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DATE

October 8, 2025

OF INTEREST TO

County Directors
Social Services Supervisors and
Staff
Tribal Agencies

ACTION/DUE DATE

Please read information and
prepare for implementation

EXPIRATION DATE

October 8, 2027

Screening and Responding to Reports of School Attendance Concerns

TOPIC

Legislative updates impacting child protection screening and response to reports of school attendance and enrollment concerns.

PURPOSE

To announce updates on legislative changes effective July 1, 2025, and provide guidance to local welfare agencies on screening and responding to reports of school attendance and enrollment concerns.

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SIGNED



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TERMINOLOGY NOTICE

The terminology used to describe people we serve has changed over time. The Minnesota Department of Human Services (DHS) supports the use of "People First" language.

I. Background

Before July 1, 2025, Minnesota law required local welfare agencies to implement a child protection response for reports alleging failure to ensure a child's education. During the 2025 legislative session, changes to Minnesota Statutes, section 260E.291 ([Laws of Minnesota 2025, chapter 3, article 10, section 39](#)), now require local welfare agencies, or a designated partner, to provide a child welfare response or a community-based response for a report that alleges a child under 12 years old who is required to be enrolled in school has at least seven full days of unexcused absences in the current school year and is at risk of educational neglect under [Minnesota Statutes, section 260C.163, subdivision 11](#).

Additionally, changes made to [Minnesota Statutes, section 260C.007, subdivision 19](#) ([Laws of Minnesota 2025, chapter 3, article 10, section 14](#)) ensure the definition of "habitual truant" is in alignment with the presumption regarding truancy under [Minnesota Statutes, section 260C.163, subdivision 11](#).

Lastly, changes were made to Minnesota Statutes, section 120A.24, subdivision 4 ([Laws of Minnesota, chapter 10, article 1, section 3](#)), regarding the local welfare agency's responsibilities as it relates to students who have been dropped from the school's roll due to unexcused absences exceeding 15 consecutive school days.

This bulletin provides an overview and guidance on these changes. Additional guidance on screening and responding to school attendance concerns will be provided in the updated [Minnesota Child Maltreatment Intake, Screening and Response Path](#) (DHS-5144) guidelines.

The legislative changes noted in this bulletin went into effect on July 1, 2025.

Purpose of policy changes

These policy changes were initiated and influenced by the collective efforts of the Minnesota Student Attendance and Truancy Legislative Study Group, community partners, and local welfare agencies. The underlying causes of school attendance issues are often rooted in systemic societal challenges such as unstable housing, lack of affordable childcare and transportation, barriers to accessing necessary health care, lack of linguistically and culturally relevant services, a distrust of systems that have caused historical trauma, and other child or family stressors.

Utilizing a child protection response may prematurely or unnecessarily pull a family into the most restrictive end of the child welfare service continuum. Alternatively, a child welfare response or a community-based response allows local welfare agencies to partner with communities to be proactive and implement a whole-family approach that can be tailored to the unique needs of each child and their family with respect to a family's culture. Some local welfare agencies have already implemented a child welfare response or a community-based response in their region to meet the needs of the families in their communities more effectively.

It has long been a state policy to "provide a continuum of intervention and services to support families and children in keeping children in school," including through less intrusive, community-based services that "involv[e] the court's authority only when necessary" ([Minnesota Statutes, section 260A.01](#)). Under [Minnesota](#)

[Statutes, section 260A.04](#), communities and systems are encouraged to “cooperate to provide coordinated intervention, prevention and educational services” to students and their families. The legislative changes to [Minnesota Statutes, section 260E.291](#), outlined in this bulletin, aim to ensure Minnesota’s child protection laws are in alignment with existing state policies to help children access education by providing meaningful support to them and their families.

II. Screening protocol

This section provides an overview of the screening protocol as it relates to reports of school attendance concerns under [Minnesota Statutes, section 260E.291](#). Further updates and screening guidance will be provided in the [Minnesota Child Maltreatment Intake, Screening and Response Path Guidelines](#) (DHS-5144).

A. Reports still required

Reports to local welfare agencies are still required for a child who is required to be enrolled in school under [Minnesota Statutes, section 120A.22](#), and who:

- Has at least seven full days of unexcused absences in the current school year, and
- Is at risk of educational neglect under [Minnesota Statutes, section 260C.163, subdivision 11](#).

The report must sufficiently identify the child and the child’s parent or guardian, the number of 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 ([Minnesota Statutes, section 260E.291, subdivision 1](#)).

B. Presumptions regarding truancy or educational neglect

The legislative changes under [Minnesota Statutes, section 260E.291](#) are relevant to reports of school attendance concerns where:

- The child is under 12 years old,
- The child has at least seven full days of unexcused absences in the current school year,
- The child’s absence from school is presumed to be due to the parents’, guardians’, or custodians’ failure to comply with compulsory instruction laws, and
- The school made appropriate efforts to resolve a child’s attendance problems with the family.

For reports that meet the criteria above, local welfare agencies must provide child welfare services or a community-based response, consistent with the new law under [Minnesota Statutes, section 260E.291](#), before implementing a child protection response under [Minnesota Statutes, section 260E.17](#) or proceeding with the process outlined in [Minnesota Statutes, section 260C.141](#).

When a child is 12 years old or older and enrolled in school, school attendance concerns are presumed to be a truancy matter unless there is information to suggest parental responsibility. Generally, local welfare agencies should assign truancy cases to a child welfare response, or the county's designated response including community-based truancy services, as available, consistent with [Minnesota Statutes, section 260A](#).

If a local welfare agency seeks to change a case from a truancy matter to an educational neglect matter or vice versa, it should consult with the local county attorney's office regarding how to overcome the legal presumptions outlined in [Minnesota Statutes, section 260C.163, subdivision 11](#). For additional guidance or to receive consultation regarding this requirement, contact the Child Safety and Family Preservation unit at DCYF at dcyf.csp.safety@state.mn.us.

C. Screening Documentation in SSIS

When a child welfare or community-based response is required under [Minnesota Statutes, section 260E.291](#), local welfare agencies should document those intakes as a Service Request in the Social Service Information System (SSIS), utilizing the guidance below.

1. Internal child welfare response

When utilizing a child welfare response implemented by the local welfare agency, such as a child welfare assessment or the Parent Support Outreach Program, agencies should enter the following in SSIS:

- Intake Type: Service Request
- Problem: School
- Program: Child Welfare or PSOP
- Close reason: Open for assessment

2. External outside provider response

When utilizing a child welfare response through a community-based resource that is external to the local welfare agency, local welfare agencies should enter the following in SSIS:

- Intake Type: Service Request
- Problem: School
- Program: Child Welfare
- Close reason: Refer to outside provider

The local welfare agency should document in SSIS which outside provider the family was referred to.

III. Response pathway for reports of school attendance concerns

This section provides an overview of the response pathway for reports alleging school attendance concerns under [Minnesota Statutes, section 260E.291](#), including when to use child welfare services or a community-based response, and when to use a child protection response.

A. Child welfare services required

The goal of child welfare services is to provide meaningful supports to help families overcome presenting obstacles and prevent future entry into the child protection system.

Effective July 1, 2025, Minnesota Statutes, section 260E.291, requires the local welfare agency or designated partner to provide child welfare services for a report that alleges a child enrolled in school has seven or more full days of unexcused absences. The local welfare agency may provide child welfare services through the agency's existing child welfare response, such as the Parent Support Outreach Program (PSOP), county attorney's office, or through other programs formally partnered with the local welfare agency. Child welfare services must be culturally and linguistically appropriate and tailored to the needs of the child and the child's family. When implementing a child welfare response, local welfare agency workers must not meet with or interview a child without permission from their parent, guardian, or legal custodian.

Child welfare services may also include a community-based response from organizations or agencies that do not have formal partnerships with the local welfare agency. A local child welfare agency may work with community partners to provide a community response that is external to any child welfare service provider. Community partners are organizations that provide relationship-based, culturally affirming family service navigation and family support programs focused on increasing any or all family protective factors.

1. Designated partner examples

Examples of designated partners may include but are not limited to a county attorney's office, a community-based organization, children's mental health services, adult mental health services, home-visiting services, and others. A designated partner is not required to have a formal affiliation or contract with the local welfare agency.

B. When a child protection response is required

If the child's unexcused absences continue to accumulate and the family has not engaged in child welfare services after the local welfare agency, Tribal social services agency, or designated partner has made multiple and varied attempts to engage the child's family, a new report of educational neglect

must be made to the local welfare agency. The local welfare agency should screen in a report alleging school attendance concerns and assign it to a child protection response pursuant to [Minnesota Statutes, section 260E.17](#) when:

- The child is under the age of 12 and/or parental responsibility is presumed, and
- The family has previously been assigned to a child welfare or community-based response this school year, and
- Unexcused absences have continued to accrue, and
- The local welfare agency or designated partner made multiple and varied attempts to engage the family, and
- The family has been unable or unwilling to engage with child welfare services to address school attendance concerns.

Consider utilizing the Screening Reports of School Attendance Concerns Tool attached to this bulletin (see Appendix A) when determining whether a child protection response is required under [Minnesota Statutes, section 260E.291, subdivision 2\(b\)](#).

Local welfare agencies may also consult with their county attorney's office or contact the Child Safety and Family Preservation unit (dcyf.csp.safety@state.mn.us) to receive technical assistance to determine when to assign to a child protection response, if needed.

1. Multiple and varied attempts

Multiple and varied attempts include contacting the family using more than one form of communication and making multiple attempts to contact the family on separate days and times, including attempting in-person contact. Local welfare agencies, Tribal social services agencies, or designated partners should utilize the method of communication the family prefers, if known. Examples of methods of communication may include, but are not limited to text message, phone call, email, a letter mailed to the family's current address, and an attempt to meet face-to-face at the family's home or out in the community. Local welfare agencies should follow their county policy guidelines on appropriate forms of communication with families.

C. Compliance with the Minnesota Indian Family Preservation Act (MIFPA) and the Minnesota African American Family Preservation and Child Welfare Disproportionality Act (MAAFPCWDA)

1. Minnesota Indian Family Preservation Act (MIFPA)

The Minnesota Indian Family Preservation Act (MIFPA) applies to reports alleging school attendance concerns, including when they are assigned to child welfare services or a community-based response under [Minnesota Statutes, section 260E.291](#). The local social services agency or designated partner shall inquire of the reporter, child, the child's parents and custodians, and any other appropriate persons,

whether there is any reason to believe that a child brought to the agency’s attention may have lineage to an Indian Tribe. This inquiry shall occur at the time the child comes to the attention of the local welfare agency. When an agency has information that the children receiving child welfare services (i.e., through the local welfare agency or designated partner) may be Indian children, agency staff must notify their Tribe/s by telephone and follow up with an email or fax within seven days of starting child welfare services.

2. Minnesota African American Family Preservation and Child Welfare Disproportionality Act (MAAFPCWDA)

Implementation of the Minnesota African American Family Preservation and Child Welfare Disproportionality Act (MAAFPCWDA) began with the launch on Jan. 1, 2025, of a phase-in program in Hennepin and Ramsey Counties. MAAFPCWDA does not go into effect statewide until Jan. 1, 2027.

The recent legislative changes to [Minnesota Statutes, section 260E.291](#), regarding school attendance concerns state that MAAFPCWDA applies to reports of school attendance concerns. However, formal guidance on the implementation of MAAFPCWDA is currently being developed in partnership with the MAAFPCWDA Statewide Work Group. Until formal guidance is released, DCYF will continue to work with the phase-in counties on the implementation of MAAFPCWDA.

Further information can be found at [Minnesota African American Family Preservation and Child Welfare Disproportionality Act](#).

[Sign up](#) for MAAFPCWDA Implementation email updates to stay informed about new developments related to MAAFPCWDA.

IV. Clarification on the definition of “habitual truant”

This section provides an overview of the legislative changes to the definition of “habitual truant” under [Minnesota Statutes, section 260C.007, subdivision 19](#) ([Laws of Minnesota 2025, chapter 3, article, 10, section 14](#)).

Under [Minnesota Statutes, section 260C.163, subdivision 11](#), a child’s absence from school is presumed to be due to the parent’s, guardian’s, or custodian’s failure, if the child is under 12 years old and the school has made appropriate efforts to resolve the child’s attendance problems. That presumption may be challenged 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.

[Minnesota Statutes, section 260C.007, subdivision 19](#) was amended to be in alignment with [Minnesota Statutes, section 260C.163, subdivision 11](#), and clarifies that a “habitual truant” includes a child under 12 years of age who has been absent from school for at least seven full school days without lawful excuse, and there is 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.

It is recommended that the local welfare agency consult with its county attorney's office if the agency is considering a child under 12 years old to be "habitually truant" under this definition.

V. Unexcused absences exceeding 15 consecutive school days

During the 2025 legislative session, changes were made to Minnesota Statutes, section 120.24, subdivision 4 ([Laws of Minnesota, chapter 10, article 1, section 3](#)), regarding the local welfare agency's responsibilities as it relates to students who have been dropped from the school's roll for unexcused absences exceeding 15 consecutive school days. These changes went into effect on July 1, 2025.

A. School districts provide notice to local welfare agencies of students dropped from the school roll

Effective July 1, 2025, school districts must notify the local welfare agency of any student dropped from the school's roll for unexcused absences exceeding 15 consecutive school days. The school must provide the local welfare agency with the student's most recent contact information on file with the school ([Minnesota Statutes, section 120A.24, subdivision 4\(c\)](#)); [Laws of Minnesota, chapter 10, article 1, section 3](#)). Local welfare agencies should inquire and record in SSIS as to whether the school district has sent an email, letter, or otherwise contacted the student's family to encourage the student to reenroll in the school's programming, as outlined in [Minnesota Statutes, section 120A.24, subdivision 4\(c\)](#).

B. Child welfare response required for reports of students dropped from the school's roll

After receiving notification that a child has been dropped from the school's roll for unexcused absences exceeding 15 consecutive school days, the local welfare agency must provide child welfare services consistent with the changes outlined in [Minnesota Statutes, section 260E.291](#), if child welfare services have not already been initiated. The local welfare agency must inform the school if the agency or designated partner is unable to make contact with the family after multiple and varied attempts ([Minnesota Statutes, section 120A.24, subdivision 4\(d\)](#)); [Laws of Minnesota, chapter 10, article 1, section 3](#)).

VI. Technical assistance provided on implementation

For questions on implementation of responding to reports of school attendance concerns or general child protection safety-related questions, local welfare agency staff may contact the Child Safety and Family Preservation unit at dcyf.csp.safety@state.mn.us.

Americans with Disabilities Act (ADA) Advisory

This information is available in accessible formats for people with disabilities by calling 651-539-7700 (voice) or by using your preferred relay service. For other information on disability rights and protections, contact the agency's ADA coordinator.

Appendix A

Screening Reports of School Attendance Concerns Tool

This tool can help determine whether a child protection response is required under [Minnesota Statutes, section 260E.291, subdivision 2\(b\)](#).

Question 1: Is the parent presumed responsible for the school attendance concerns?

- **No:** This may be a truancy matter and should be screened out and referred to the county's designated response.
- **Yes:** Go to Question 2.

Question 2: Has the family been previously assigned to child welfare services or a community-based response this school year for attendance concerns?

- **No:** If the family has not already been assigned to child welfare services for attendance concerns, then this should be attempted before screening in for a child protection response. Refer to child welfare services or to a community-based response consistent with [Minnesota Statutes, section 260E.291](#).
- **Yes:** Go to Question 3.

Question 3: Have unexcused absences continued to accrue?

- **No:** If unexcused absences have not continued to accrue, then this may be a duplicative report and should be screened out.
- **Yes:** Go to Question 4.
Note: [Minnesota Statutes, section 260E.291](#), does not specify a number of unexcused absences that are required to accumulate before implementing a child protection response. Local welfare agencies should consider the guidance outlined in Question 5 of this tool, where unexcused absences continue to accrue, and the family is engaged in services.

Question 4: Has the local welfare agency or designated partner made multiple and varied attempts to engage the family?

- **No:** Local welfare agencies or designated partners implementing child welfare services under [Minnesota Statutes, section 260E.291](#), must make multiple and varied attempts to engage the family. Where a designated partner is providing child welfare services, the local welfare agency should use the extended intake process to inquire if the designated partner made multiple and varied attempts to engage the family upon receipt of a new report. If the designated partner has not made multiple and varied attempts, the local welfare agency should encourage the partner to do so and file a new report if the designated partner is unable to engage the family after multiple and varied attempts. **If the local welfare agency is unable to determine if multiple and varied attempts were made to engage the**

family, the local welfare agency should screen the report in for a child protection response consistent with [Minnesota Statutes, section 260E.17](#).

- **Yes:** If multiple and varied attempts to engage the family have been made, go to Question 5.

Question 5: Is the family unable or unwilling to engage with child welfare services to address school attendance concerns?

- **No:** If unexcused absences continue to accumulate but the family is actively engaged in services with the local welfare agency or designated partner to address the school attendance concerns, screening a new report in for a child protection response is **not** automatically required. Local welfare agencies should consider whether initiating a child protection response in place of child welfare services is:
 - In the best interests of the child,
 - Is more likely to support the family in improving school attendance than child welfare services, and
 - Would provide the family with services and supports not already offered.

Local welfare agencies may consult with their county attorney's office or contact the Child Safety and Family Preservation Rapid Consult (dhs.csp.rapidconsult@state.mn.us) to receive technical assistance to determine when to assign a child protection response, if needed.

- **Yes:** The local welfare agency should screen the report in for a child protection response as outlined in [Minnesota Statutes, section 260E.17](#).