

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 942

(SENATE AUTHORS: KUNESH)

DATE
02/03/2025

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Introduction and first reading
Referred to Health and Human Services

OFFICIAL STATUS

- 1.1 A bill for an act
- 1.2 relating to children and families; mandating school attendance reporting to a local
- 1.3 welfare agency; modifying the habitual truant definition; appropriating money for
- 1.4 grants to fund child welfare response efforts; amending Minnesota Statutes 2024,
- 1.5 section 260C.007, subdivision 19; proposing coding for new law in Minnesota
- 1.6 Statutes, chapter 260E.
- 1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.8 Section 1. Minnesota Statutes 2024, section 260C.007, subdivision 19, is amended to read:
- 1.9 Subd. 19. **Habitual truant.** (a) "Habitual truant" means a child under between the age
- 1.10 ages of 12 and 17 years who is absent from attendance at school without lawful excuse for
- 1.11 seven school days per school year if the child is in elementary school or for one or more
- 1.12 class periods on seven school days per school year if the child is in middle school, junior
- 1.13 high school, or high school or a child who is 17 years of age who is absent from attendance
- 1.14 at school without lawful excuse for one or more class periods on seven school days per
- 1.15 school year and who has not lawfully withdrawn from school under section 120A.22,
- 1.16 subdivision 8.
- 1.17 (b) For the purposes of educational neglect under section 260C.163, subdivision 11,
- 1.18 "habitual truant" includes a child under age 12 who has been absent from school for seven
- 1.19 school days without lawful excuse where the presumption of educational neglect is rebutted
- 1.20 based on a showing by clear and convincing evidence that the child's absence is not due to
- 1.21 the failure of the child's parent, guardian, or custodian to comply with compulsory instruction
- 1.22 laws.

2.1 Sec. 2. **[260E.291] REPORTING OF SCHOOL ATTENDANCE CONCERNS.**

2.2 Subdivision 1. **Reports required.** (a) A person mandated to report under this chapter
2.3 must immediately report to the local welfare agency or designated partner if the person
2.4 knows or has reason to believe that a child required to be enrolled in school under section
2.5 120A.22 has at least seven unexcused absences in the current school year and is at risk of
2.6 educational neglect or truancy under section 260C.163, subdivision 11.

2.7 (b) Any person may voluntarily report to the local welfare agency if the person knows
2.8 or has reason to believe that a child required to be enrolled in school under section 120A.22
2.9 has at least seven unexcused absences in the current school year and is at risk of educational
2.10 neglect or truancy under section 260C.163, subdivision 11.

2.11 (c) An oral report must be made immediately by telephone or otherwise. An oral report
2.12 made by a person required to report under paragraph (a) must be followed within 72 hours,
2.13 exclusive of weekends and holidays, by a report in writing to the local welfare agency. A
2.14 report must sufficiently identify the child and the child's parent or guardian, the actual or
2.15 estimated number of the child's unexcused absences in the current school year, the efforts
2.16 made by school officials to resolve attendance concerns with the family, and the name and
2.17 address of the reporter. A voluntary reporter under paragraph (b) may refuse to provide
2.18 their name or address if the report is otherwise sufficient, and such a report must be accepted
2.19 by the local welfare agency.

2.20 Subd. 2. **Local welfare agency.** (a) The local welfare agency or partner designated to
2.21 provide child welfare services must provide a child welfare response for a report that alleges
2.22 a child enrolled in school has seven or more unexcused absences. When providing a child
2.23 welfare response under this paragraph, the local welfare agency or designated partner must
2.24 offer services to the child and the child's family to address school attendance concerns or
2.25 may partner with a county attorney's office, a community-based organization, or other
2.26 community partner to provide the services. The services must be culturally and linguistically
2.27 appropriate and tailored to the needs of the child and the child's family. This section is
2.28 subject to all requirements of the Minnesota Indian Family Preservation Act under sections
2.29 260.751 to 260.835, and the Minnesota African American Family Preservation and Child
2.30 Welfare Disproportionality Act under sections 260.61 to 260.693.

2.31 (b) If the child's unexcused absences continue and the family has not engaged with
2.32 services under paragraph (a) after the local welfare agency or partner designated to provide
2.33 child welfare services has made multiple varied attempts to engage the child's family, a
2.34 report of educational neglect must be made regardless of the number of unexcused absences

3.1 the child has accrued. The local welfare agency must determine the response path assignment
3.2 pursuant to section 260E.17 and may proceed with the process outlined in section 260C.141.

3.3 **Sec. 3. APPROPRIATION; EDUCATIONAL NEGLECT AND CHILD WELFARE**
3.4 **RESPONSE GRANTS.**

3.5 \$..... in fiscal year 2026 and \$..... in fiscal year 2027 are appropriated from the general
3.6 fund to the commissioner of human services for grants to fund child welfare response efforts
3.7 under Minnesota Statutes, section 260E.291. The commissioner must make grants to local
3.8 welfare agencies to support efforts to improve school attendance after receiving a report
3.9 under Minnesota Statutes, section 260E.291. A grant to a local welfare agency must include
3.10 funding for program evaluation to evaluate student attendance outcomes for all participating
3.11 programs. Any balance remaining in fiscal year 2026 is available in fiscal year 2027.