

SENATE  
STATE OF MINNESOTA  
NINETY-FOURTH SESSION

S.F. No. 942

(SENATE AUTHORS: KUNESH, Abeler and Oumou Verbeten)

DATE	D-PG	OFFICIAL STATUS
02/03/2025	260	Introduction and first reading Referred to Health and Human Services
02/24/2025	471a	Comm report: To pass as amended and re-refer to Judiciary and Public Safety
02/27/2025	579	Author added Abeler
03/24/2025	952a	Comm report: To pass as amended and re-refer to Education Policy
	1024	Author added Oumou Verbeten
04/01/2025	1138a	Comm report: To pass as amended and re-refer to Health and Human Services See First Special Session, HF2

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

sections 124D.03, subdivision 12; 260A.03; 260A.06, subdivision 1; 260C.007,

1.6

subdivision 19; proposing coding for new law in Minnesota Statutes, chapter 260E.

1.7

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8

Section 1. Minnesota Statutes 2024, section 124D.03, subdivision 12, is amended to read:

1.9

Subd. 12. **Termination of enrollment.** A district may terminate the enrollment of a

1.10

nonresident student enrolled under this section or section 124D.08 at the end of a school

1.11

year if the student meets the definition of a habitual truant under section 260C.007,

1.12

subdivision 19, the student has been provided appropriate services under chapter 260A, and

1.13

the student's case has been referred to juvenile court. A district may also terminate the

1.14

enrollment of a nonresident student over the age of 17 enrolled under this section if the

1.15

student is absent without lawful excuse for one or more periods on 15 school days and has

1.16

not lawfully withdrawn from school under section 120A.22, subdivision 8. Notwithstanding

1.17

the above, the district may not terminate the enrollment of a nonresident student identified

1.18

as a child with a disability under section 125A.02, subdivision 1, at the end of a school year

1.19

if the child's individualized education program team has not been convened within 60 school

1.20

days prior to the last school day of the school year to address the potential relationship

1.21

between the child's disability and truancy, including if a functional behavior assessment as

1.22

defined by Minnesota Rules, part 3525.0210, subpart 22, must be conducted.

2.1 Sec. 2. Minnesota Statutes 2024, section 260A.03, is amended to read:

2.2 **260A.03 NOTICE TO PARENT OR GUARDIAN WHEN CHILD IS A**  
2.3 **CONTINUING TRUANT.**

2.4 Upon a child's initial classification as a continuing truant, the school attendance officer  
2.5 or other designated school official shall notify the child's parent or legal guardian, by  
2.6 first-class mail or other reasonable means, of the following:

2.7 (1) that the child is truant;

2.8 (2) that the parent or guardian should notify the school if there is a valid excuse for the  
2.9 child's absences;

2.10 (3) that the parent or guardian is obligated to compel the attendance of the child at school  
2.11 pursuant to section 120A.22 and parents or guardians who fail to meet this obligation may  
2.12 be subject to prosecution under section 120A.34;

2.13 (4) that this notification serves as the notification required by section 120A.34;

2.14 (5) that alternative educational programs and services may be available in the child's  
2.15 enrolling or resident district;

2.16 (6) that the parent or guardian has the right to meet with appropriate school personnel  
2.17 to discuss solutions to the child's truancy;

2.18 (7) that if the child has been identified as a child with a disability under section 125A.02,  
2.19 subdivision 1, the child's individualized education program team will be convened within  
2.20 ten school days of the notice to address the potential relationship between the child's disability  
2.21 and truancy, including if a functional behavior assessment as defined by Minnesota Rules,  
2.22 part 3525.0210, subpart 22, must be conducted;

2.23 (8) that if the child continues to be truant, the parent and child may be subject to juvenile  
2.24 court proceedings under chapter 260C;

2.25 ~~(8)~~ (9) that if the child is subject to juvenile court proceedings, the child may be subject  
2.26 to suspension, restriction, or delay of the child's driving privilege pursuant to section  
2.27 260C.201; and

2.28 ~~(9)~~ (10) that it is recommended that the parent or guardian accompany the child to school  
2.29 and attend classes with the child for one day.

Sec. 3. Minnesota Statutes 2024, section 260A.06, subdivision 1, is amended to read:

Subdivision 1. **Referral; notice.** An attendance officer or other school official may refer a student who is a continuing truant to the school attendance review board, provided that the school district has complied with its obligations under section 260A.03, clause (7). The person making the referral shall provide a written notice by first class mail or other reasonable means to the student and the student's parent or legal guardian. The notice must:

(1) include the name and address of the board to which the student has been referred and the reason for the referral; and

(2) indicate that the student, the parent or legal guardian, and the referring person will meet with the board to determine a proper disposition of the referral, unless the board refers the student directly to the county attorney or for other appropriate legal action.

Sec. 4. Minnesota Statutes 2024, section 260C.007, subdivision 19, is amended to read:

Subd. 19. **Habitual truant.** (a) "Habitual truant" means a child ~~under the age of 12 years of age or older and under 17 years~~ who is absent from attendance at school without lawful excuse for seven full school days per school year ~~if the child is in elementary school or for one or more class periods on seven school days per school year~~ if the child is in middle school, junior high school, or high school or a child who is 17 years of age who is absent from attendance at school without lawful excuse for ~~one or more class periods on seven full~~ school days per school year and who has not lawfully withdrawn from school under section 120A.22, subdivision 8.

(b) For the purposes of educational neglect under section 260C.163, subdivision 11, "habitual truant" includes a child under 16 years of age who has been absent from school for seven school days without lawful excuse and the school has made appropriate efforts to resolve the child's attendance problems. The presumption of educational neglect may be rebutted based on a showing by clear and convincing evidence that the child's absence is not due to the failure of the child's parent, guardian, or custodian to comply with compulsory instruction laws in sections 120A.22 and 120A.24.

Sec. 5. [260E.291] REPORTING OF SCHOOL ATTENDANCE CONCERNS.

Subdivision 1. **Reports required.** (a) A person mandated to report under this chapter must immediately report to the local welfare agency, Tribal social services agency, or designated partner if the person knows or has reason to believe that a child required to be enrolled in school under section 120A.22 has at least seven full school day unexcused

absences in the current school year and is at risk of educational neglect under section 260C.163, subdivision 11.

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

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

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

(b) If the child's unexcused absences continue and the family has not engaged with services under paragraph (a) after the local welfare agency, Tribal social services agency, or partner designated to provide child welfare services has made multiple varied attempts to engage the child's family, a report of educational neglect must be made regardless of the number of unexcused absences the child has accrued. A county attorney's office must determine the response path assignment pursuant to section 260E.17 and may proceed with the process outlined in section 260C.141.

5.1       Sec. 6. **APPROPRIATION; EDUCATIONAL NEGLECT AND CHILD WELFARE**  
5.2 **RESPONSE GRANTS.**

5.3       \$..... in fiscal year 2026 and \$..... in fiscal year 2027 are appropriated from the general  
5.4 fund to the commissioner of children, youth, and families for grants to fund child welfare  
5.5 response efforts under Minnesota Statutes, section 260E.291. The commissioner must make  
5.6 grants to local welfare agencies, including Tribal social services agencies, to support efforts  
5.7 to improve school attendance after receiving a report under Minnesota Statutes, section  
5.8 260E.291. A grant to a local welfare agency must include funding for program evaluation  
5.9 to evaluate student attendance outcomes for all participating programs. Any balance  
5.10 remaining in fiscal year 2026 is available in fiscal year 2027.