

1.1 Senator moves to amend S.F. No. 4335 as follows:

1.2 Page 1, after line 5, insert:

1.3 "Section 1. Minnesota Statutes 2024, section 260.63, subdivision 10, is amended to read:

1.4 Subd. 10. **Disproportionately represented child.** "Disproportionately represented child"
1.5 means a person who is under the age of 18 and who is a member of a community whose
1.6 race, ~~culture~~, ethnicity, disability status, or low-income socioeconomic status is
1.7 disproportionately encountered, engaged, or identified in the child welfare system as
1.8 compared to the representation in the state's total child population, as determined ~~on an~~
1.9 ~~annual basis~~ by the commissioner under section 260.631. A child's race, ~~culture~~, or ethnicity
1.10 ~~is~~ may also be determined based upon by a child's self-identification or identification of a
1.11 child's race, culture, or ethnicity as reported by the child's parent or guardian.

1.12 Sec. 2. [260.631] DETERMINATIONS.

1.13 Subdivision 1. Determination of disproportionate representation. (a) The
1.14 commissioner must determine the communities that are disproportionately represented in
1.15 Minnesota's child protection system pursuant to this section for the purposes of the Minnesota
1.16 African American Family Preservation and Child Welfare Disproportionality Act. In making
1.17 this determination, the commissioner must consider the recommendations provided under
1.18 paragraph (d). The commissioner's determination under this paragraph is in effect until the
1.19 effective date of the next determination issued by the commissioner.

1.20 (b) The commissioner must make the initial determination under paragraph (a) by
1.21 September 1, 2026, and then every even-numbered year thereafter.

1.22 (c) A responsible social services agency must use the commissioner's determination
1.23 under paragraph (a) to determine whether a child meets the definition of a disproportionately
1.24 represented child under section 260.63, subdivision 10.

1.25 (d) The African American Child and Family Well-Being Advisory Council must submit
1.26 recommendations to the commissioner on the disproportionate representation of African
1.27 American children in Minnesota's child protection system, using state and federal census
1.28 data. The council must provide its initial recommendations to the commissioner by August
1.29 1, 2026, and then provide recommendations every even-numbered year thereafter.

1.30 (e) If the commissioner makes a determination under paragraph (a) that differs from the
1.31 recommendations provided by the African American Child and Family Well-Being Advisory
1.32 Council under paragraph (d) regarding the disproportionate representation of African

2.1 American children in Minnesota's child protection system, the commissioner must provide
2.2 the reasons for diverging from the council's recommendations and identify the data the
2.3 commissioner relied upon in making the determination of disproportionate representation.

2.4 The commissioner must provide the information required under this paragraph to:

2.5 (1) the chairs and ranking minority members of the legislative committees with
2.6 jurisdiction over the Minnesota African American Family Preservation and Child Welfare
2.7 Disproportionality Act;

2.8 (2) the African American Child and Family Well-Being Advisory Council;

2.9 (3) the Children's Justice Initiative; and

2.10 (4) responsible social services agencies statewide.

2.11 (f) By September 15, 2026, and every even-numbered year thereafter, the commissioner
2.12 must notify responsible social services agencies, the council, and the Children's Justice
2.13 Initiative of the commissioner's determination under paragraph (a). The notification must
2.14 include, but is not limited to:

2.15 (1) a list of the communities the commissioner determined are disproportionately
2.16 represented in Minnesota's child protection system, and whether there are any changes from
2.17 the previous notification;

2.18 (2) how a responsible social services agency must implement the commissioner's
2.19 determination;

2.20 (3) the effective date of the commissioner's determination; and

2.21 (4) the method or methods the commissioner used, or the data the commissioner relied
2.22 upon, to make the determination.

2.23 Subd. 2. **Definition of disability; low-income socioeconomic status.** (a) The
2.24 commissioner must define what constitutes disability and low-income socioeconomic status
2.25 for purposes of the Minnesota African American Family Preservation and Child Welfare
2.26 Disproportionality Act. The commissioner's definitions under this paragraph are in effect
2.27 until the effective date of the next definitions issued by the commissioner.

2.28 (b) The commissioner must develop the initial definitions under paragraph (a) by
2.29 September 1, 2026, and then every even-numbered year thereafter.

2.30 (c) A responsible social services agency must use the commissioner's definitions under
2.31 paragraph (a) to determine whether a child meets the definition of a disproportionately
2.32 represented child under section 260.63, subdivision 10.

3.1 (d) By September 15, 2026, and every even-numbered year thereafter, the commissioner
3.2 must notify responsible social services agencies, the council, and the Children's Justice
3.3 Initiative of the definitions developed by the commissioner under paragraph (a). The
3.4 notification must include, but is not limited to:

3.5 (1) the definitions of disability and low-income socioeconomic status, and whether there
3.6 are any changes from the previous definitions;

3.7 (2) how a responsible social services agency must implement the commissioner's
3.8 definitions;

3.9 (3) the effective date of the commissioner's definitions; and

3.10 (4) the method or methods the commissioner used, or the data the commissioner relied
3.11 upon, to develop the definitions.

3.12 Subd. 3. **Determination of child's status.** The responsible social services agency must
3.13 document the efforts the agency takes when determining whether a child meets or does not
3.14 meet the definition of disproportionately represented child under section 260.63, subdivision
3.15 10, and must provide that information to the commissioner upon request.

3.16 Sec. 3. Minnesota Statutes 2024, section 260.64, subdivision 2, is amended to read:

3.17 Subd. 2. **Safety plan.** (a) Prior to petitioning the court to remove an African American
3.18 or a disproportionately represented child from the child's home under section 260.66, a
3.19 responsible social services agency must work with the child's family to allow the child to
3.20 remain in the child's home while implementing a safety plan based on the family's needs.
3.21 The responsible social services agency must:

3.22 (1) make active efforts to engage the child's parent or custodian and the child, when
3.23 appropriate;

3.24 (2) assess the family's cultural and economic needs and, if applicable, needs and services
3.25 related to the child's disability;

3.26 (3) hold a family group consultation meeting and connect the family with supports to
3.27 establish a safety network for the family; and

3.28 (4) provide support, guidance, and input to assist the family and the family's safety
3.29 network with developing the safety plan.

3.30 (b) The safety plan must:

4.1 (1) address the specific allegations impacting the child's safety in the home. If neglect,
4.2 as defined in section 260E.03, subdivision 15, is alleged, the safety plan must incorporate
4.3 economic services and supports for the child and the child's family, if eligible, to address
4.4 the family's specific needs and prevent neglect;

4.5 (2) incorporate family and community support to ensure the child's safety while keeping
4.6 the family intact; and

4.7 (3) be adjusted as needed to address the child's and family's ongoing needs and support.

4.8 (c) The responsible social services agency is not required to establish a safety plan:

4.9 (1) in a case with allegations of sexual abuse or egregious harm;

4.10 (2) when the parent is not willing to follow a safety plan;

4.11 (3) when the parent has abandoned the child or is unavailable to follow a safety plan;

4.12 or

4.13 (4) when the parent has chronic substance use disorder issues and is unable to parent
4.14 the child.

4.15 Sec. 4. Minnesota Statutes 2024, section 260.67, subdivision 2, is amended to read:

4.16 Subd. 2. **Termination of parental rights restrictions.** (a) A court shall not terminate
4.17 the parental rights of a parent of an African American or a disproportionately represented
4.18 child based solely on the parent's failure to complete case plan requirements.

4.19 (b) Except as provided in ~~paragraph (e)~~ subdivision 3, a court shall not terminate the
4.20 parental rights of a parent of an African American or a disproportionately represented child
4.21 in a child placement proceeding unless the allegations against the parent involve sexual
4.22 abuse; egregious harm as defined in section 260C.007, subdivision 14; murder in the first,
4.23 second, or third degree under section 609.185, 609.19, or 609.195; murder of an unborn
4.24 child in the first, second, or third degree under section 609.2661, 609.2662, or 609.2663;
4.25 manslaughter of an unborn child in the first or second degree under section 609.2664 or
4.26 609.2665; domestic assault by strangulation under section 609.2247; felony domestic assault
4.27 under section 609.2242 or 609.2243; kidnapping under section 609.25; solicitation,
4.28 inducement, and promotion of prostitution under section 609.322, subdivision 1, and
4.29 subdivision 1a if one or more aggravating factors are present; criminal sexual conduct under
4.30 sections 609.342 to 609.3451; engaging in, hiring, or agreeing to hire a minor to engage in
4.31 prostitution under section 609.324, subdivision 1; solicitation of children to engage in sexual
4.32 conduct under section 609.352; possession of pornographic work involving minors under

5.1 section 617.247; malicious punishment or neglect or endangerment of a child under section
5.2 609.377 or 609.378; use of a minor in sexual performance under section 617.246; or failing
5.3 to protect a child from an overt act or condition that constitutes egregious harm."

5.4 Page 1, line 8, strike "all child welfare" and insert "ten percent of each responsible social
5.5 services agency's child protection"

5.6 Page 1, line 12, delete "The"

5.7 Page 1, lines 13 to 19, delete the new language and strike the old language

5.8 Page 2, line 2, strike "welfare" and insert "protection"

5.9 Page 3, lines 2 and 7, strike "disproportionality and"

5.10 Page 3, after line 10, insert:

5.11 "(e) The commissioner shall create a summary report of trends identified under paragraphs
5.12 (b) and (c), a summary of remediation plans developed as provided in paragraph (d), and
5.13 an update on implementation of any previous remediation plans. The commissioner shall
5.14 provide the first report to the African American Child Well-Being Advisory Council, the
5.15 responsible social services agencies, and the chairs and ranking minority members of the
5.16 legislative committees with jurisdiction over children, youth, and families by October 1,
5.17 2029, and annually thereafter."

5.18 Page 3, before line 11, insert:

5.19 "Sec. 6. Minnesota Statutes 2024, section 260.69, subdivision 1, is amended to read:

5.20 Subdivision 1. **Applicability.** (a) The commissioner of children, youth, and families
5.21 must collaborate with the Children's Justice Initiative to ensure that cultural competency
5.22 training is given or made available to individuals working in the child welfare system,
5.23 including child welfare workers and supervisors. Training ~~must~~ developed by the Child
5.24 Welfare Training Academy may also be made available to attorneys, juvenile court judges,
5.25 guardians ad litem, and family law judges. The commissioner must give priority to child
5.26 welfare workers and supervisors for in-person trainings or other trainings with limited
5.27 attendance or availability.

5.28 (b) This subdivision does not require the commissioner or the Child Welfare Training
5.29 Academy to develop or provide training specifically for attorneys, juvenile court judges,
5.30 guardians ad litem, family law judges, or any other individuals beyond the primary training
5.31 audiences required to be served under Laws 2019, First Special Session chapter 9, article
5.32 1, section 37, subdivision 2, paragraph (e).

6.1 Sec. 7. Minnesota Statutes 2025 Supplement, section 260.691, subdivision 1, is amended
6.2 to read:

6.3 Subdivision 1. **Establishment and duties.** (a) The African American Child and Family
6.4 Well-Being Advisory Council is established for the Department of Children, Youth, and
6.5 Families.

6.6 (b) The council shall consist of 31 members appointed by the commissioner and must
6.7 include representatives with lived personal or professional experience within African
6.8 American communities. Members may include but are not limited to youth who have exited
6.9 the child welfare system; parents; legal custodians; relative and kinship caregivers or foster
6.10 care providers; community service providers, advocates, and members; county and private
6.11 social services agency case managers; representatives from faith-based institutions; academic
6.12 professionals; a representative from the Council for Minnesotans of African Heritage; the
6.13 Ombudsperson for African American Families; and other individuals with experience and
6.14 knowledge of African American communities. Council members must be selected through
6.15 an open appointments process under section 15.0597. The terms, compensation, and removal
6.16 of council members are governed by section 15.059.

6.17 (c) The council must:

6.18 (1) review annual reports related to African American children involved in the child
6.19 welfare system. These reports may include but are not limited to the maltreatment,
6.20 out-of-home placement, and permanency of African American children;

6.21 (2) assist with and make recommendations to the commissioner for developing strategies
6.22 to reduce maltreatment determinations, prevent unnecessary out-of-home placement, promote
6.23 culturally appropriate foster care and shelter or facility placement decisions and settings for
6.24 African American children in need of out-of-home placement, ensure timely achievement
6.25 of permanency, and improve child welfare outcomes for African American children and
6.26 their families;

6.27 (3) review summary reports on targeted case reviews prepared by the commissioner to
6.28 ensure that responsible social services agencies meet the needs of African American children
6.29 and their families. Based on data collected from those reviews, the council shall assist the
6.30 commissioner with developing strategies needed to improve any identified child welfare
6.31 outcomes, including but not limited to maltreatment, out-of-home placement, and permanency
6.32 for African American children;

7.1 (4) make recommendations to the commissioner and the legislature for public policy
7.2 and statutory changes that specifically consider the needs of African American children and
7.3 their families involved in the child welfare system;

7.4 (5) advise the commissioner on stakeholder engagement strategies and actions that the
7.5 commissioner and responsible social services agencies may take to improve child welfare
7.6 outcomes for African American children and their families;

7.7 (6) assist the commissioner with developing strategies for public messaging and
7.8 communication related to racial ~~disproportionality~~ and disparities in child welfare outcomes
7.9 for African American children and their families;

7.10 (7) assist the commissioner with identifying and developing internal and external
7.11 partnerships to support adequate access to services and resources for African American
7.12 children and their families, including but not limited to housing assistance, employment
7.13 assistance, food and nutrition support, health care, child care assistance, and educational
7.14 support and training; and

7.15 (8) assist the commissioner with developing strategies to promote the development of
7.16 a culturally diverse and representative child welfare workforce in Minnesota that includes
7.17 professionals who are reflective of the community served and who have been directly
7.18 impacted by lived experiences within the child welfare system. The council must also assist
7.19 the commissioner with exploring strategies and partnerships to address education and training
7.20 needs, hiring, recruitment, retention, and professional advancement practices.

7.21 Sec. 8. Minnesota Statutes 2025 Supplement, section 260.692, subdivision 1, is amended
7.22 to read:

7.23 Subdivision 1. **Duties.** The African American Child and Family Well-Being Unit,
7.24 currently established by the commissioner, must:

7.25 (1) assist with the development of African American cultural competency training and
7.26 review child welfare curriculum in the Minnesota Child Welfare Training Academy to
7.27 ensure that responsible social services agency staff and other child welfare professionals
7.28 are appropriately prepared to engage with African American children and their families and
7.29 to support family preservation and reunification;

7.30 (2) provide technical assistance, including on-site technical assistance, and case
7.31 consultation to responsible social services agencies to assist agencies with implementing
7.32 and complying with the Minnesota African American Family Preservation and Child Welfare
7.33 Disproportionality Act;

8.1 (3) monitor individual county and statewide disaggregated and nondisaggregated data
8.2 to identify trends and patterns in child welfare outcomes, including but not limited to
8.3 reporting, maltreatment, out-of-home placement, and permanency of African American
8.4 children and develop strategies to address ~~disproportionality~~ and disparities in the child
8.5 welfare system;

8.6 (4) develop and implement a system for conducting case reviews when the commissioner
8.7 receives reports of noncompliance with the Minnesota African American Family Preservation
8.8 and Child Welfare Disproportionality Act or when requested by the parent or custodian of
8.9 an African American child. Case reviews may include but are not limited to a review of
8.10 placement prevention efforts, safety planning, case planning and service provision by the
8.11 responsible social services agency, relative placement consideration, and permanency
8.12 planning;

8.13 (5) establish and administer a request for proposals process for African American and
8.14 disproportionately represented family preservation grants under section 260.693, monitor
8.15 grant activities, and provide technical assistance to grantees;

8.16 (6) in coordination with the African American Child and Family Well-Being Advisory
8.17 Council, coordinate services and create internal and external partnerships to support adequate
8.18 access to services and resources for African American children and their families, including
8.19 but not limited to housing assistance, employment assistance, food and nutrition support,
8.20 health care, child care assistance, and educational support and training; and

8.21 (7) develop public messaging and communication to inform the public about racial
8.22 disparities in child welfare outcomes, current efforts and strategies to reduce racial disparities,
8.23 and resources available to African American children and their families involved in the
8.24 child welfare system.

8.25 Sec. 9. Minnesota Statutes 2025 Supplement, section 260.692, subdivision 2, is amended
8.26 to read:

8.27 Subd. 2. **Case reviews.** (a) The African American Child and Family Well-Being Unit
8.28 must conduct systemic case reviews to monitor targeted child welfare outcomes, including
8.29 but not limited to maltreatment, out-of-home placement, and permanency of African
8.30 American children.

8.31 (b) The reviews under this subdivision must be conducted using a random sampling of
8.32 representative child ~~welfare~~ protection cases stratified for certain case related factors,
8.33 including but not limited to case type, maltreatment type, if the case involves out-of-home

9.1 placement, and other demographic variables. In conducting the reviews, unit staff may use
9.2 court records and documents, information from the social services information system, and
9.3 other available case file information to complete the case reviews.

9.4 (c) The frequency of the reviews and the number of cases, child welfare outcomes, and
9.5 selected counties reviewed shall be determined by the unit in consultation with the African
9.6 American Child and Family Well-Being Advisory Council, with consideration given to the
9.7 availability of unit resources needed to conduct the reviews.

9.8 (d) The unit must monitor all case reviews and use the collective case review information
9.9 and data to generate summary case review reports, ensure compliance with the Minnesota
9.10 African American Family Preservation and Child Welfare Disproportionality Act, and
9.11 identify trends or patterns in child welfare outcomes for African American children.

9.12 (e) The unit must review information from members of the public received through the
9.13 compliance and feedback portal, including policy and practice concerns related to individual
9.14 child ~~welfare~~ protection cases. After assessing a case concern, the unit may determine if
9.15 further necessary action should be taken, which may include coordinating case remediation
9.16 with other relevant child welfare agencies in accordance with data privacy laws, including
9.17 the African American Child and Family Well-Being Advisory Council, and offering case
9.18 consultation and technical assistance to the responsible local social services agency as
9.19 needed or requested by the agency.

9.20 Sec. 10. Minnesota Statutes 2025 Supplement, section 260.692, subdivision 3, is amended
9.21 to read:

9.22 Subd. 3. **Reports.** (a) The African American Child and Family Well-Being Unit must
9.23 provide regular updates on unit activities, including summary reports of case reviews, to
9.24 the African American Child and Family Well-Being Advisory Council, and must publish
9.25 an annual census of African American children in out-of-home placements statewide. The
9.26 annual census must include data on the types of placements, age and sex of the children,
9.27 how long the children have been in out-of-home placements, and other relevant demographic
9.28 information.

9.29 (b) The African American Child and Family Well-Being Unit shall gather summary data
9.30 about the practice and policy inquiries and individual case concerns received through the
9.31 compliance and feedback portal under subdivision 2, paragraph (e). The unit shall provide
9.32 regular reports of the nonidentifying compliance and feedback portal summary data to the
9.33 African American Child and Family Well-Being Advisory Council to identify child welfare

10.1 trends and patterns to assist with developing policy and practice recommendations to support
10.2 eliminating ~~disparity and disproportionality~~ disparities for African American children.

10.3 Sec. 11. Minnesota Statutes 2024, section 260.693, subdivision 2, is amended to read:

10.4 Subd. 2. **Eligible services.** (a) Services eligible for grants under this section include but
10.5 are not limited to:

10.6 (1) child out-of-home placement prevention and reunification services;

10.7 (2) family-based services and reunification therapy;

10.8 (3) culturally specific individual and family counseling;

10.9 (4) court advocacy;

10.10 (5) training for and consultation to responsible social services agencies and private social
10.11 services agencies regarding this act;

10.12 (6) development and promotion of culturally informed, affirming, and responsive
10.13 community-based prevention and family preservation services that target the children, youth,
10.14 families, and communities of African American and African heritage experiencing the
10.15 highest disparities, ~~disproportionality~~, and overrepresentation in the Minnesota child welfare
10.16 system;

10.17 (7) culturally affirming and responsive services that work with children and families in
10.18 their communities to address their needs and ensure child and family safety and well-being
10.19 within a culturally appropriate lens and framework;

10.20 (8) services to support informal kinship care arrangements; and

10.21 (9) other activities and services approved by the commissioner that further the goals of
10.22 the Minnesota African American Family Preservation and Child Welfare Disproportionality
10.23 Act, including but not limited to the recruitment of African American staff and staff from
10.24 other communities disproportionately represented in the child welfare system to work for
10.25 responsible social services agencies and licensed child-placing agencies.

10.26 (b) The commissioner may specify the priority of an activity and service based on its
10.27 success in furthering these goals. The commissioner shall give preference to programs and
10.28 service providers that are located in or serve counties with the highest rates of child welfare
10.29 ~~disproportionality~~ disproportionate representation for African American and other
10.30 disproportionately represented children and their families and employ staff who represent
10.31 the population primarily served.

11.1 Sec. 12. Laws 2024, chapter 117, section 21, is amended to read:

11.2 Sec. 21. **MINNESOTA AFRICAN AMERICAN FAMILY PRESERVATION AND**
11.3 **CHILD WELFARE DISPROPORTIONALITY ACT; WORKING GROUP.**

11.4 (a) The commissioner of human services must establish a working group to provide
11.5 guidance and oversight for the Minnesota African American Family Preservation and Child
11.6 Welfare Disproportionality Act phase-in program.

11.7 (b) The members of the working group must include representatives from the Minnesota
11.8 Association of County Social Service Administrators, the Association of Minnesota Counties,
11.9 the Minnesota Inter-County Association, the Minnesota County Attorneys Association,
11.10 Hennepin County, Ramsey County, the Department of Human Services, and community
11.11 organizations with experience in child welfare. The legislature may provide recommendations
11.12 to the commissioner on the selection of the representatives from the community organizations.

11.13 (c) The working group must provide oversight of the phase-in program and evaluate the
11.14 cost of the phase-in program. The working group must also assess future costs of
11.15 implementing the Minnesota African American Family Preservation and Child Welfare
11.16 Disproportionality Act statewide.

11.17 (d) By January 1, 2026, the working group must develop and submit an interim report
11.18 to the chairs and ranking minority members of the legislative committees with jurisdiction
11.19 over child welfare detailing initial needs for the implementation of the Minnesota African
11.20 American Family Preservation and Child Welfare Disproportionality Act. The interim report
11.21 must also include recommendations for any statutory or policy changes necessary to
11.22 implement the act.

11.23 (e) By September 1, 2026, the working group must develop an implementation plan and
11.24 best practices for the Minnesota African American Family Preservation and Child Welfare
11.25 Disproportionality Act to go into effect statewide.

11.26 (f) The working group under this section expires December 31, 2027.

11.27 Sec. 13. Laws 2024, chapter 117, section 22, is amended to read:

11.28 Sec. 22. **APPROPRIATIONS; MINNESOTA AFRICAN AMERICAN FAMILY**
11.29 **PRESERVATION AND CHILD WELFARE DISPROPORTIONALITY ACT.**

11.30 (a) \$5,000,000 in fiscal year 2025 is appropriated from the general fund to the
11.31 commissioner of human services for grants to Hennepin and Ramsey Counties to implement

12.1 the Minnesota African American Family Preservation and Child Welfare Disproportionality
12.2 Act phase-in program. Of this amount, \$2,500,000 must be provided to Hennepin County
12.3 and \$2,500,000 must be provided to Ramsey County. This is a onetime appropriation and
12.4 is available until ~~June 30~~ December 31, 2026.

12.5 (b) \$1,000,000 in fiscal year 2025 is appropriated from the general fund to the
12.6 commissioner of human services for the African American and disproportionately represented
12.7 family preservation grant program under Minnesota Statutes, section 260.693.
12.8 Notwithstanding Minnesota Statutes, section 16B.98, subdivision 14, the amount for
12.9 administrative costs under this paragraph is \$0.

12.10 (c) \$2,367,000 in fiscal year 2025 is appropriated from the general fund to the
12.11 commissioner of human services to implement the African American Family Preservation
12.12 and Child Welfare Disproportionality Act. The base for this appropriation is \$3,251,000 in
12.13 fiscal year 2026 and \$3,110,000 in fiscal year 2027."

12.14 Page 3, after line 17, insert:

12.15 "Sec. 15. **REPEALER.**

12.16 Minnesota Statutes 2024, section 260.63, subdivision 9, is repealed."

12.17 Renumber the sections in sequence and correct the internal references

12.18 Amend the title accordingly