

CHAPTER 48.

[H. B. No. 70.]

PROVIDING FOR COMPULSORY ATTENDANCE OF SCHOOL CHILDREN BETWEEN AGES OF EIGHT AND FIFTEEN.

AN ACT providing for the compulsory attendance in school of children between the ages of eight and fifteen years and prescribing penalties and repealing all acts and parts of acts in conflict herewith.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. All parents, guardians and other persons in this state having or who may hereafter have immediate custody of any child or children between the ages of eight and fifteen years, shall send the same to a public or private school at least four months in each year: *Provided*, That at least three months of such child's or children's attendance shall be consecutive: *Provided further*, That in graded school districts in incorporated cities and towns, except such as are otherwise provided for by law, such children shall be sent to school at least five months in each school year: *Provided further*, That such child or children shall be excused from such attendance for the whole or any part of such period by the county superintendent of common schools upon being shown to the satisfaction of such county superintendent: (1) That such child's bodily or mental condition is such as to prevent his attendance at school or application to study for the period required; or (2), that such child is efficiently taught at home in such branches as are by law required to be taught in the schools of the district wherein such parents, guardians or other persons having such custody reside; or (3), that such child has already attained a reasonable proficiency in the branches or subjects required by law to be taught in the schools of such district during the first eight years as provided by the course of study adopted for and used in such district, or such part thereof as, in the judgment of the county superintendent, such child's age warrants him in requiring of such child; or (4), that, in case of a child under ten (10) years of age, there is not a school house within two miles of the residence of such parents, guardian or other person having such charge.

Children must be sent to school.

Proviso as to term of attendance.

Proviso as to excuse for non-attendance.

Penalty for non-compliance.

SEC. 2. Any parent or parents, guardian or other person having immediate custody of any child or children between the ages of eight and fifteen years, who shall, in any school year after June 30, 1903, wilfully neglect or refuse to send such child or children to school as required by law, shall be deemed guilty of a misdemeanor, and upon complaint of any school district elector and conviction thereof in any court of competent jurisdiction shall be punished by a fine of not less than twenty dollars nor more than fifty dollars: *Provided*, That such fine when collected shall be paid to the county treasurer and by him placed to the credit of the school district wherein such parent or parents, guardian or other persons having such charge reside: *Provided further*, That no person prosecuted under this section shall be proceeded against for the same offense within the current school year under section six (6) of this act.

Fine to be credited to school district fund.

Proviso.

Teacher to make report.

SEC. 3. At the end of the first month of school held in any school district after the beginning of the school year, it shall be the duty of the teacher of such school to report in writing to the clerk of such school district the name and ages of all children enrolled in and attending such school during said first month, together with the number of days attended by each child so enrolled.

Clerk to make report.

SEC. 4. Within ten days from and after the close of the first month of school, as provided in section three of this act, and at any time upon the written request of the county superintendent so to do, the school district clerk shall report in writing to the county superintendent of schools the names of the children between the ages of eight and fifteen years residing in such district who have not been enrolled in such school during said first month, or who are not in attendance, or have not attended, in such school as required by law at the time of making any such report requested by the county superintendent as herein provided.

County Superintendent to notify parents, etc.

SEC. 5. Upon receipt of the report of the district clerk mentioned in section two of this act and at any time after the close of the first month of school as herein provided upon the written report of the clerk of such district that any child is not attending or has not attended school as required by law, the county superintendent shall immediately

notify the parents or guardians of such child, or other person having immediate custody of such child, that the law must be complied with, and request such parents, guardian or other person having such custody to show cause why such child should not attend school as required by law.

SEC. 6. Any parent, guardian or other person having immediate custody of any child between the ages of eight and fifteen years who, after being notified by the county superintendents as provided in section five of this act, shall further neglect or refuse to send such child to school, shall, upon complaint of the county superintendent, be summoned to appear with such child or children before the judge of the Superior Court to show cause why such child or children should not be placed in and attend school as required by law, and of [if] the said judge shall upon inquiry find that none of the conditions set forth in section one (1) of this act permitting a county superintendent to excuse such child from attendance, exist in the case of such child so appearing before him, he shall, in his discretion, issue either an order commanding such parent or parents or guardian to place such child in school, if school be then in session, or immediately when school shall resume, or appear before him and show cause for the neglect or refusal so to do; or an order requiring such parent or parents or guardian to execute and file in court a good and sufficient bond payable to the county superintendent of common schools, the condition of said bond being that the parent or parents or guardian shall send such child or children to school as required by law: *Provided*, That such bond shall be made in a sum not less than fifty dollars for each child complained of, and that upon the forfeiture and collection thereof the county superintendent shall pay the sum so collected to the county treasurer who shall place the same to the credit of the district wherein such parents or guardian reside: *Provided further*, That in case of the forfeiture of such bond, it is hereby made the duty of the county superintendent to institute such proceedings as shall be necessary to the collection of such obligation: *Provided further*, That no person proceeded against under this section shall be prosecuted for the same offence within the current school year under section two (2) of this act.

Parents, guardians, etc., to be summoned before Superior Court.

May be required to give bond.

Forfeiture of bond.

Proviso.

SEC. 7. Any teacher, school district clerk or county

Penalty for neglect of duty of school officers.

superintendent of schools wilfully neglecting or refusing to comply with the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof in any court of competent jurisdiction shall be fined in any sum not less than twenty dollars nor more than fifty dollars: *Provided*, That in the case of a teacher or district clerk such fine shall be paid to the county treasurer and by him placed to the credit of the school district of such teacher or district clerk, and in case a county superintendent be found guilty of such misdemeanor, such fine shall be paid to the county treasurer and by him placed to the credit of the general school fund of the county.

Duty of County Attorney.

SEC. 8. The county attorney shall act as attorney for the county superintendent in all court proceedings relating to the compulsory attendance of children as required by law.

Repeal.

SEC. 9. All acts and parts of acts in conflict herewith are hereby repealed.

Passed the House February 19, 1903.

Passed the Senate March 3, 1903.

Approved by the Governor March 7, 1903.

CHAPTER 49.

[H. B. No. 177.]

FOR THE PROTECTION OF ORPHAN, HOMELESS, NEGLECTED OR ABUSED CHILDREN.

AN ACT providing for the protection of orphan, homeless, neglected or abused children and conferring powers upon Judges of the Superior Court, the County Commissioners and charitable societies to receive, control and dispose of the same, and repealing an act entitled, "An act for the protection of orphan, homeless, neglected or abused children, and conferring powers upon Judges of the Superior Court, the County Commissioners and charitable societies to receive, control and dispose of the same and declaring an emergency," approved February 14, 1899.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Any benevolent or charitable society incorporated under the laws of this state for the purpose of