

Subd. 23. Moose Lake State Monument, in Carlton county, a twenty-seven foot granite shaft in Riverside Cemetery, Moose Lake, in memory of 183 victims of the Fire of 1918, established in 1929.

Subd. 24. Samuel J. Brown State Monument, in Traverse county, a bronze tablet in Sam Brown Memorial Park, Browns Valley, honors Samuel J. Brown (1845-1925), the "Paul Revere of the Northwestern frontier" for his valiant ride in 1866, established in 1929.

Sec. 7. Minnesota Statutes 1969, Section 138.58, is amended by adding a subdivision to read:

Subd. 48. Bradbury Homestead is in Otter Tail county and consists of approximately 140 acres and the township road which traverses the site in section 22, township 137 north, range 41 west.

Sec. 8. Minnesota Statutes 1969, Section 138.53, Subdivisions 19, 24, and 28 are hereby repealed.

Approved June 3, 1971.

CHAPTER 689—H.F.No.581

An act relating to education; providing instruction for handicapped children and trainable mentally retarded children; amending Minnesota Statutes 1969, Section 120.17, Subdivisions 1, 2 and 7.

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

Section 1. Minnesota Statutes 1969, Section 120.17, Subdivision 1, is amended to read:

120.17 EDUCATION; HANDICAPPED AND MENTALLY RETARDED CHILDREN; INSTRUCTION. Subdivision 1. **SPECIAL INSTRUCTION FOR HANDICAPPED CHILDREN OF SCHOOL AGE.** Every district and unorganized territory shall provide special instruction and services for handicapped children of school age who are residents of the district and who are handicapped as set forth in section 120.03, subdivisions 1, 2 and 3, and after July 1, 1972 programs shall be provided either within the district or in another district for trainable mentally retarded as defined in section 120.03, subdivision 4 . When the provision of instruction, training, and services may result in hardship or injury to the child, the school board

Changes or additions indicated by underline, deletions by ~~strikeout~~.

may appeal the mandatory provisions of this act to the commissioner of education who shall determine what provisions shall be made by the district for the education of the child. Through July 1, 1972 every district and unorganized territory may provide special training and services for school age residents of the district who are handicapped as set forth in section 120.03, subdivision 4. School age means the ages of four years to 21 years for children who are deaf, blind, crippled or have speech defects; and five years to 21 years for mentally retarded children; and shall not extend beyond secondary school or its equivalent. Every district and unorganized territory may provide special instruction and services for handicapped children who have not attained school age. Districts with less than the minimum number of eligible handicapped children as determined by the state board shall cooperate with other districts to maintain a full sequence of programs for education, training and services for handicapped children as defined in ~~Minnesota Statutes 1967~~, section 120.03, subdivisions 1, 2 and 3. A district that decides to maintain programs for trainable handicapped children is encouraged to cooperate with other districts to maintain a full sequence of programs.

Sec. 2. Minnesota Statutes 1969, Section 120.17, Subdivision 2, is amended to read:

Subd. 2. **METHOD OF SPECIAL INSTRUCTION.** Special instruction or training and services for handicapped children may be provided by one or more of the following methods:

(a) Special instruction and services in connection with attending regular elementary and secondary school classes;

(b) The establishment of special classes;

(c) Instruction and services at the home or bedside of the child;

(d) Instruction and services in other districts;

(e) Instruction and services in a state college laboratory school or a university of Minnesota laboratory school;

(f) Instruction and services in a state residential school or a school department of a state institution approved by the commissioner; or by any other method approved by him;

(g) Instruction and services in other states.

(h) Contract with public, private or voluntary agencies.

Sec. 3. Minnesota Statutes 1969, Section 120.17, Subdivision 7, is amended to read:

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Subd. 7. **PLACEMENT IN STATE INSTITUTION; RESPONSIBILITY.** Responsibility for special instruction and services for a handicapped child placed in a state institution on a temporary basis shall be determined in the following manner:

(a) The legal residence of such child shall be the school district in which his parent resides, if living, or his guardian if neither parent is living within the state or the district designated by the commissioner of education if neither parent or guardian is living within the state ;

(b) When the educational needs of such child can be met through the institutional program, the costs for such instruction shall be paid by the department to which the institution is assigned;

(c) When it is determined that such child can benefit from public school enrollment, provision for such instruction shall be made in the following manner:

(1) Determination of eligibility for special instruction and services shall be made by the commissioner of education and the commissioner of the department responsible for the institution;

(2) The school district where the institution is located shall provide an appropriate educational program for the child and shall make a tuition charge to the child's district of residence for the actual cost of providing the program;

(3) The district of the child's residence shall pay the tuition and other program costs and may claim foundation aid for the child.

Approved June 3, 1971.

CHAPTER 690—H.F.No.582

An act relating to education; providing for publication of school receipts and expenditures; amending Minnesota Statutes 1969, Section 123.71, Subdivision 1.

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

Section 1. Minnesota Statutes 1969, Section 123.71, Subdivision 1, is amended to read:

Changes or additions indicated by underline, deletions by ~~strikeout~~.