

CHAPTER 356—H. F. No. 310.

An Act relating to the education of children, defining the powers and duties of school boards, their officers, agents, employees and teachers, and of county superintendents and county attorneys, in the enforcing of attendance at school, and providing for a school census, and repealing certain sections of chapter 400, Laws of 1909.

Be it enacted by the Legislature of the State of Minnesota:

Compulsory attendance—Grounds for excuse.—Section 1. Every child between eight (8) and sixteen (16) years of age shall attend a public school, or a private school, in each year during the entire time the public schools of the district in which the child resides are in session; *provided*, that in districts where the entire term of school is of unequal length in different schools, such child shall be required to attend school as herein provided during at least the entire time of the shorter term.

Such child may be excused from attendance upon an application of his parent, guardian, or other person having control of such child, to any member of the school board, truant officer, principal, or city superintendent, for the whole or any part of such period, by the school board of the district in which the child resides, upon its being shown to the satisfaction of such board:

1. That such child's bodily or mental condition is such as to prevent his attendance at school or application to study for the period required; or

2. That such child has already completed the studies ordinarily required in the eighth grade; or

3. That there is no public school within reasonable distance of his residence, or that conditions of weather and travel make it impossible for the child to attend; *provided*, first that any child fourteen (14) years of age or over, whose help may be required in any permitted occupation in or about the home of his parent or guardian may be excused from attendance between April 1 and November 1 in any year; but this proviso shall not apply to any cities of the first and second class; *provided*, second, that nothing in this act shall be construed to prevent a child from being absent from school on such days as said child attends upon instruction according to the ordinances of some church.

The clerk, or any authorized officer of the school board shall issue and keep a record of such excuses, under such rules as the board may from time to time establish.

Duty of school board.—Sec. 2. It shall be the duty of each school board, through its clerk or other authorized agent or employee, to report the names of children between six (6) and

sixteen (16) years of age, with the excuses, if any, granted in such district, to the principal teacher thereof, within the first week of school, and any subsequent excuses granted shall be forthwith reported in the same manner. The principal teacher shall provide the teachers in the several schools under his supervision, with the necessary information for the respective grades of school, relating to the list of pupils with excuses granted. On receipt of the list of such pupils of school age and the excuses granted, the principal teacher in a common, semi-graded or consolidated rural school shall report the names of children not excused, who are not attending school, with the names and addresses of their parents, to the county superintendent of schools within five days after receiving the clerk's report. The several teachers in a state graded and state high school shall report to the principal or to the city superintendent, in like manner.

Duty of county superintendent, principal teacher, etc.—Sec.

3. The county superintendent of schools shall forthwith notify the parent, guardian or person in charge to send such child to school of whose unexcused absence he has been informed, and upon their neglect or refusal to comply with the notification, the county superintendent shall, upon receipt of information of such non-compliance, notify the county attorney of the facts in each case. The principal of a graded school, or the superintendent of a district maintaining a high school, or a city superintendent, shall proceed in like manner as provided in this section respecting the county superintendent of schools.

It shall be the duty of the principal teacher or other person in charge of any private school to make reports at such times and containing such information as is herein required, respecting public schools. Such reports shall be made to the county superintendent of schools in whose county such private school is located, except where such private school is located in a city or in a district maintaining a high school, or a graded school, such reports shall be made to the city superintendent of schools or to the superintendent or principal of the high or graded school.

The county superintendent, city superintendent, principal of graded school or superintendent of a district maintaining a high school, as the case may be, shall upon request of the county attorney make and file a criminal complaint against the person or persons neglecting or refusing to comply with the provisions of this act relating to the sending of a child or children to school, in any court in said county having jurisdiction of the trial of misdemeanors, and upon making of such complaint a warrant shall be issued and proceedings and trial be had as provided by law in cases of misdemeanors. All prosecutions under this chapter shall be conducted by the county attorney of the county wherein the offense is committed.

Parent guilty of misdemeanor for violation.—Sec. 4. Any person who shall refuse or fail to send or keep in school any child or children of whom he has legal charge or control, and who is required by law to attend school, when notified so to do as hereinbefore provided, and any person who induces or attempts to induce any child unlawfully to absent himself from school, or who knowingly harbors or employs while school is in session any child unlawfully absent from school, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed fifty (50) dollars, or by imprisonment in the county jail for not more than thirty (30) days.

School officer, etc., guilty of violation.—Sec. 5. Any school officer, truant officer, teacher of a public or private school, graded school principal, city superintendent or county superintendent of schools refusing, wilfully failing, or neglecting to perform any duty imposed upon him by the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished for each offense by a fine not to exceed ten (10) dollars, or by imprisonment in the county jail not to exceed ten (10) days. All such fines, when collected, shall be paid into the county treasury for the benefit of the school district in which such offense is committed.

Duty of commissioner of labor.—Sec. 6. The commissioner of labor and his assistants shall assist in the enforcement of the provisions of this act, and shall have authority to examine the excuses granted under this act, to make investigation into the causes for which excuses have been granted, and to revoke and cancel any that may be found to be granted without proper or sufficient cause.

School census.—Sec. 7. A complete school census shall be taken in every school district, common, independent and special, between July 1 and September 1, of all children between six (6) and sixteen (16) years of age, which census shall show the name, and date of birth of each person required to be enumerated, and the name and address of his parent, guardian or other person having charge. The school census shall be taken by the clerk of the school board, or by some other person or persons appointed by the school board. Such person or persons taking such census shall make two extra copies thereof, shall certify to the school board the correctness of the enumeration and the information therein contained. The clerk shall retain the original in his office, send one copy to the county superintendent, on or before September 1, and one copy to the principal teacher, principal or city superintendent of the school district, before the first day of school of each school year. The compensation for taking said school census and making the extra copies thereof shall be three

(3) cents for each pupil enumerated, as shown by the census list, except that in cities the school board shall fix the compensation for this work.

Certain sections repealed.—Sec. 8. Sections 1, 2, 3, and 4 of chapter 400 of the Laws of 1909, and all other acts and parts of acts inconsistent with this act are hereby repealed.

Approved April 20, 1911.

CHAPTER 357—H. F. No. 366.

An Act providing for mailing notices of annual and special meetings of common school districts in certain cases.

Be it enacted by the Legislature of the State of Minnesota:

District clerk to mail notice of annual meeting.—Section 1. The annual school meeting of any common school district may in its discretion authorize and direct the district clerk to mail a notice of annual and special school meetings to the electors of the district, at least five days before the date of the meeting; *provided* that the failure or neglect of the clerk to mail such notice shall not affect or invalidate the said meeting or the business transacted thereat.

Approved April 20, 1911.

CHAPTER 358—H. F. No. 400.

An Act to regulate marking rubber tires.

Be it enacted by the Legislature of the State of Minnesota:

Rubber tire casings to be marked.—Section 1. No person shall sell any rubber tire or casing for use on motor vehicles unless the name of the manufacturer and the year in which the same was made, are conspicuously and permanently marked thereon in raised type cast with the tire or casing.

Violation a misdemeanor.—Sec. 2. Any person who shall sell or offer for sale a rubber tire or casing in violation of the provisions of this act shall be guilty of a misdemeanor.

Sec. 3. This act shall take effect from and after July 1, 1911.

Approved April 20, 1911.