

Subject Department of Children, Youth, and Families Policy Bill

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Date March 17, 2025

Overview

This bill contains the Department of Children, Youth, and Families (DCYF) policy provisions, including provisions relating to economic assistance, child care programs, child welfare, and transfers to DCYF.

Article 1: Economic Assistance

This article exempts the commissioner of DCYF from contract term limitations for the issuance of public benefits through an EBT system and related services.

Section Description - Article 1: Economic Assistance

- 1 **Electronic benefits transfer (EBT); contracting and procurement.**
Amends § 142A.03, by adding subd. 35. Exempts the commissioner from the contract term limits for the issuance of public benefits through an EBT system and related services. Allows these contracts to have up to an initial five-year term, with extensions not to exceed a ten-year total contract duration. Generally, under current law, contracts and amendments must not exceed five years without specific, written approval by the commissioner of administration.

Article 2: Child Care Provider Programs

Section Description - Article 2: Child Care Provider Programs

- 1 **Data.**
Adds a subdivision to § 142D.21. Provides that data on great start compensation payments made to child care programs are public, except that: (1) any data that may identify a specific family or child are private; (2) data about operating expenses and

Section Description - Article 2: Child Care Provider Programs

personnel expenses are private or nonpublic; and (3) data about legal nonlicensed child care providers are private or nonpublic.

Article 3: Child Welfare

This article adds a requirement to inquire about a child's heritage, including the child's Tribal lineage, and their race, culture, and ethnicity throughout child welfare statutes; makes technical and clarifying changes to the Minnesota African American Family Preservation and Child Welfare Disproportionality Act; and modifies out-of-home placement plan, extended foster care, and reestablishment of parental rights processes and requirements. The article also adds the noncaregiver human trafficking response where necessary, and establishes new reporting requirements for school attendance concerns.

Section Description - Article 3: Child Welfare

- 1 Noncustodial parents; relative placement.**
Amends § 260.65. Makes technical clarifying changes.
- 2 Emergency removal or placement permitted.**
Amends § 260.66, subd. 1. Makes technical correction.
- 3 Establishment and duties.**
Amends § 260.691. Adds language to the Minnesota African American Family Preservation and Child Welfare Disproportionality Act to establish the African American Child and Family Well-Being Advisory Council for the Department of Children, Youth, and Families. The African American Child Well-Being Advisory Council was given duties in the Act in 2024. Removes duty to assist the Cultural and Ethnic Communities Leadership Council.
- 4 African American Child and Family Well-Being Unit.**
Amends § 260.692. Updates terminology to include “family.”
- 5 Juvenile protection proceedings.**
Amends § 260C.001, subd. 2. Adds inquiring about a child's heritage, including the child's Tribal lineage, and their race, culture, and ethnicity to activities listed for ensuring appropriate permanency planning for children in foster care.

Section Description - Article 3: Child Welfare

- 6 **Habitual truant.**
Amends § 260C.007, subd. 19. Modifies the definition of “habitual truant” to limit it to children between the ages of 12 and 18 rather than any child under age 17. Removes elementary school language. Adds language to align habitual truant definition with legal presumption in another section of chapter 260C.
- 7 **Who may file; required form.**
Amends § 260C.141, subd. 1. For a CHIPS petition, adds requirement to include a statement of whether the petitioner has inquired about the child’s heritage, including the child's Tribal lineage, and their race, culture, and ethnicity.
- 8 **Identifying parents of child; diligent efforts; data.**
Amends § 260C.150, subd. 3. Adds requirement for the responsible social services agency to inquire about a child's heritage, including the child's Tribal lineage, and their race, culture, and ethnicity.
- 9 **Hearing and release requirements.**
Amends § 260C.178, subd. 1. Requires the court, if ordering a child into foster care, to inquire about a child's heritage, including the child's Tribal lineage, and their race, culture, and ethnicity, and the responsible social services agency’s initial relative search efforts.
- 10 **Case plan.**
Amends § 260C.178, subd. 7. Extends timeline for out-of-home placement plan from 30 to 60 days after placement; specifies that the out-of-home placement plan summary is required within 30 days of removal.
- 11 **Dispositions.**
Amends § 260C.201, subd. 1. Requires the court to inquire about a child's heritage, including the child's Tribal lineage, and their race, culture, and ethnicity when making a foster care placement of a child whose legal custody has been transferred to a responsible social services agency or a child-placing agency.
- 12 **Written findings.**
Amends § 260C.201, subd. 2. Requires the court’s findings to include a description of the responsible social services agency’s efforts to inquire about a child's heritage, including the child's Tribal lineage, and their race, culture, and ethnicity.
- 13 **Court review for a child placed in foster care.**
Amends § 260C.202, subd. 2. Removes annual review for a child in extended foster care; moves language to new subdivision.

Section Description - Article 3: Child Welfare

- 14 **Court review prior to the 18th birthday of a child in foster care.**
Amends § 260C.202 by adding subd. 3. Requires the court to conduct a review during the 90-day period prior to the 18th birthday of a child in foster care. Requires the responsible social services agency to file a written report with the court as part of the review; specifies what the report must include. Requires the agency to inform the child and other parties of these requirements and their right to request a hearing.

Requires the court to hold a hearing when requested, upon receiving the written agency report. Requires the court to issue an order, with or without a hearing, with findings regarding extended foster care, transition to adulthood, and reentry into extended foster care up to age 21.
- 15 **Court reviews for a child over age 18 in foster care.**
Amends § 260C.202 by adding subd. 4. Moves extended foster care annual review language to new subdivision.
- 16 **Permanency progress review for children in foster care for six months.**
Amends § 260C.204. Before defining a foster family as a child's permanent home, requires the responsible social services agency to inquire about a child's heritage, including the child's Tribal lineage, and their race, culture, and ethnicity and requires the court to determine that reasonable or active efforts toward completing relative search requirements have been made.
- 17 **Out-of-home placement; plan.**
Amends § 260C.212, subd. 1. Removes requirement for an out-of-home placement plan to be prepared within 30 days after placement in foster care. Adds requirement to use a form developed by the commissioner. Adds paragraph (b) replacing paragraph (e) to require a one- to two-page out-of-home placement plan summary. Adds paragraph (c) to require the summary to be prepared within 30 days after placement in foster care and to require the full plan to be prepared within 60 days after placement. Makes additional clarifying changes.
- 18 **Out-of-home placement plan update.**
Amends § 260C.212, subd. 1a. Makes conforming changes related to out-of-home placement summary and plan timeline changes.
- 19 **Program; goals.**
Amends § 260C.223, subd. 1. Modifies goals of concurrent permanency planning program to include establishing a foster parent for the child, rather than developing a group of families to work towards reunification and serve as a permanent family for children.

Section Description - Article 3: Child Welfare

20 Development of guidelines and protocols.

Amends § 260C.223, subd. 2. Before making a foster family a permanent home for a child, requires the responsible social services agency to inquire about a child's heritage, including the child's Tribal lineage, and their race, culture, and ethnicity and requires the court to determine that reasonable or active efforts toward completing relative search requirements have been made.

21 Petition.

Amends § 260C.329, subd. 3. Expands individuals who may file a petition for the reestablishment of the legal parent and child relationship to include a parent whose voluntary consent to adoption was accepted by the court, under specified circumstances. Also modifies language to allow for a petition when a child is not currently adopted, rather than "has not been adopted."

22 Hearing.

Amends § 260C.329, subd. 8. Makes conforming change related to adoption language change in previous section.

23 Administrative or court review of placements.

Amends § 260C.451, subd. 9. For permanency planning for foster care past age 18, adds requirement for the responsible social services agency to file a written report that contains:

- the child's name, date of birth, race, gender, and address;
- a written summary describing planning with the child;
- the child's most recent out-of-home placement plan and independent living plan;
- a copy of the child's 180-day transition plan; and
- if the agency plans to transition the child to adult services, a summary of the required transition plan.

24 Administrative or court review of placements.

Amends § 260C.452, subd. 4. Replaces "green card" with "permanent resident card."

25 Reporting requirements.

Amends § 260E.09. Requires the responsible agency to ask a maltreatment reporter if the reporter is aware of the child's heritage, including the child's Tribal lineage, and their race, culture, and ethnicity.

Section Description - Article 3: Child Welfare

- 26 **General duties.**
Amends § 260E.20, subd. 1. Adds noncaregiver human trafficking assessment to local welfare agency maltreatment response paths. For any assessment or investigation, requires the agency to ask the child, if age appropriate; family; or reporter about the child's heritage, including the child's Tribal lineage, and their race, culture, and ethnicity.
- 27 **Collection of information.**
Amends § 260E.20, subd. 3. Adds noncaregiver human trafficking assessment to local welfare agency maltreatment response paths.
- 28 **Reporting of school attendance concerns.**
Proposes coding for § 260E.215. Establishes reporting requirements for school attendance concerns.
- Subd. 1. Reports required.** Requires a person mandated to report child maltreatment to immediately report if the person knows or has reason to believe that a child required to be enrolled in school has at least seven unexcused absences in the current school year and is at risk of educational neglect or truancy. Allows for voluntary reporting. Specifies that an oral report must be made immediately, followed by a written report within 72 hours. Specifies contents of report.
- Subd. 2. Local welfare agency.** Requires the local welfare agency or agency partner to provide a child welfare response for a report that alleges a child enrolled in school has seven or more unexcused absences. Specifies that the response must offer culturally and linguistically appropriate services to address the school attendance concerns. Requires a report of educational neglect to be made if the family does not engage with services after multiple attempts and the school absences continue.
- 29 **Timing.**
Amends § 260E.24, subd. 1. Adds noncaregiver human trafficking assessment to local welfare agency maltreatment response paths.
- 30 **Determination after family assessment or a noncaregiver human trafficking assessment.**
Amends § 260E.24, subd. 2. Adds noncaregiver human trafficking assessment to local welfare agency maltreatment response paths.
- 31 **Revisor instruction.**
Requires the revisor to make technical changes in sections 260C.203 and 260C.204.

Article 4: Transfers to Department of Children, Youth, and Families

Section Description - Article 4: Transfers to Department of Children, Youth, and Families

- 1 Transfers to the Department of Children, Youth, and Families in uncodified law.**
Transfers from the Department of Human Services (DHS) to the Department of Children, Youth, and Families (DCYF), any power, duty, or responsibility given to DHS in an uncodified section of session law that is related to a power, duty, or responsibility that transferred to DCYF.



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