

Notwithstanding Minnesota Statutes, section 379.02, the Itasca county board may accept a petition to attach a portion of unorganized territory to the town of Spang signed by not less than 20 of the legal voters who reside in the unorganized territory proposed to be attached and the town. The attachment proceedings must otherwise comply with Minnesota Statutes, chapter 379.

Sec. 2. **EFFECTIVE DATE.**

Pursuant to Minnesota Statutes, sections 645.02 and 645.023, subdivision 1, clause (a), this act takes effect without local approval on January 1, 1990.

Presented to the governor May 26, 1989

Signed by the governor May 26, 1989, 5:39 p.m.

**CHAPTER 296—H.F.No. 996**

*An act relating to education; allowing a school board to compel attendance of enrolled pupils under the age of seven; making conforming changes; amending Minnesota Statutes 1988, sections 120.101, subdivision 5, and by adding a subdivision; and 127.20.*

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

Section 1. Minnesota Statutes 1988, section 120.101, subdivision 5, is amended to read:

Subd. 5. **AGES AND TERMS.** For the 1988-1989 school year and the school years thereafter, every child between seven and 16 years of age shall receive instruction for at least 170 days each year. For the 2000-2001 school year and later school years, every child between seven and 18 years of age shall receive instruction for at least 170 days each year. Every child under the age of seven who is enrolled in a half-day kindergarten, or a full-day kindergarten program on alternate days, or other kindergarten programs shall receive instruction at least equivalent to 170 half days. Except as provided in section 2, a parent may withdraw a child under the age of seven from enrollment at any time.

Sec. 2. Minnesota Statutes 1988, section 120.101, is amended by adding a subdivision to read:

Subd. 5a. **OPTIONAL BOARD POLICY.** A school board may require in a policy that once a pupil under the age of seven is enrolled in a public school, the pupil is subject to the compulsory attendance provisions of this chapter and to section 127.20. A dispute resolution process that involves a neutral third party facilitator for resolving disputes between parents and a school district must be included in a school board policy.

New language is indicated by underline, deletions by ~~strikeout~~.

In a school district with the policy, paragraphs (a) to (d) apply.

(a) A parent or guardian may withdraw the pupil from enrollment in the school only for good cause determined by the school board or its designee; good cause includes, but is not limited to, enrollment of the pupil in another school, the developmental immaturity of the child, or significant family stress.

(b) When the pupil enrolls, the enrolling official must provide the parent or guardian who enrolls the pupil with a copy of the school board's current policy. At the time of enrollment, the enrolling parent or guardian must sign a receipt for the copy and a statement saying that they have read and understood the enrollment policy. The receipt and the signed statement must be filed with the pupil's school records.

(c) At all times, the school district's chief attendance officer must keep the truant enforcement authorities supplied with a copy of the school board's current policy certified by the clerk of the school board. A photocopy of the certified copy is prima facie evidence of the current policy in all courts and proceedings.

(d) A pupil under the age of seven who is withdrawn from enrollment in the public school is no longer subject to the compulsory attendance provisions of this chapter.

Sec. 3. Minnesota Statutes 1988, section 127.20, is amended to read:

**127.20 VIOLATIONS; PENALTIES.**

Any person who fails or refuses to provide for instruction of a child of whom the person has legal custody, and who is required by section 120.101, subdivision 5, or by a policy adopted under section 2 to receive instruction, when notified so to do by a truant officer or other official, or any person who induces or attempts to induce any such child unlawfully to be absent 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, upon conviction, shall be punished by a fine of not more than \$50, or by imprisonment for not more than 30 days. All fines, when collected, shall be paid into the county treasury for the benefit of the school district in which the offense is committed.

Presented to the governor May 26, 1989

Signed by the governor May 26, 1989, 5:45 p.m.

New language is indicated by underline, deletions by ~~strikeout~~.