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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 2067

03/10/2025 Authored by Keeler, Bakeberg, Greene, Lawrence, Jordan and others
The bill was read for the first time and referred to the Committee on Education Policy
04/01/2025 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
04/07/2025 Calendar for the Day, Amended
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

- 1.1 A bill for an act
- 1.2 relating to education; modifying student attendance provisions; modifying reporting
- 1.3 requirements; modifying notification procedures for student absences and
- 1.4 reenrollment; amending Minnesota Statutes 2024, sections 120A.22, subdivisions
- 1.5 12, 13; 120A.24, subdivision 4; 126C.05, subdivision 8.
- 1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.7 Section 1. Minnesota Statutes 2024, section 120A.22, subdivision 12, is amended to read:
- 1.8 Subd. 12. **Legitimate exemptions.** (a) A parent, guardian, or other person having control
- 1.9 of a child may apply to a school district to have the child excused from attendance for the
- 1.10 whole or any part of the time school is in session during any school year. Application may
- 1.11 be made to ~~any member of the board,~~ a truant officer,a or the school official designated by
- 1.12 the principal,~~or the superintendent.~~ The school district may state in its school attendance
- 1.13 policy that it may ask the student's parent or legal guardian to verify in writing the reason
- 1.14 for the child's absence from school. A note from a physician or a licensed mental health
- 1.15 professional stating that the child cannot attend school is a valid excuse. The board of the
- 1.16 district in which the child resides may approve the application upon the following being
- 1.17 demonstrated to the satisfaction of that board:
- 1.18 (1) that the child's physical or mental health is such as to prevent attendance at school
- 1.19 or application to study for the period required, which includes:
- 1.20 (i) child illness, medical, dental, orthodontic, or counseling appointments, including
- 1.21 appointments conducted through telehealth;
- 1.22 (ii) family emergencies;
- 1.23 (iii) the death or serious illness or funeral of an immediate family member;

2.1 (iv) active duty in any military branch of the United States;

2.2 (v) the child has a condition that requires ongoing treatment for a mental health diagnosis;

2.3 or

2.4 (vi) other exemptions included in the district's school attendance policy;

2.5 (2) that the child has already completed state and district standards required for graduation
2.6 from high school; or

2.7 (3) that it is the wish of the parent, guardian, or other person having control of the child
2.8 that the child attend, for a period or periods not exceeding in the aggregate three hours in
2.9 any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for
2.10 religious instruction conducted and maintained by a church, or association of churches, or
2.11 any Sunday school association incorporated under the laws of this state, or any auxiliary
2.12 thereof. This instruction must be conducted and maintained in a place other than a public
2.13 school building, and it must not, in whole or in part, be conducted and maintained at public
2.14 expense. A child may be absent from school on days that the child attends upon instruction
2.15 according to this clause.

2.16 (b) Notwithstanding subdivision 6, paragraph (a), a parent may withdraw a child from
2.17 an all-day, every day kindergarten program and put their child in a half-day program, if
2.18 offered, or an alternate-day program without being truant. A school board must excuse a
2.19 kindergarten child from a part of a school day at the request of the child's parent.

2.20 Sec. 2. Minnesota Statutes 2024, section 120A.22, subdivision 13, is amended to read:

2.21 Subd. 13. **Issuing and Reporting excuses attendance.** (a) A student is counted as in
2.22 attendance on each day that a school employee is paid to supervise or provide services to
2.23 the student.

2.24 (b) The clerk or any authorized officer of the board principal or the school official
2.25 designated by the principal must issue and keep a record of such excuses, under such rules
2.26 as the board may from time to time establish.

2.27 **EFFECTIVE DATE.** This section is effective July 1, 2025.

2.28 Sec. 3. Minnesota Statutes 2024, section 120A.24, subdivision 4, is amended to read:

2.29 Subd. 4. **Reports to the state or county.** (a) A superintendent must make an annual
2.30 report to the commissioner of education by December 1 of the total number of nonpublic

3.1 children reported as residing in the district. The report must include the following
3.2 information:

3.3 (1) the number of children residing in the district attending nonpublic schools or receiving
3.4 instruction from persons or institutions other than a public school;

3.5 (2) the number of children in clause (1) who are in compliance with section 120A.22
3.6 and this section; and

3.7 (3) the number of children in clause (1) who the superintendent has determined are not
3.8 in compliance with section 120A.22 and this section.

3.9 (b) No later than 15 school days after the beginning of each academic term, a school
3.10 principal must report to the superintendent a list of the names and last known addresses of
3.11 all students who were enrolled in the school for the previous term, are not enrolled in the
3.12 school for the current term, and were otherwise eligible for enrollment, unless the school
3.13 has been notified that the student has enrolled in another school. The superintendent must
3.14 immediately make the list received from the principal available to an authorized
3.15 representative of a county agency whose statutory purpose is to enroll students in school.

3.16 Sec. 4. Minnesota Statutes 2024, section 126C.05, subdivision 8, is amended to read:

3.17 Subd. 8. **Average daily membership.** (a) Membership for pupils in grades kindergarten
3.18 through 12 and for prekindergarten pupils with disabilities shall mean the number of pupils
3.19 on the current roll of the school, counted from the date of entry until withdrawal. The date
3.20 of withdrawal shall mean the day the pupil permanently leaves the school or the date it is
3.21 officially known that the pupil has left or has been legally excused. However, a pupil,
3.22 regardless of age, who has been absent from school for 15 consecutive school days during
3.23 the regular school year or for five consecutive school days during summer school or
3.24 intersession classes of flexible school year programs without receiving instruction in the
3.25 home or hospital shall be dropped from the roll and classified as withdrawn. Nothing in this
3.26 section shall be construed as waiving the compulsory attendance provisions cited in section
3.27 120A.22. Average daily membership equals the sum for all pupils of the number of days
3.28 of the school year each pupil is enrolled in the district's schools divided by the number of
3.29 days the schools are in session or are providing e-learning days due to inclement weather.
3.30 Days of summer school or intersession classes of flexible school year programs are only
3.31 included in the computation of membership for pupils with a disability not appropriately
3.32 served primarily in the regular classroom. A student must not be counted as more than 1.2
3.33 pupils in average daily membership under this section and section 126C.10, subdivision 2a,
3.34 paragraph (c). When the initial total average daily membership exceeds 1.2 for a pupil

4.1 enrolled in more than one school district during the fiscal year, each district's average daily
4.2 membership must be reduced proportionately.

4.3 (b) A student must not be counted as more than one pupil in average daily membership
4.4 except for purposes of section 126C.10, subdivision 2a.

4.5 (c) A school district must notify the local welfare agency of any student dropped from
4.6 the school's roll under paragraph (a) for unexcused absences exceeding 15 consecutive
4.7 school days. The notice to the local welfare agency must include the student's most recent
4.8 contact information on file with the school. The school must also send an email, letter, or
4.9 otherwise contact the student's family to encourage the student to reenroll in the school's
4.10 programming.

4.11 (d) After receiving notification under paragraph (c), the local welfare agency must inform
4.12 the school if the agency is unable to contact the student or student's family. If the local
4.13 welfare agency is unable to contact the student or student's family, the district must notify
4.14 the Department of Education that the student has been dropped from the school's roll, and
4.15 that the local welfare agency is unable to contact the student or student's family. The notice
4.16 to the department must include the student's most recent contact information on file with
4.17 the school.

4.18 **EFFECTIVE DATE.** This section is effective July 1, 2025.