omits required information.” NSPMOEA’s 2025 pre-general report was filed on October 21, 2025, which was one day prior to NSPMOEA receiving statements from Education Minnesota PAC regarding the second and third mailers. The dates provided for the in-kind contributions from Education Minnesota PAC within NSPMOEA’s 2025 pre-general report and large contribution notices match the dates of the statements Education Minnesota PAC provided stating the amount of each in-kind contribution. The evidence in the record indicates that NSPMOEA relied on Education Minnesota PAC to provide accurate information regarding the dates of the in-kind contributions because Education Minnesota PAC was the entity that placed the order and received the invoices for the mailers in question. Therefore, there is not probable cause to believe that Ms. Semmerling violated Minnesota Statutes section 10A.025, subdivision 2.

Reporting

A political fund is required report contributions received and independent expenditures made, within its campaign finance reports. Minn. Stat. § 10A.20, subd. 3. An in-kind contribution “must be disclosed at its fair market value” and “is considered consumed in the reporting period in which it is received.” Minn. Stat. § 10A.20, subd. 3 (c). An expenditure is made when there is a purchase of goods or services or when an obligation to pay for goods or services is incurred. Minn. Stat. § 10A.01, subd. 9. Minnesota Statutes section 10A.20, subdivision 4, provides that with the exception of the year-end report, each “report must cover the period from January 1 of the reporting year to seven days before the filing date.” The filing date for the 2025 pre-general report was October 27, 2025. Minnesota Statutes section 10A.20, subdivision 5, required a political fund that reached the \$200 spending threshold stated in subdivision 2a to file a large contribution notice disclosing contributions or loans totaling more than \$1,000 from any one source, received during the period from October 21 through November 3, 2025.

Education Minnesota PAC placed an order for the three mailers in question on October 10, and received a complete invoice from the vendor on October 20, 2025. While Education Minnesota PAC did not provide statements to NSPMOEA regarding the value of the second and third mailers until October 22, 2025, that does not alter the date that the in-kind contributions were received. When an entity such as Education Minnesota PAC makes an expenditure by purchasing goods or services on behalf of another entity, the date of the in-kind contribution to that entity is the same as the date of the expenditure. In this instance, Education Minnesota PAC had all the information NSPMOEA needed to report that it received three in-kind contributions of \$2,504.51 each during the period covered by the 2025 pre-general report. Education Minnesota PAC failed to provide some of that information until after NSPMOEA's pre-general report was filed, and when the remaining information was provided, it implied that the date of the in-kind contributions consisting of the second and third mailers was after the period covered by the 2025 pre-general report. That explains why NSPMOEA filed large contribution notices stating that the second and third in-kind contributions were received on October 23, 2025, rather than filing an amended 2025 pre-general report stating that all three contributions were received on or before October 20, 2025.

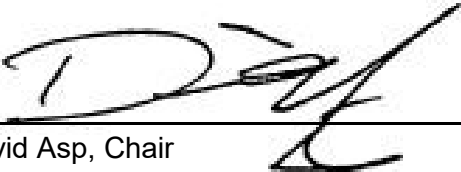
Based on the foregoing analysis, the Board concludes that there is probable cause to believe that NSPMOEA failed to include two in-kind contributions it received, and two corresponding in-kind independent expenditures it made, during the period covered by the 2025 pre-general report, as required by Minnesota Statutes section 10A.20, subdivision 3. The Board further concludes that if NSPMOEA received the in-kind contributions consisting of the second and third mailers on or before October 20, 2025, it was not required to file large contribution notices with the Board disclosing those contributions.

NSPMOEA registered with the Board in September 2025. Minnesota Statutes Chapter 10A was amended, effective January 1, 2025, to require associations such as NSPMOEA to register and file reports with the Board for the first time. It is important for reports filed with the Board to accurately state contributions received and expenditures made. However, NSPMOEA filed large contribution notices only one day after the 2025 pre-general report was due, disclosing the in-kind contributions consisting of the second and third mailers. A good-faith reporting error that may be remedied by filing an amended report is a less serious violation than the types of violations typically investigated by the Board. The Board has limited resources and there is no apparent information or benefit to be gained from issuing formal findings rather than an informal resolution of the matter. Considering those factors, the Board concludes that a formal investigation is not warranted.

Order:

1. The allegation that Katie Semmerling violated Minnesota Statutes section 10A.025, subdivision 2, is dismissed without prejudice because there is not probable cause to believe that a violation occurred.

2. Although probable cause exists to believe that NSPMOEA failed to include two in-kind contributions it received, and two corresponding in-kind independent expenditures it made, during the period covered by the 2025 pre-general report of receipts and expenditures, as required by Minnesota Statutes section 10A.20, subdivision 3, a formal investigation is not warranted.
3. The Board's executive director is directed to initiate a staff review regarding this matter pursuant to Minnesota Rules 4525.0320. If the staff review establishes that no violation occurred, or establishes that any violation has been remedied by the filing of an amended 2025 pre-general report, the staff review must be closed pursuant to Minnesota Statutes section 10A.022, subdivision 3b. If the staff review establishes that a violation occurred that cannot be remedied by filing an amended report, the staff review may be resolved by a conciliation agreement with NSPMOEA. If the staff review establishes that a violation occurred that cannot be remedied by filing an amended report, and the matter cannot be resolved by conciliation agreement, the executive director is directed to prepare findings to resolve the matter.
4. If NSPMOEA files an amended 2025 pre-general report pursuant to Minnesota Statutes section 10A.025, subdivision 4, stating that it received, on or before October 20, 2025, the in-kind contributions disclosed within the large contribution notices it filed in 2025, the late filing fee imposed for those notices is hereby rescinded.



David Asp, Chair
Campaign Finance and Public Disclosure Board

Date: February 4, 2026