

that the child is elsewhere receiving regular, thorough instruction during said period in the studies usually taught in said public schools to children of the same age; provided that the superintendent or principal of any school, or persons duly authorized by said superintendent or principal may excuse cases of necessary absence among its enrolled pupils. The provisions of this section shall apply to any child who has a mental or physical handicap and who under the by-laws, rules and regulations of the State Board of Education is educable and qualified for special instruction as provided for in this Article; and provided further, that the provisions of this section shall not apply to a child whose mental, emotional, or physical condition is such as to render its instruction as above described inexpedient or impracticable. In any such instance it shall be within the discretion of the superintendent of schools of the particular county or of Baltimore City, acting with the advice of the school principal, supervisor, pupil personnel supervisor, or visiting teacher, and with the written recommendation of a ~~qualified physician, psychologist, psychiatrist~~ **LICENSED PHYSICIAN OR CERTIFIED PSYCHOLOGIST**, to permit the withdrawal of any pupil who in the judgment of such person or persons can no longer profit from further continuance in school. Withdrawal as it pertains to mentally or physically handicapped pupils shall not be construed as to exclude permanently the return of any pupil whose condition improves to the degree that he can benefit from further schooling. Every person having under his control a child between six and sixteen years of age shall cause such child to attend school or receive instruction as required by this Section. Nothing in the provision of this Section shall be construed to require the school attendance of any child who shall have been legally withdrawn from school before July 1, 1969.

(b) *Penalty.* Any person violating any provisions of this section shall be deemed guilty of a misdemeanor and be fined not exceeding fifty dollars (\$50.00) for each offense.

(c) *Inducing absence.* Any person who induces or attempts to induce a child to absent himself unlawfully from school or employs or harbors while school is in session any child absent unlawfully from school shall be deemed guilty of a misdemeanor and be fined not more than fifty dollars (\$50.00).

### 93. Parental schools.

The county boards of education and the Mayor and City Council of Baltimore may establish schools to be known as parental schools for children between six and sixteen years of age who are habitual truants from school or from instruction; the board of education may in its discretion establish such school or schools either in Baltimore City or in one or more counties of the State. Two or more boards of education may in their discretion jointly establish a parental school or schools for their joint use. The juvenile court having jurisdiction may commit such habitually truant children to any of the parental schools for the city or county in which such children may reside, but no person convicted of any crime or any offense other than truancy shall be committed to any of such schools.

### 94. Report of absences and maladjustment.

It shall be the duty of the principal or head teacher of every public or private school in this State to report immediately to the