

Compulsory Attendance

AN ACT TO MAKE SCHOOL ATTENDANCE COMPULSORY
The General Assembly of North Carolina do enact:
All Children Required to Attend School, Age 8 to 12
Term Four Months.

Section 1. That from and after the first day of July, one thousand nine hundred and thirteen, every parent, guardian, or other person in the State of North Carolina having charge or control of a child or children between the ages of eight and twelve years, shall cause such child or children to attend the local public school in the district, town or city in which he resides, continuously for four months of the school term of each year, except as hereinafter provided. This period of compulsory attendance shall commence at the beginning of the compulsory period of the school term nearest to the eighth birthday of such child or children, and shall cover the compulsory period of four consecutive school years thereafter. This period of compulsory attendance for each public school shall commence at the beginning of the school term of said school unless otherwise ordered by the county board of education or, in case of towns or cities of two thousand or more inhabitants, by the board or trustees of the public schools of said towns or cities. Continuous attendance upon some other public school or upon any private or church school taught by competent teachers may be accepted in lieu of attendance upon the local public schools: Provided, that said period of continuous attendance upon such other school shall be for at least four months of each year: Provided further, that any private or church school receiving instruction pupils between the ages of eight and twelve years shall be required to keep such records of attendance of said children and to render such reports of same as are hereinafter required of public schools. And attendance upon such school refusing or neglecting to keep such records and to render such reports shall not be accepted in lieu of attendance upon the local public school of the district, town or city which the child shall be entitled to attend: Provided, the period of compulsory attendance shall be in force and apply between the ages of eight and fifteen years in Mitchell county.

EXEMPTIONS.

Section 2. This act shall not apply in any case in which the child's physical or mental condition, as attested by any legally qualified physician before any court having jurisdiction under this act, renders his attendance impracticable or inexpedient; or in any case in which the child resides two and one-half miles or more by the nearest traveled route from the schoolhouse; or in any case in which, because of extreme poverty the services of such child are necessary for the own support or the support of his parents, as attested by the affidavit of said parents and of such witnesses as the attendance officer may require; or in any case in which said parent, guardian or other person having charge or control of the child shall show before any magistrate by affidavit of himself and of such witnesses as the attendance officer may require, that the child is without necessary books and clothing for attending school, and that he is unable to provide the necessary books and clothes: Provided, that when books and clothes shall have been provided, through charity or by other means, the child shall no longer be exempt from attendance under this provision.

PARENTS SHALL CAUSE CHILDREN TO ATTEND SCHOOL.

Section 3. Every parent, guardian, or other person in the State of North Carolina having charge or control of a child or children between the ages of eight and twelve years shall cause said child to attend school as aforesaid: Provided, that occasional absence from such attendances by such child amounting to not more than two unexcused absences in four consecutive weeks shall not be unlawful: Provided, further, that the superintendent, principal or teacher in charge of any school may excuse any child for a temporary absence because of unusual storm or bad weather, sickness or death in the child's family, unforeseen or unavoidable accidents, and such cause and reason therefor shall be recorded by said superintendent, principal, or teacher in charge of school and reported to the attendance officer as hereinafter provided: Provided, further, that in case of protracted illness of any child whose attendance is required under this act, or in case of quarantine of the home in which the child resides, upon report of the health officer or upon satisfactory evidence to this effect, the attendance officer shall excuse from attendance such child until he is fully restored to health or until the time required by law that he shall stay out of school after quarantine has been raised.

PENALTY FOR VIOLATION OF LAW.

Section 4. Any parent, guardian or other person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be liable to a fine of not less than five dollars nor more than twenty-five dollars and upon failure or refusal to pay such fine said parent, guardian or other person shall be imprisoned not to exceed thirty days in the county jail: Provided, that the fine for any first offense, may, upon the payment of costs, be suspended and not collected until the same party is convicted of a second offense: Provided, further, that after the expiration of three days from the service of the notice by the attendance officer and every day a parent, guardian, or other person shall willfully and unlawfully keep such child or children from school, or allow him to remain out of school, shall constitute

a separate offense and shall subject said person to penalties herein prescribed.

ATTENDANCE OFFICERS, DUTIES, COMPENSATION, ETC.

Section 5. The county board of education in each county shall appoint and remove at will an attendance officer for each township to enforce the provisions of this act who shall serve also as taker of the school census, performing all the duties heretofore required of the school committee as to the census under section four thousand one hundred and forty-eight of The Revisal of one thousand nine hundred and five of North Carolina, and as keeper of the attendance records, for which service he shall be allowed three cents per child of school age each school year. It shall be his duty to take an annual census and to furnish each superintendent, principal or teacher in charge of school with an accurate school census of the district at the opening of the school each year, and also to furnish a copy of the school census of each district to the county superintendent of public instruction. The attendance officer shall serve written or printed, or partly written and partly printed notices upon every parent, guardian or other person violating the provisions of this act, and prompt compliance on the part of such parent, guardian, or other person shall be required. For serving such notice the attendance officer shall be allowed a fee of twenty-five cents in case of conviction, same to be taxed in bill of costs; and if any parent, guardian, or other person upon whom such notice is served fails to comply with the law within three days, then it shall be the duty of said attendance officer to prosecute such person. Prosecution under this act shall be brought in the name of the State of North Carolina before any justice of the peace, or police justice, or recorder of any county, town or township in which the person prosecuted resides. The attendance officer shall have the right to visit and enter any office or factory or business house employing children, for the purpose of enforcing the provisions of this act; when doubt exists as to the age of a child, he may require a properly attested birth certificate or affidavit stating such child's age; he shall keep an accurate record of all notices served, all cases prosecuted, and all other services performed, and shall make an annual report of same to the county board of education. In the discretion of the county board of education, the attendance officer may be allowed reasonable additional compensation from the county school fund for such services as are required of him under this act, compensation for which is not specifically provided for herein: Provided, that in case the county board of education shall appoint a school committeeman or township constable as attendance officer, the duties of such officer herein prescribed are hereby declared to be a part of his duties ex officio: Provided, further, that the school committee or board of trustees of any school in any town or city of five thousand or more inhabitants, operating its schools under special character, is hereby authorized and empowered, in their judgment such action is wise, to appoint an attendance officer for the schools under their direction, fix his compensation, and pay the same out of the special tax school funds of said town or city, and assign to him other duties in addition to those enumerated above.

TEACHERS MUST CO-OPERATE, PENALTY FOR NON-COMPLIANCE.

Section 6. It shall be the duty of all principals and teachers to co-operate with the attendance officers in the enforcement of this law. To this end it shall be the duty of the principal or teacher in charge in every school, in which pupils between the ages of eight and twelve years are instructed, to keep an accurate record of the attendance of such pupils; to render during the period of compulsory attendance of each school term weekly reports of same to the attendance officer and the county superintendent of public instruction, showing all absences, excused and unexcused, and, in the case of excused absence, to state the reason for which the pupil was excused. Upon the willful or negligent failure of any principal or teacher in charge of any school to comply with the provisions of this section, the county superintendent shall deduct from his or her salary for the current month the sum of five dollars before approving the voucher therefor.

LAW TO BE GIVEN WIDEST POSSIBLE CIRCULATION.

Section 7. It shall be the duty of the county board of education of each county to cause this act to be published in full in some newspaper published in the county, if there is one, and if there be none, then in circular form, and given the widest possible circulation at least four weeks prior to the opening of the schools for the school year, beginning July first, one thousand nine hundred and thirteen, and annually thereafter, if in their discretion it seems necessary.

EXISTING LOCAL OR SPECIAL LAWS NOT AFFECTED OR REPEALED BY THIS ACT.

Section 8. This act shall not affect or in any part repeal any existing special or local laws requiring compulsory attendance in any county or school district: Provided, the provisions of this act shall apply to Mitchell County.

APPLIES TO POLK COUNTY.

Section 9. This bill shall apply to all children in Polk County between the ages of seven and fifteen years.

Section 10. Chapter eight hundred and ninety-four of the Public Local Laws of one thousand nine hundred and seven of North Carolina, as amended by chapter five hundred and twenty-five of the Public Laws of one thousand nine hundred and nine of North Carolina is hereby repealed.

BOARD GIVEN POWER TO MAKE RULES AND REGULATIONS TO SECURE ATTENDANCE.

Section 11. The board of education of each county shall have power at their regular meeting held in July of each year, and thereafter at any regular meeting, to make such rules and regulations as they may deem best to secure the attendance of all children between the ages of eight and twelve years upon schools of the county, and such rules and regulations, when approved by the county superintendent of public instruction, and posted at the courthouse door and at the door of each public school house in the county, shall supercede any provision of this act in conflict therewith.*

Section 12. This act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 12th day of March 1913.

B I G Values In Real Estate

There are, just outside the corporate limits of Sylva, 7 acres of land for sale at a bargain. The owner intends to leave the country and must sell at once. If you are interested just call at the Journal office and get further information.

Blacksmith SHOP

A most excellent outfit of machinists tools can be bought CAEAP. All in good condition. Well established trade, the good will goes with the shop and tools. Call at the Journal office and receive any information in regard to either of these pieces of property.