

2.1 (6) the terms of any agreement settling any dispute arising out of an employment
2.2 relationship, including a buyout agreement as defined in section 123B.143, subdivision 2,
2.3 paragraph (a); except that the agreement must include specific reasons for the agreement if
2.4 it involves the payment of more than \$10,000 of public money; for purposes of this clause,
2.5 the specific reasons must include a description of the substantive basis and a reasonable
2.6 description of the facts prompting the agreement, except to the extent disclosure would
2.7 reveal information on the health condition of the employee;

2.8 (7) work location; a work telephone number; badge number; work-related continuing
2.9 education; and honors and awards received; and

2.10 (8) payroll time sheets or other comparable data that are only used to account for
2.11 employee's work time for payroll purposes, except to the extent that release of time sheet
2.12 data would reveal the employee's reasons for the use of sick or other medical leave
2.13 or other not public data.

2.14 (b) For purposes of this subdivision, a final disposition occurs when the government
2.15 entity makes its final decision about the disciplinary action, regardless of the possibility of
2.16 any later proceedings or court proceedings. Final disposition includes a resignation by an
2.17 individual when the resignation occurs after the final decision of the government entity,
2.18 or arbitrator. In the case of arbitration proceedings arising under collective bargaining
2.19 agreements, a final disposition occurs at the conclusion of the arbitration proceedings,
2.20 or upon the failure of the employee to elect arbitration within the time provided by the
2.21 collective bargaining agreement. A disciplinary action does not become public data if an
2.22 arbitrator sustains a grievance and reverses all aspects of any disciplinary action.

2.23 (c) The government entity may display a photograph of a current or former employee
2.24 to a prospective witness as part of the government entity's investigation of any complaint
2.25 or charge against the employee.

2.26 (d) A complainant has access to a statement provided by the complainant to a
2.27 government entity in connection with a complaint or charge against an employee.

2.28 (e) Notwithstanding paragraph (a), clause (5), upon completion of an investigation
2.29 of a complaint or charge against a public official, or if a public official resigns or is
2.30 terminated from employment while the complaint or charge is pending, all data relating to
2.31 the complaint or charge are public, unless access to the data would jeopardize an active
2.32 investigation or reveal confidential sources. For purposes of this paragraph, "public
2.33 official" means:

2.34 (1) the head of a state agency and deputy and assistant state agency heads;

2.35 (2) members of boards or commissions required by law to be appointed by the
2.36 governor or other elective officers; ~~and~~

S.F. No. 2409, 1st Engrossment - 87th Legislative Session (2011-2012) [S2409-1]

3.1 (3) executive or administrative heads of departments, bureaus, divisions, or
3.2 institutions within state government;

3.3 (4) individuals defined as superintendents, principals, and directors under Minnesota
3.4 Rules, part 3512.0100; school district business managers and human resource directors;
3.5 and individuals employed in comparable positions in charter schools; and

3.6 (5) an employee of a political subdivision acting in a managerial capacity as defined
3.7 in section 43A.02, subdivision 28, or a similar capacity to those identified in clauses
3.8 (1) to (3).