

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963



ENROLLED

HOUSE BILL No. 425

Mr. Christian, of McLawrence, for Mr. Blankenship
(By Mr. _____)



PASSED Mar. 4 1963

In Effect From Passage



Filed in Office of the Secretary of State
of West Virginia 3-12-63

JOE F. BURDETT
SECRETARY OF STATE

425

ENROLLED

House Bill No. 425

(By MR. CHRISTIAN, of McDOWELL, and MR. BLANKENSHIP)

[Passed March 4, 1963; in effect from passage.]

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

Be it enacted by the Legislature of West Virginia:

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

Article 8. Compulsory School Attendance.

**Section 4. Duties of Attendance Director; Assistant
2 Directors of Attendance.**—The county attendance direc-
3 tor and his assistants shall diligently promote regular
4 school attendance. They shall ascertain reasons for in-

5 excusable absences from school of pupils of compulsory
6 school age as defined under this article, and shall take
7 such steps as are, in their discretion, best calculated to
8 correct attitudes of parents and pupils which result in
9 absences from school even though not clearly in violation
10 of law.

11 If it is found that absence from school is in violation
12 of law, the attendance director or assistant, in the case
13 of first offense that school year, shall serve written notice
14 to the parent, guardian, or custodian of such child that
15 the attendance of such child at school is required; and
16 if the parent, guardian, or custodian does not comply
17 with the provisions of this article, then the attendance
18 director or assistant shall make complaint against such
19 parent, guardian or custodian before a justice of the peace
20 of the county: *Provided*, That for a subsequent offense
21 in any school year no such notice shall be required. The
22 summons to appear before the justice of the peace may
23 be served upon the parent, guardian, or custodian by the
24 county attendance director or assistant or by any officer
25 qualified to serve such summons.

26 When any doubt exists as to the age of a child absent
27 from school, the attendance director shall have authority
28 to require a properly attested birth certificate or an affi-
29 davit from the parent, guardian or custodian of such
30 child, stating age of such child. The county attendance
31 director or assistant, shall in the performance of his
32 duties, have authority to take without warrant any child
33 absent from school in violation of the provisions of this
34 article and to place such child in the school in which
35 such child is or should be enrolled.

36 The county attendance director shall devote full time
37 to his duties as a school official and shall be responsible
38 under direction of the county superintendent for the
39 efficient administration of school attendance in his
40 county. In addition to those duties directly relating to
41 the administration of attendance, the county attendance
42 director and assistant directors shall also perform the
43 following duties:

44 (a) Assist in directing the taking of the school census
45 to see that it is taken at the time and in the manner
46 provided by law;

47 (b) Advise with principals and teachers on the com-
48 parison of school census and enrollment for the detection
49 of possible non-enrollees;

50 (c) Cooperate with existing state and federal agencies
51 charged with enforcement of child labor laws;

52 (d) Prepare a report for submission by the county
53 superintendent to the state superintendent of schools on
54 school attendance, at such times and in such detail as
55 may be required; also, file with the county superintendent
56 and county board of education at the close of each month
57 a report showing activities of the school attendance office
58 and the status of attendance in the county at the time;

59 (e) Promote attendance in the county by the com-
60 pilation of data for schools and by furnishing suggestions
61 and recommendations for publication through school
62 bulletins and the press, or for such purposes as the county
63 superintendent may direct;

64 (f) Participate in school functions such as parent-
65 teacher associations, civic meetings, club meetings, and
66 teachers' conferences;

67 (g) Assist in such other ways as the county super-
68 intendent may direct for improving school attendance.

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

Clay Parker
Chairman Senate Committee

Ethel L. Gaudall
Chairman House Committee

Originated in the House.

Takes effect *from* _____ passage.

James Hester
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard Wilson
President of the Senate

Julius W. Egle Jr.
Speaker House of Delegates

The within *approved* _____ this the *11th* _____
day of *March* _____, 1963.

W. M. Barron
Governor

