WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1963

ENROLLED
SENATE BILL NO. 263

(By Mr. Mckown and M. Carrigan)

PASSED March 6, 1963

In Effect 90 days from Passage

Filed in Office of the Secretary of State of West Virginia 3-14-63
JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend and reenact section ten, article eight, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to compulsory education of deaf and blind; offenses; penalties; enumeration of deaf and blind.

Be it enacted by the Legislature of West Virginia:

That section ten, 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:

Section 10. Compulsory Education of Deaf and Blind;

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

3 Every parent, guardian or other person having control

4 of any mentally normal minor over six years of age, who
who is defective in sight or hearing to the extent that he
cannot be benefited by instruction in the public schools,
shall be required to send such minor to the West Vir-
ginia 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 com-
pleted the course of instruction prescribed for such schools
by the state board of education, or has been discharged
by the superintendent of said school.

Any such deaf or blind minor shall be exempt from
attendance at said schools for any of the following rea-
sons: (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 su-
perintendent of such schools, with the approval of the
state board of education.

Any parent, guardian or other persons 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 directors and
assistants, prosecuting attorneys, and any special attend-
ance directors appointed by said school for the deaf and
the blind to enforce the provisions of this section.

The county superintendent of schools shall furnish to
the superintendents of the state supported schools for the
deaf and/or blind and to the state superintendent of
schools the names of persons in his county between the
ages of six and twenty-one reported to him to be deaf and blind with the names and addresses of their parents or guardians.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

O. Ray Parker
Chairman Senate Committee

Ethel C. Hardage
Chairman House Committee

Originated in the Senate.
Takes effect 90 days from passage.

Howard M. McCandless
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

Julius W. Bingle Hood, Jr.
Speaker House of Delegates

The within approved this the 13th day of March, 1963.

Governor