

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 3239

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DATE
03/12/2018

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6425 Introduction and first reading
Referred to E-12 Policy

OFFICIAL STATUS

1.1 A bill for an act
 1.2 relating to education; modifying exemptions from compulsory school attendance;
 1.3 amending Minnesota Statutes 2016, section 120A.22, subdivision 12.

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

1.5 Section 1. Minnesota Statutes 2016, section 120A.22, subdivision 12, is amended to read:

1.6 Subd. 12. **Legitimate exemptions.** (a) A parent, guardian, or other person having control
 1.7 of a child may apply to a school district to have the child excused from attendance for the
 1.8 whole or any part of the time school is in session during any school year. Application may
 1.9 be made to any member of the board, a truant officer, a principal, or the superintendent.
 1.10 The school district may state in its school attendance policy that it may ask the student's
 1.11 parent or legal guardian to verify in writing the reason for the child's absence from school.
 1.12 A note from a physician or a licensed mental health professional stating that the child cannot
 1.13 attend school is a valid excuse. The board of the district in which the child resides may
 1.14 approve the application upon the following being demonstrated to the satisfaction of that
 1.15 board:

1.16 (1) that the child's physical or mental health is such as to prevent attendance at school
 1.17 or application to study for the period required, which includes:

1.18 (i) child illness, medical, dental, orthodontic, or counseling appointments;

1.19 (ii) family emergencies;

1.20 (iii) the death or serious illness or funeral of an immediate family member;

1.21 ~~(iv) active duty in any military branch of the United States;~~

2.1 ~~(v)~~ (iv) the child has a condition that requires ongoing treatment for a mental health
2.2 diagnosis; or

2.3 ~~(vi)~~ (v) other exemptions included in the district's school attendance policy;

2.4 (2) that the child's parent, guardian, or other person having control of the child is in
2.5 active duty in any branch of the United States armed forces;

2.6 (3) that the child is participating in any activity necessary for the child to join any branch
2.7 of the United States armed forces and may be excused for up to three days for such purpose;

2.8 ~~(2)~~ (4) that the child has already completed state and district standards required for
2.9 graduation from high school; or

2.10 ~~(3)~~ (5) that it is the wish of the parent, guardian, or other person having control of the
2.11 child, that the child attend for a period or periods not exceeding in the aggregate three hours
2.12 in any week, a school for religious instruction conducted and maintained by some church,
2.13 or association of churches, or any Sunday school association incorporated under the laws
2.14 of this state, or any auxiliary thereof. This school for religious instruction must be conducted
2.15 and maintained in a place other than a public school building, and it must not, in whole or
2.16 in part, be conducted and maintained at public expense. However, a child may be absent
2.17 from school on such days as the child attends upon instruction according to the ordinances
2.18 of some church.

2.19 (b) Notwithstanding subdivision 6, paragraph (a), a parent may withdraw a child from
2.20 an all-day, every day kindergarten program and put their child in a half-day program, if
2.21 offered, or an alternate-day program without being truant. A school board must excuse a
2.22 kindergarten child from a part of a school day at the request of the child's parent.

2.23 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.