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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 251

01/20/2015 Authored by Newton, Selcer and Hortman

The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act  
1.2 relating to education; clarifying that children under age seven who voluntarily  
1.3 enroll in school are subject to the compulsory attendance law; amending  
1.4 Minnesota Statutes 2014, section 120A.22, subdivision 6.

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

1.6 Section 1. Minnesota Statutes 2014, section 120A.22, subdivision 6, is amended to read:

1.7 Subd. 6. **Children under seven.** (a) Once a pupil under the age of seven is enrolled  
1.8 in kindergarten or a higher grade in a public school, the pupil is subject to the compulsory  
1.9 attendance provisions of this chapter and section 120A.34, unless the board of the district  
1.10 in which the pupil is enrolled has a policy that exempts children under seven from this  
1.11 subdivision.

1.12 (b) In a district in which children under seven are subject to compulsory attendance  
1.13 under this subdivision, paragraphs (c) to (e) apply.

1.14 (c) A parent or guardian may withdraw the pupil from enrollment in the school for  
1.15 good cause by notifying the district. Good cause includes, but is not limited to, enrollment  
1.16 of the pupil in another school, as defined in subdivision 4, or the immaturity of the child.

1.17 (d) When the pupil enrolls, the enrolling official must provide the parent or guardian  
1.18 who enrolls the pupil with a written explanation of the provisions of this subdivision.

1.19 (e) Once a pupil under age seven enrolls in kindergarten or a higher grade, that pupil  
1.20 is subject to the attendance requirements of the school or district and must regularly attend  
1.21 school or be subject to truancy laws under sections 260A.02, 260A.03, and 260C.007,  
1.22 subdivision 19, unless the child's parent or guardian withdraws the child from school. A  
1.23 pupil under the age of seven who is withdrawn from enrollment in the public school under  
1.24 paragraph (c) is no longer subject to the compulsory attendance provisions of this chapter.

2.1 (f) In a district that had adopted a policy to exempt children under seven from this  
2.2 subdivision, the district's chief attendance officer must keep the truancy enforcement  
2.3 authorities supplied with a copy of the board's current policy certified by the clerk of  
2.4 the board.

2.5 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and  
2.6 later.