AN ACT to amend and reenact section nine, article eight, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, relating to compulsory school attendance.

Be it enacted by the Legislature of West Virginia:

That section nine, article eight, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, be amended and reenacted to read as follows:

Section 9. Compulsory Education of Deaf and Blind;

2 Offenses; Penalties; Enumeration of Deaf and Blind.—

3 Every parent, guardian or other person having control of any mentally normal minor over six years of age, who is defective in sight or hearing to the extent that he cannot be benefitted by instruction in the public schools, shall be required to send such minor to the West Vir-
Virginia schools for the deaf and the blind at Romney. Such minor shall continue to attend such schools for a term of at least thirty-six weeks each year until he has completed the course of instruction prescribed for such schools by the state board of education, or has been discharged by the superintendent of said school: Provided, however, That minors of the Negro race who come under the requirements of this section shall be placed in the West Virginia school for the colored deaf and blind.

Any such deaf or blind minor shall be exempt from attendance at said schools for any of the following reasons: (a) Instruction by a private tutor or in another school approved by the state board of education for a time equal to that required by the first paragraph of this section; (b) physical incapacity for school work; (c) any other reason deemed good and sufficient by the superintendents of such schools, with the approval of the state board of education.

Any parent, guardian or other person in charge of such minor or minors who fails or refuses to comply with the requirements of this section shall be guilty of a misde-
meanor, and, upon conviction thereof, shall be fined not less than ten nor more than thirty dollars for each offense. Failure for the period of one week within the school year to send such minor to school shall constitute an offense: Provided, That the time necessary for such minor to travel from his home to the school shall not be counted as time absent from school.

Any person who induces or attempts to induce such blind or deaf minor to absent himself from school, or who employs or harbors such minor unlawfully, while said school is in session, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than twenty nor more than fifty dollars for each offense.

It shall be the duty of school attendance officers, prosecuting attorneys, and any special attendance officers appointed by said schools for the deaf and the blind to enforce the provisions of this section.

It shall be the duty of the public school teachers of each county to furnish to the county superintendent of schools of their county the names of deaf or blind persons in their subdistricts between the ages of six and
twenty-five years, together with information as to the age, sex and race of each such deaf or blind person. The county superintendent of schools shall certify the names of all such white persons, with the names and addresses of their parents or guardians, to the superintendent of the West Virginia schools for the deaf and the blind, and the names of all such persons of the Negro race, with the names and addresses of their parents or guardians, to the superintendent of the West Virginia school for the colored deaf and blind.

It shall be the duty of the state superintendent of schools to provide suitable blanks for the enumeration of such deaf and blind persons to each county superintendent for distribution among teachers and others responsible for taking the school enumeration. The enumeration of such deaf and blind persons shall be taken at the time the regular school enumeration is taken, and shall be reported to the superintendents of the schools for the deaf and the blind at the time that the regular school enumeration is reported to the state superintendent of schools.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 4th day of March, 1947.

Governor.

Filed in the Office of the Secretary of State of West Virginia

MAR 5, 1947