

HOUSE No. 189

Bill accompanying the petition of Benjamin F. Haines that school attendance be made compulsory for children between the ages of seven and fifteen years. Education. January 12.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Fourteen.

AN ACT

To provide for Compulsory School Attendance of Children
between the Ages of Seven and Fifteen Years.

*Be it enacted by the Senate and House of Representatives
in General Court assembled, and by the authority of the
same, as follows:*

1 SECTION 1. Section one of chapter forty-four of the
2 Revised Laws, as amended by section one of chapter
3 three hundred and twenty of the acts of the year nineteen
4 hundred and five and by chapter three hundred and
5 eighty-three of the acts of the year nineteen hundred and
6 six, is hereby amended by striking out the word "four-
7 teen", in line one, following the words "every child be-
8 tween seven and", and inserting in place thereof the
9 word:—fifteen,—and by striking out the word "sixteen",
10 in line two, following the words "every child between
11 seven and fourteen years of age and every child under",
12 and inserting in place thereof the word:—seventeen,—

13 and by inserting after the word "chapter", in line six
14 (the words "provided for in section three of chapter
15 forty-two and sections three, five and six of this chap-
16 ter"), the words:— *Provided, however,* that attendance
17 of a child over fourteen years of age upon a vocational
18 school established and maintained under the provisions
19 of chapter four hundred and seventy-one of the acts of
20 the year nineteen hundred and eleven with subsequent
21 amendments shall be accepted as an equivalent to the at-
22 tendance of such a child upon the public day school re-
23 quired by this act. Attendance of a child over fourteen
24 years of age upon such a vocational school shall be elec-
25 tive and not compulsory. The board of trustees for
26 vocational education for such a vocational school shall be
27 charged with the duty and responsibility of co-operating
28 with the school committee and superintendent of schools
29 in the enforcement of the attendance upon the school re-
30 quired by this act, — so as to read as follows:— *Section*
31 *1.* Every child between seven and fifteen years of age,
32 and every child under seventeen years of age who cannot
33 read at sight and write legibly simple sentences in the
34 English language, shall attend some public day school
35 in the city or town in which he resides during the entire
36 time the public day schools are in session, subject to such
37 exceptions as to children, place of attendance and schools
38 as are provided for in section three of chapter forty-two
39 and sections three, five and six of this chapter: *provided,*
40 *however,* that attendance of a child over fourteen years of
41 age upon a vocational school established and maintained
42 under the provisions of chapter four hundred and seventy-
43 one of the acts of the year nineteen hundred and eleven
44 with subsequent amendments shall be accepted as an
45 equivalent to the attendance of such a child upon the
46 public day school required by this act. Attendance of a

47 child over fourteen years of age upon such a vocational
48 school shall be elective and not compulsory. The board of
49 trustees for vocational education for such a vocational
50 school shall be charged with the duty and responsibility
51 of co-operating with the school committee and superin-
52 tendent of schools in the enforcement of the attendance
53 upon the school required by this act. The superin-
54 tendent of schools or, if there is no superintendent of
55 schools, the school committee, or teachers acting under
56 authority of said superintendent or committee, may ex-
57 cuse cases of necessary absence. The attendance of a
58 child upon a public day school shall not be required if he
59 has attended for a like period of time a private day school
60 approved by the school committee of such city or town in
61 accordance with the provisions of the following section,
62 or if he has been otherwise instructed for a like period
63 of time in the branches of learning required by law to be
64 taught in the public schools, or if he has already acquired
65 such branches of learning, or if his physical or mental
66 condition is such as to render such attendance inexpedient
67 or impracticable. Every person having under his control
68 a child as described in this section shall cause him to at-
69 tend school as herein required; and if he fails for five
70 day sessions or ten half day sessions within any period
71 of six months while under such control to cause such
72 child, whose physical or mental condition is not such as
73 to render his attendance at school harmful or impracti-
74 cable, so to attend school, he shall, upon complaint by a
75 truant officer and conviction thereof, be punished by a
76 fine of not more than twenty dollars: *provided, however,*
77 that no physical or mental condition which is capable of
78 correction, or which renders the child a fit subject for
79 special instruction at public charge in institutions other
80 than the public day schools, shall avail as a defence under

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16 ter"), the words:— *Provided, however,* that attendance
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64 taught in the public schools, or if he has already acquired
65 such branches of learning, or if his physical or mental
66 condition is such as to render such attendance inexpedient
67 or impracticable. Every person having under his control
68 a child as described in this section shall cause him to at-
69 tend school as herein required; and if he fails for five
70 day sessions or ten half day sessions within any period
71 of six months while under such control to cause such
72 child, whose physical or mental condition is not such as
73 to render his attendance at school harmful or impracti-
74 cable, so to attend school, he shall, upon complaint by a
75 truant officer and conviction thereof, be punished by a
76 fine of not more than twenty dollars: *provided, however,*
77 that no physical or mental condition which is capable of
78 correction, or which renders the child a fit subject for
79 special instruction at public charge in institutions other
80 than the public day schools, shall avail as a defence under

81 the provisions of this section unless it shall be made to
82 appear that the defendant has employed all reasonable
83 measures for the correction of the condition, or the suit-
84 able instruction of the child. Whoever induces or at-
85 tempts to induce a child to absent himself unlawfully
86 from school, or employs or harbors a child who, while
87 school is in session, is absent unlawfully from school shall
88 be punished by a fine of not more than fifty dollars.

1 SECTION 2. This act shall take effect on the first day
2 of September, nineteen hundred and fourteen.