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State board punishes Muñoz for plagiarism

Outgoing RPS superintendent issued letter of censure

BY NORA ECKERT
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Michael Muñoz was issued a letter of censure by the body that grants and renews administrator licenses in Minnesota, a punishment he incurred for plagiarizing messages to students and families as well as graduation speeches.

The public reprimand will stay in his file for a year, but is a less serious measure than license revocation or suspension. The decision does not affect Muñoz's ability to work as an administrator in Minnesota.

"The Code of Ethics requires that a licensed school administrator not engage in conduct involving dishonesty, fraud, or misrepresentation in the performance of professional duties ... The Board finds that your actions violated the Code of Ethics," the letter of censure says.

The board unanimously agreed to issue the letter, which will be in Muñoz's file until June 28, 2022.

"We only issue three or four of these per year, so what that tells you is this is pretty serious," said Board of School Administrators Executive Director Anthony Kinkel. He added that the board was first made aware of Muñoz's conduct through a January complaint.

In a March 18 letter to the ethics committee, Muñoz's counsel acknowledged the "severity" of his behavior and described his conduct as "poor choices," according to the letter.

Muñoz has admitted to plagiarizing emails sent to staff and families, a practice first flagged following a note sent last Thanksgiving. Previous examples of

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Photos by Joe Ahlquist / jahlquist@postbulletin.com

Sean Johnson, 3, of Rochester, runs in the 50-yard dash during the Hal Martin All Comers' Track Meet on Tuesday at Soldiers Memorial Field in Rochester. Tuesday's event was the third of six All Comers' Track Meets planned for the summer. The other three are scheduled for July 6, July 13 and July 20. This year marks the 50th year of the meets.

A dash of fun

Families come together for friendly competition

BY ALEXANDER DACY
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With hundreds of people cheering him on, 3-year-old Sean Johnson waddled down the gravel track near the front of a pack of toddlers. They were all chasing the same goal — a hug from their parents and a purple participation ribbon.

Having completed 50 meters, Johnson came to a stop at the white chalk line, his finishing position unimportant at the Hal Martin All-Comers' Track Meet. All that mattered was the smile across his face.

Tuesday's family-friendly event drew hundreds of people to the Soldiers Field Track as tots, teens and everyone in between ambled around the course, all in the name of fun and exercise.

"We're just trying to promote healthy lifestyles and get kids active," said



Children run in the 50-yard dash during the Hal Martin All Comers' Track Meet on Tuesday at Soldiers Memorial Field in Rochester.

race director Dale Pfrimmer.

The meet, organized by the Rochester Running Club, is celebrating its 50th anniversary this summer. Classic races, ranging from 50-meter dashes to 1-mile runs, returned, while the

over/under hurdles and ladders highlighted new additions to the infield.

The meet is also welcoming para-athletes and wheelchair racers this summer for the first time.

"We tried to be more

inclusive with our special needs youngsters, so that's been really rewarding," Pfrimmer said.

The same familiar face got the festivities started.

Jerry Goodrich has been the event's head starter for 39 years. On Tuesday, he assumed his usual position on the side of the gravel course, calling out groups and dropping his red cap to signal the beginning of each race.

He's not the only returnee.

Andrew Forliti is a Rochester native who participated in the meet when he was younger. But on Tuesday, he observed as father to Connor, 7, and Easton, 2, who were stepping over and crawling under the hurdles and bobbing down the track.

"It just gives that same experience of friendly

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Judge denies request to stop construction at nest site

Ruling says heron advocates haven't demonstrated 'irreparable harm'

BY JOHN MOLSEED
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A District Court judge has denied an injunction to halt development of a great blue heron nesting site west of Rochester.

International Properties LLC, owned by Aderonke Mordi, plans to build 10 single-family homes on a 30-acre site by extending Boulder Creek Lane toward Cascade Creek east of 60th Avenue Southwest. Adjoining land owners filed for an injunction to block work on the site because it includes a colony of more than 30 heron nests.

In her written ruling filed Friday afternoon, Judge

Pamela King concluded that the advocates for saving the nests haven't demonstrated irreparable harm. The nest colony, known as a rookery, is protected under the Migratory Bird Treaty Act as long as the nests are occupied, she noted in her ruling. State law, specifically under the Minnesota Environmental Rights Act, doesn't afford any further protection to the site, King said.

Plaintiffs argue that the rookery is unique in that it isn't near a river, lake, or large body of water.

Lynn Cornell, president of the Save the Rookery Board of Directors, said the ruling was "disappointing," but the

temporary restraining order put in place in March saved the nests for this season and gave the group time to organize and plan.

"It doesn't change the fact that the birds and this site are an important resource for the area and the whole state," she said.

King noted that the current property owner, Steve Connolly, would bear additional economic burdens if he wasn't able to sell the property for development.

"The judge did an excellent job weighing the evidence," said Dan Heuel, who represents Mordi in the case.

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Great blue herons sit among their nests in Rochester Township on March 25.

Post Bulletin file photo

Fun

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competition and letting people just go have fun," he said. "Nice that our kids get to experience that, too."

That was the case for the Johnson family.

Sean has participated in each of the three meets this June. His four older siblings took part in the races when they were younger, making it a family tradition.

It's also a welcome return to summer fun. No meets took place last year due to the COVID-19 pandemic, making this Sean's first summer at the track.

That makes his smile all the more infectious.

"It's super fun just to have the community and something to do with the kids, and just to see people that we haven't seen in a while," said Angela Johnson, Sean's mother. "Makes it feel like normal life."



Xander Johnson, 3, of Rochester, tries out the hurdles during the Hal Martin All Comers' Track Meet on Tuesday at Soldiers Memorial Field in Rochester.

Joe Ahlquist / jahlquist@postbulletin.com

Heron

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The case involves international law, Minnesota environmental laws, and local county and township ordinances, Heuel noted.

"There is a lot of complicated law here," he said.

Advocates for preserving the site said

they weren't surprised, but added that they plan to continue to work to save the trees containing the bird nests.

"The judge can only rule on what the law states," said Jenna Didier, member of the "Save the Rookery" group.

On the heels of the ruling, Save the Rookery filed for nonprofit status with the state of Minnesota.

Members of the

group also learned Monday that the Minnesota Department of Natural Resources' Natural Heritage Advisory Committee voted to recommend evaluating the rookery for possible acquisition and designation as a scientific and natural area.

That's if property owners where the rookery is located agree.

Mordi has said he and his wife planned to

build their new home on the land, and that they sold their house to help finance the development. A purchase agreement between the current land owner (Connelly) and Mordi was extended to June 30, 2021.

Last month, the Olmsted County Commissioners board approved a land-use designation change from "resource protection-potential suburban" to "suburban

development," which makes it eligible for development.

However, the board still needs to approve the development plan, and also required the developer to submit an Environmental Assessment Worksheet to the township.

Cornell said the group has approached Mordi about purchasing a portion of the land and placing some of the land owned by Leal Segura

and Patrick Adamson in a trust to become an SNA.

"The question is how eager are the Mordis and the development company to cut down these trees," she said.

The injunction was part of a lawsuit to halt development at the rookery. A pretrial conference will be set to schedule the next proceedings in the lawsuit.

Muñoz

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plagiarism were subsequently unearthed.

"I want to say I am really sorry that I made the bad choice that I did to plagiarize the Thanksgiving letter that was sent to you last week," Muñoz said in an apology to staff at the time. "I know by doing this I have damaged your respect and trust in me."

The censure comes as Muñoz's tenure in Rochester is wrapping up. His term as superintendent ends June 30, at which time Kent Pekel will become interim superintendent for one year.

Muñoz did not yet respond to a request for comment.

WHAT IS THE BOARD OF SCHOOL ADMINISTRATORS?

The Board of School Administrators oversees licensing for administrators in Minnesota public schools. The body was created in 2001 by the Minnesota Legislature, and members are appointed by the governor.

In addition to investigating potential ethical violations, the board produces accountability reports, assists in licensure processing and reviews



Post Bulletin file photo

Rochester Public Schools Superintendent Michael Muñoz was issued a letter of censure Monday by the state Board of School Administrators for plagiarizing messages and speeches in the district.

programs to prepare school leaders.

The board's 10 members are split into five committees: executive, ethics, licensing, professional development and program review, and legislative/communication. For investigations such as the one Muñoz went through, the ethics committee is most important.

Deb Henton, who served on the board for eight years and is currently the executive director of the Minnesota Association of School Administrators, said the ethics committee conducts its work separate from the other committees in order to protect those

involved. When she was the chair of the licensing committee, she only knew how many open cases the ethics committee was processing or had closed, but never the identities of those involved.

"There was always confidentiality for all parties involved," Henton said.

HOW DOES A LICENSE INVESTIGATION WORK?

In a typical year, the board receives about 120 complaints, said Kinkel. All are presented to the ethics committee, but only about half are taken on as investigations. Members judge an issue against a code of ethics to determine if it could constitute a violation.

During the pandemic, the board's caseload dropped, with about

80 complaints total, just under half of which have resulted in investigations, Kinkel said.

Typically, the first step for any claim the board chooses to look into is the letter of notification, composed by Kinkel and the Minnesota Attorney General's office, outlining the allegations against the administrator and providing them an opportunity to respond.

Sometimes, the ethics committee may require more information and request Kinkel conduct interviews with involved parties. Often, the school district has already collected data through its own investigation, Kinkel said.

The duration of investigations vary based on the offense and available information, said Kinkel, especially if there are legal matters involved. The board waits for a court decision if there is one pending relating to allegations in an investigation. Typically, the process takes about three months if it doesn't involve such a dispute, he said.

All parts of the process are kept confidential until the board comes to a conclusion regarding any punitive action.

"Even an accusation damages somebody's

reputation, and their job opportunity. And so, under the Minnesota data privacy act, we have to keep everything private until such time that our board believes that the person has violated Minnesota statutes on immoral character conduct or the Minnesota code of ethics for administrators," Kinkel said.

WHAT HAPPENS AFTER AN INVESTIGATION?

If the ethics committee decides to take up a complaint, there are several possible outcomes:

1. Subject remains licensed: the committee found no grounds to discipline the administrator

2. Letter of censure: the Board of School Administrators and Attorney General co-author the letter, which outlines the wrongdoing by the official. This stays in the person's file for one year before being removed.

3. Probation: The individual stays licensed, but under the condition that they complete a certain set of activities. Many of these offenses are against those struggling with substance abuse. Retaining their license may be conditionally based on completing therapy, for instance. This offense stays

in the person's file permanently.

4. Suspension: The person temporarily loses their license, typically for two years. The individual cannot work in Minnesota when their license is suspended.

5. Revocation: The administrator's license is almost certainly permanently removed.

WHEN HAS THE BOARD PREVIOUSLY TAKEN ACTION AGAINST ADMINISTRATORS?

A data request to the board regarding any punitive action taken from October 2017 to May 2021 revealed that there had been seven license suspensions, eight revocations, five administrators put on probation, and three letters of censure issued, though all have now expired from the public record. The board's previous punitive actions against administrators in the state include revoking a Hugo principal's license after he sexually harassed a teacher, and a Roseville superintendent's license after he exposed himself at several stores.

There are 7,038 administrative licenses in the state, Kinkel said, about 47% of which are active, meaning the individual is working in a job that requires the license.



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