

---

## Juneteenth Guidance

1 message

---

MSBA <msba@mnmsba.org>  
Reply-To: MSBA <msba@mnmsba.org>  
To: Brad Sellner <bsellner@hlww.k12.mn.us>

Wed, May 31, 2023 at 2:45 PM

[View this email in your browser](#)



## Guidance on Juneteenth

***MSBA offers the following as questions arise concerning Juneteenth***

### **Juneteenth will be a holiday beginning in 2023**

When the Juneteenth bill was originally passed in February, the enactment date was August 1, 2023 (meaning that the holiday began in 2024).

When the State Government Finance Bill was passed on May 19, it included the following:

Sec. 116. Laws 2023, chapter 5, section 1, is amended by adding an effective date to read:

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Chapter 5 is the Juneteenth law that passed in February. Thus, June 19, 2023, is a legal holiday in Minnesota.

In our conversation with MDE last week, MSBA learned that school districts should treat Juneteenth as they would treat July 4 (both of which are included in the new definition of 'holiday' under Minnesota Statutes 645.44).

## **Minnesota public schools and school boards may not transact public business on a holiday**

Minnesota Statutes 645.44 includes the following in the definition of “holiday”:

No public business shall be transacted on any holiday, except in cases of necessity...

This prohibition applies to Juneteenth in 2023. Court rulings have established that school board meetings and conducting school are included in “transaction of public business.”

If a school district wishes to claim “necessity” or that a specific activity (such as day care, sports, etc.) is not included in “public business,” MSBA strongly recommends consulting with its law firm.

School districts should be deliberate in their determination of compensation for employees that were scheduled to work on Juneteenth. The school district should consult with their legal counsel before deciding not to compensate these employees.

## **MDE’s position is that the Juneteenth law does not permit summer school operation**

Unlike other Minnesota legal holidays, a separate law specifically addresses Juneteenth (Minnesota Statutes 10.55). This statute states that “public schools may offer instruction and programs on the occasion.” MSBA has engaged in several conversations on this phrase with MDE, which takes the position that this language does not permit summer school operations and similar summer activities. Schools that seek to use this language to conduct summer school or similar activities are strongly encouraged to work with their law firms.

Martin Luther King Jr. Day, Presidents’ Day, Columbus Day, and Veterans Day are handled in a specific law (Minnesota Statutes 120A.42) that allows schools to operate on these dates. Juneteenth is not included in 120A.42.



Copyright © 2023 | Minnesota School Boards Association | All rights reserved.

1900 West Jefferson Avenue, St. Peter MN