

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1939

ENROLLED

SENATE BILL No. 62

(By Mr. Smith by request)

PASSED February 6 1939

In Effect Ninety days after Passage

Filed in the office of the Secretary of State
of West Virginia. FEB 9 1939
Wm. S. O'BRIEN,
Secretary of State

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Senate Bill No. 62

(By MR. SMITH, by request)

[Passed February 6, 1939; in effect ninety days from passage]

AN ACT to amend article seven, chapter eighteen, of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, by amending and reenacting sections ten, eleven, twelve and thirteen thereof, and by adding thereto a new section designated as section twelve-a, relating to the enumeration of the physically and mentally handicapped and the illiterate.

Be it enacted by the Legislature of West Virginia:

That article seven, chapter eighteen, of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, be amended by amending and reenacting sections ten, eleven, twelve and thirteen thereof, and by adding thereto a new section designated as section twelve-a, all to read as follows:

Section 10. The county superintendent shall require a school
2 enumeration to be taken on or before the first day of October
3 of each year. The enumeration shall distinguish between male
4 and female, and between white and colored. It shall be taken
5 by the teachers of the county without compensation therefor,
6 on a form prescribed by the state superintendent of schools.

Sec. 11. The school enumeration shall include all children
2 and youths of ages four to twenty years inclusive, as of the
3 first day of September of the year in which taken, and shall
4 classify them in groups according to years of age, each year
5 to form a separate group.

Sec. 12. The person responsible for making the school
2 enumeration report, shall verify the same, and shall accom-
3 pany each such report with an affidavit that reasonable dili-
4 gence was exercised in its preparation, and that he believes
5 the same to be accurate. He shall deliver the report to the
6 county superintendent not later than the first day of October.
7 If he fails to do so, or if the report is found to be incomplete
8 or inaccurate, the county superintendent shall deduct from
9 the monthly salary of such person an amount sufficient to de-

10 fray the expenses of a proper enumeration, and shall employ
11 a competent person to make a prompt and accurate report.
12 In such cases, the person so employed shall receive reasonable
13 compensation for time actually necessary to prepare the re-
14 port. Payment shall be made from the teachers' fund.

 Sec. 12-a. At the time of taking the school enumeration
2 teachers shall ascertain those on the enumeration list and also
3 those beyond the school enumeration age who are mentally
4 or physically handicapped, and those who are illiterate, and
5 shall report all such persons on a special form prescribed by
6 the state superintendent of schools. The special form shall
7 designate the ages to be reported, and shall provide for a
8 classification of the disabilities of handicapped persons under
9 such headings as are considered proper. The report shall
10 distinguish between male and female, and between white and
11 colored. It shall be verified by affidavit affirming reasonable
12 diligence and accuracy in its preparation and shall be delivered
13 to the county superintendent with the school enumeration.

 Sec. 13. The county superintendent shall keep in his office
2 a record of the school enumeration, and shall annually, on or
3 before the fifteenth day of November, transmit a summary of

4 such enumeration, and a summary of the enumeration required
5 by section 12-a of this article, to the state superintendent of
6 schools, on forms prescribed by the state superintendent for
7 the purpose.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

C. Frank Miller
Acting Chairman Senate Committee

Lee B. Walker
 Chairman House Committee

Originated in the *Senate*

Takes effect *90 days from* passage.

Charles Pringle
 Clerk of the Senate

Geo. S. Hall
 Clerk of the House of Delegates

William C. Miller
 President of the Senate

James Ray Thomas
 Speaker House of Delegates

The within *approved* this the *25*

day of *February*, 1939.

Sam A. Lee
 Governor.