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March 10, 2026

Re: **Minnesota 15-Day Drop Rule**

Dear Senators and Representatives:

The National Center for Youth Law (NCYL) sends this letter to raise concerns about the execution and implementation of Minnesota state law pertaining to chronic student absenteeism in light of the federal government's recent immigration enforcement operations. NCYL is a national non-profit organization that seeks to build a future where every child thrives and is supported by families, communities, and a society that puts their rights and well-being first. We work alongside young people to defend their rights, confront inequities, and drive lasting change so every child can grow, dream, and lead with dignity and opportunity.

Minnesota law contains several provisions designed to ensure that students attend school consistently. After a student has a certain number of unexcused absences, school districts are required to notify parents/guardians and make a referral to the county's child welfare agency.¹ Most relevant here, Minnesota law provides that a student with 15 consecutive absences, whether excused or not, must be automatically dropped from their school district's enrollment (15-Day Drop Rule).² Last year Minnesota enacted a new statutory provision that requires school districts to notify the Minnesota Department of Education (MDE) when students unenrolled due to the 15-Day Drop Rule have not responded to outreach from either the school or the county's child welfare agency.³

No one disputes the importance of ensuring that students attend school regularly. Consistent attendance is pivotal in guaranteeing that students are advancing in their learning.⁴ Like many other states around the country, Minnesota is struggling with chronic absenteeism, a challenge only intensified by the COVID-19 pandemic.⁵ The Minnesota Legislature's recent actions to address this longstanding problem are commendable and reflect a commitment to student achievement and success.⁶

The goal of reducing chronic absenteeism, however, has been frustrated and complicated by the federal government's recent surge of immigration enforcement activity throughout Minnesota. "Operation Metro

¹ Madie Spartz, *Attendance in the Face of ICE Operations*, EdAllies, Feb. 5, 2026, edalliesmn.org/blog/attendance-in-the-face-of-ice-operations/.

² Minn. Stat. § 126C.05

³ Spartz, *supra* note 1.

⁴ Hedy Chang & Mariajose Romero, *Key Research: Why Attendance Matters for Achievement and How Interventions Can Help* Key Research, Attendance Works, <https://awareness.attendanceworks.org/wp-content/uploads/Research2016.pdf>

⁵ Brian Basham, "Cohesive Response" Proposed to Combat Chronic Absenteeism in Minnesota Schools, Session Daily, Minn. Legislature, Mar. 25, 2025, www.house.mn.gov/sessiondaily/Story/18651.

⁶ See Colleen Connolly, *In Minnesota Pilot Program, Schools Step Up to Combat Chronic Absenteeism and Limit Calls to CPS*, The Imprint, Aug. 11, 2025, <https://imprintnews.org/top-stories/in-minnesota-pilot-program-schools-step-up-to-combat-chronic-absenteeism-and-limit-calls-to-cps/262161>

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Surge,” which began on December 4, 2025, is the largest immigration enforcement operation ever carried out by United States Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP). Overall, Operation Metro Surge saw the deployment of approximately 4,000 federal agents, the arrest and detention of thousands of people, and the deaths of two American citizen civilian protestors. The operation spread fear throughout communities across Minnesota and disrupted everyday life for thousands of Minnesotans. And even though the federal government recently announced the end of Operation Metro Surge, federal agents remain in Minnesota and the fear and terror that the operation causes continue to reverberate throughout the state.

Schools and students have not been exempted from the harms caused by Operation Metro Surge. The same day that an ICE agent fatally shot Renee Nicole Good, CBP agents who were chasing another suspect violently engaged with students and teachers at nearby Roosevelt High School.⁷ Shortly after this clash, Minneapolis Public Schools switched to virtual learning. In Fridley Public Schools, ICE enforcement has completely upended life in the district, where immigrant staff have been escorted to school by colleagues and the superintendent conducted daily patrols for ICE agents.⁸ As an executive director of a Twin Cities charter school recently explained: “Our teachers and staff are exhausted . . . [t]hey are supporting children who are afraid while managing fear in their own homes.” And the image of five-year-old Liam Conejo Ramos, dressed in his bunny hat and Spiderman bookbag, being detained by ICE agents on his way home from preschool in Columbia Heights Public Schools, is etched in our collective memories. These stories are not anomalies, and they are not limited to the Twin Cities. We have spoken with educational leaders from across Minnesota, and they all report the same experience: students and schools have been caught in the crosshairs of the federal government’s aggressive immigration enforcement tactics.

It should, therefore, come as no surprise that school attendance—especially in districts with large immigrant populations—has plummeted.⁹ Across the country, school districts have struggled to maintain attendance levels because of increased ICE and CBP enforcement in their districts, and Minnesota is no exception.¹⁰ Many of these students and their parents and relatives have been afraid to leave their homes for fear of being harassed or detained by federal agents. This drop in attendance also has implications for school districts given the 15-Day Drop Rule. Among many other challenges,

⁷ Joe Murphy & Corky Siemaszko, *Minneapolis Schools Cancel Classes after ICE Raid at High School the Same Day Renee Nicole Good Was Killed*, NBC News, Jan. 8, 2026, www.nbcnews.com/news/us-news/minneapolis-schools-cancel-classes-ice-raid-high-school-day-renee-nico-rcna253081.

⁸ Sarah Mervosh & Jamie Kelter Davis, *How Fear of ICE Upended Life in One Minnesota School District*, N.Y. Times, Jan. 31, 2026, www.nytimes.com/2026/01/31/us/minneapolis-school-district-ice-agents.html.

⁹ James Walsh, *School leaders fear declining attendance during ICE surge will also lower state funding*, The Minnesota Star Tribune, Feb. 9 2026, <https://www.startribune.com/school-leaders-fear-declining-attendance-during-ice-surge-will-also-lower-state-funding/601576192>

¹⁰ J. Jacob Kirksey & Carolyn Sattin-Bajaj, *Immigration Arrests and Educational Impacts: Linking ICE Arrests to Declines in Achievement, Attendance, and School Climate and Safety in California*, AERA Open 7 (2021); Thomas S. Dee, *Recent immigration raids increased student absences*, Proceedings of the National Academy of Sciences, 122, 45 (2025).

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these districts risk losing critical funding at a time when those resources are more important than ever.

Fortunately, Minnesota law already provides a safe haven for school districts struggling with the application of the 15-Day Drop Rule. The law states:

[W]hen school is in session but pupils are prevented from attending for more than 15 consecutive school days during the regular school year... because of epidemic, calamity, weather, fuel shortage, or other justifiable cause, the commissioner, upon application, may allow the district to continue to count these pupils in average daily membership.¹¹

Operation Metro Surge no doubt qualifies as a calamity that would trigger application of the exemption. Yet despite this provision, there is widespread uncertainty in the state about how the exemption process works. The Minnesota Department of Education (MDE) has neither provided clear guidance about the application of the 15-Day Drop Rule considering Operation Metro Surge nor the process by which school districts can seek to claim an exemption. This lack of clarity has only led to more fear and uncertainty.

Given this ongoing confusion and the potential impact on students and districts across the state, we recommend that the state legislature take action to provide immediate relief. As one advocacy organization has explained:

[I]n an extreme and unprecedented situation like the ICE surge in Minnesota, the 15-day drop policy has many *unintended* consequences, including: A child may miss 15 consecutive days of school, excused for reasons of fear of leaving their home, and still be dropped from the rolls, even if their school is still in contact with them or actively providing support services [and] [s]chools may feel pressure to “fudge” attendance data in order to protect a student from being 15-day dropped¹²

Specifically, we recommend that the legislature:

- **Pause application of the 15-Day Drop Rule.** Rigid application of the 15-Day Drop Rule will only harm students and school districts. The legislature should make clear that schools will be “held harmless” financially for any enrollment changes due to Operation Metro Surge.

¹¹ Minn. Stat. § 126C.05.11

¹² Spartz, *supra* note 1.

- **Direct MDE to Provide Clear Guidance About the Exemption Provision.** To date, MDE has not provided clear guidance to Minnesota school districts about the application of the 15-Day Drop Rule. The legislature should direct MDE to produce guidance to school districts about the application of the 15-Day Drop Rule and instructions about how to seek an exemption under the statute.
- **Reconsider the Mandatory Referral to County Child Welfare Agencies.** As noted above, school districts are required to make referrals to the county's child welfare agency. While the intention of that provision may be to provide families with additional support, it can often have the unintended consequence of causing families more fear and to have less engagement due to their lack of familiarity and relationship with child welfare personnel. Instead, the legislature should consider how school districts, perhaps in collaboration with other service providers, can provide additional assistance to families in need.

There are, no doubt, a myriad of complicated problems that this body must navigate in the aftermath of Operation Metro Surge. Addressing this challenge, however, is particularly urgent and timely. Not only would the legislature's action assist beleaguered school districts, it would also provide support to students and families across the state, many of whom continue to be afraid and terrified of further immigrant enforcement. NCYL is a partner as you work through this issue, and we are willing to assist in any way we can. Please do not hesitate to contact us at jsmith@youthlaw.org and bmonroe@youthlaw.org.

Sincerely,

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