

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963

## ENROLLED

SENATE BILL NO. 263

(By Mr. McKown and Mr. Carnegie)

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

# 263

**ENROLLED**

**Senate Bill No. 263**

(By MR. MCKOWN and MR. CARRIGAN)

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[Passed March 6, 1963; in effect ninety days from passage.]

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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

5 who is defective in sight or hearing to the extent that he  
6 cannot be benefited by instruction in the public schools,  
7 shall be required to send such minor to the West Vir-  
8 ginia schools for the deaf and the blind at Romney. Such  
9 minor shall continue to attend such schools for a term  
10 of at least thirty-six weeks each year until he has com-  
11 pleted the course of instruction prescribed for such schools  
12 by the state board of education, or has been discharged  
13 by the superintendent of said school.

14 Any such deaf or blind minor shall be exempt from  
15 attendance at said schools for any of the following rea-  
16 sons: (a) Instruction by a private tutor or in another  
17 school approved by the state board of education for a  
18 time equal to that required by the first paragraph of this  
19 section; (b) physical incapacity for school work; (c)  
20 any other reason deemed good and sufficient by the su-  
21 perintendent of such schools, with the approval of the  
22 state board of education.

23 Any parent, guardian or other persons in charge of such  
24 minor or minors who fails or refuses to comply with the  
25 requirements of this section shall be guilty of a misde-

26 meanor, and, upon conviction thereof, shall be fined not  
27 less than ten nor more than thirty dollars for each offense.  
28 Failure for the period of one week within the school year  
29 to send such minor to school shall constitute an offense:  
30 *Provided*, That the time necessary for such minor to travel  
31 from his home to the school shall not be counted as time  
32 absent from school.

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

39 It shall be the duty of school attendance directors and  
40 assistants, prosecuting attorneys, and any special attend-  
41 ance directors appointed by said school for the deaf and  
42 the blind to enforce the provisions of this section.

43 The county superintendent of schools shall furnish to  
44 the superintendents of the state supported schools for the  
45 deaf and/or blind and to the state superintendent of  
46 schools the names of persons in his county between the

47 ages of six and twenty-one reported to him to be deaf and  
48 blind with the names and addresses of their parents or  
49 guardians.

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

O. Ray Parker  
Chairman Senate Committee

Ethel L. Candall  
Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

Howard Meyer  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

Howard W. Carson  
President of the Senate

Julius W. Singleton Jr.  
Speaker House of Delegates

The within approved this the 13<sup>th</sup>  
day of March, 1963.

W. M. Baum  
Governor