

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 185

In Senate, Feb. 14, 1917.

Referred to Committee on Education and five hundred copies ordered printed. Sent down for concurrence.

W. E. LAWRY, Secretary.

Presented by Mr. Walker of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT to amend Sections Fifty-five, Fifty-six, Fifty-seven, Fifty-eight, Fifty-nine, Sixty-one and Sixty-two of Chapter Sixteen of the Revised Statutes to Provide for the Formation of Unions for the Employment of Superintendents of Schools.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Section fifty-five of Chapter sixteen of the
2 Revised Statutes is hereby amended by striking out all of
3 said section and inserting in place thereof the following so
4 that said section when amended shall read as follows:

'Sect. 55. I. It shall be the duty of the state superin-

2 tendent of public schools on or before the first day of Jan-
3 uary, nineteen hundred eighteen, to combine all the towns of
4 the state, except as herein provided, into unions for the
5 purpose of employing superintendents of schools. Such su-
6 pervisory unions as shall have been formed prior to said
7 date may be dissolved by the state superintendent of public
8 schools for the purpose of more advantageous combination.
9 Provided, however, that any superintending school com-
10 mittee of a town dissatisfied with the combination proposed
11 by the state superintendent of public schools to include that
12 town may appeal to the Governor and Council who shall
13 make the final decision relative thereto. The unions formed
14 under the provisions of this act shall be effective July first,
15 nineteen hundred eighteen.

II. Any school supervisory union formed under the pro-
2 visions of this section shall include not less than thirty
3 schools unless the state superintendent of public schools
4 shall find upon representation of any school committee that
5 owing to geographical situation or other reasons it is to the
6 advantage of the state and of said towns that a union shall
7 include fewer than thirty schools.'

Sect. 2. Section fifty-six of Chapter sixteen of the Re-
2 vised Statutes is hereby amended by striking out all of said
3 section and inserting in place thereof the following so that
4 said section when amended shall read as follows:

'Sect. 56. The superintending school committees of the
2 towns composing a union shall form a joint committee, and

3 for the purposes of this section and the four following sec-
4 tions, said joint committee shall be held to be the agents
5 of each town composing the union, provided, however, that
6 the superintending school committee of any town may
7 authorize one of its members to act for the committee in
8 the meetings of the joint committee, and in such case, the
9 member so authorized, may cast the votes for the full mem-
10 bership of his committee. Said joint committee upon noti-
11 fication by the state superintendent of public schools shall
12 meet before the first day of July, nineteen hundred eighteen,
13 and in June annually thereafter, at a day and place agreed
14 upon by the chairmen of the committees of the several
15 towns composing the union, and shall organize by the choice
16 of a chairman and a secretary. Said joint committee shall
17 determine the relative amount of service to be performed
18 by the superintendent in each town, including the minimum
19 number of visits to be made each term to each school, fix
20 his salary, apportion the amounts thereof to be paid by the
21 several towns, which amounts shall be certified to the treas-
22 urers of said towns, respectively and to the state superin-
23 tendent of public schools, together with the amounts ap-
24 portioned to each town; provided, that the amount so cer-
25 tified shall be in proportion to the amount of service per-
26 formed in the several towns. Said joint committee, at the
27 time of its organization, or as soon thereafter as possible,
28 and whenever a vacancy shall occur, shall choose by ballot
29 a superintendent of schools for a term of not less than

30 three years nor more than five years, provided, however,
31 that said committee, by a two-third vote of its full member-
32 ship, after due notice and investigation and with the con-
33 sent of the state superintendent of public schools, may for
34 cause discharge a superintendent of schools before the ex-
35 piration of the term for which he was elected, and after
36 such discharge the salary of said superintendent shall cease.'

Sect. 3. Paragraph one of Section fifty-seven of Chapter
2 sixteen of the Revised Statutes is hereby amended by strik-
3 ing out the words "Annually upon the first day of April"
4 in the fifth line thereof, and substituting in place thereof
5 the words 'On or before the first day of August, nineteen
6 hundred eighteen, and annually thereafter,' and by striking
7 out the words "and out of any moneys in the treasury not
8 otherwise appropriated" in the tenth and eleventh lines
9 thereof, so that said section when amended shall read as
10 follows:

'Sect. 57. I. The chairman and secretary of said joint
2 committee shall, upon the election of a superintendent of
3 schools as provided by the preceding section, certify under
4 oath to the state superintendent of public schools, upon the
5 forms prescribed by him, all facts relative to said union
6 and employment of a superintendent. On or before the first
7 day of August, nineteen hundred eighteen, and annually
8 thereafter, and whenever a new superintendent is chosen
9 said chairman and secretary shall make return of a similar
10 certificate. Upon approval of said certificate the superin-

11 tendent so employed shall, on presentation of proper
12 vouchers, receive monthly out of the sum appropriated for
13 superintendence of towns composing school unions a sum
14 equal to twice the aggregate sum paid by the towns com-
15 posing the union, provided, that the amount so paid for
16 the benefit of a single union of towns shall not exceed eight
17 hundred dollars in one year, and provided further, that the
18 annual appropriation for payments hereunder shall be de-
19 ducted from state school funds.'

Sect. 4. Paragraph two of Section fifty-seven of Chapter
2 sixteen of the Revised Statutes is hereby amended by strik-
3 ing out all of said paragraph of said section, so that said
4 paragraph when amended shall read as follows:

'II. The superintending school committee of a city or
2 town having under its care and custody an aggregate of
3 more than sixty schools may employ a superintendent of
4 schools without uniting with other cities or towns for that
5 purpose. Said superintendent of schools shall be chosen in
6 the same manner and for the same term and may be dis-
7 charged under the same conditions as superintendents em-
8 ployed under the provisions of Section fifty-six. Annually,
9 in the month of December the chairman and secretary of
10 said committee shall certify to the state superintendent of
11 public schools, upon forms prescribed by him, all facts
12 relative to the employment of a superintendent including
13 the amount of his salary received, then upon the approval
14 of said certificate by the state superintendent of public

15 schools and presentation to the governor and council, a
16 warrant shall be drawn upon the treasurer of state for the
17 payment to the treasurer of that town or city, of a sum
18 equal to three-fifths the amount expended by said town
19 or city for said superintendence, provided that the amount
20 so paid for the benefit of a single town or city shall not
21 be at a rate exceeding eight hundred dollars for one year.'

Sect. 5. Section fifty-eight of Chapter sixteen of the Re-
2 vised Statutes is hereby amended by striking out all of
3 paragraph one of said section and substituting in place
4 thereof the following, 'Towns shall appropriate for the
5 salary of the superintendent of schools their proportion of
6 the sum paid said superintendent to the amount certified
7 by the joint committee to the town treasurer, and said
8 proportion to be paid by any town may be paid out of an
9 appropriation for the salaries of town officers or out of a
10 special appropriation for the purpose or out of both, but it
11 shall not be paid from any appropriation made for the sup-
12 port or maintenance of common schools or high schools,'
13 so that said section when amended shall read as follows:

'Sect. 58. I. Towns shall appropriate for the salary of
2 the superintendent of schools their proportion of the sum
3 paid said superintendent to the amount certified by the joint
4 committee to the town treasurer, and said proportion to be
5 paid by any town may be paid out of an appropriation for
6 the salaries of town officers or out of a special appropriation
7 for the purpose or out of both, but it shall not be paid from

8 any appropriation made for the support or maintenance of
9 common schools or high schools.

11. The state superintendent of public schools shall an-
2 nually hold a conference for the instruction of superin-
3 tendents serving under the provisions of the three preceding
4 sections; he may expend not exceeding five hundred dollars
5 out of the appropriation for the superintendence of towns
6 composing school unions, to assist in defraying the mileage
7 expenses of those superintendents who live remote from the
8 place of such conference; but no superintendent shall be
9 entitled to any part of such expenses unless he shall regu-
10 larly attend all sessions of such conference.'

Sect. 6. Section fifty-nine of Chapter sixteen of the
2 Revised Statutes is hereby amended by designating said sec-
3 tion as paragraph one and striking out the words "upon
4 such examination" in the fourth line thereof, and substi-
5 tuting in place thereof the words 'under such regulations,'
6 and by striking out all of the last sentence of said section
7 so that said section when amended shall read as follows:

'Sect. 59. I. Persons employed to serve as superin-
2 tendents of schools under Section fifty-six and Section fifty-
3 seven shall hold state certificates of superintedence grade
4 which shall be issued under such regulations as may be pre-
5 scribed by the state superintendent of public schools; they
6 shall devote their entire time to superintedence, in the towns
7 composing the union; provided, however, that they may,
8 without violation of the provisions of this section, perform

9 such educational service outside of the towns of their
10 unions as may be performed with the approval of the state
11 superintendent of public schools and with the consent of
12 the committees employing them.'

Sect. 7. Section fifty-nine of chapter sixteen of the Re-
2 vised Statutes is hereby further amended by inserting the
3 following as paragraph two of said section:

'II. A superintendent of schools employed under the
2 provisions of Sections fifty-six and fifty-seven shall have the
3 following powers and duties:

(a) He shall be ex-officio, secretary of the superintend-
2 ing school committee and shall perform such duties not
3 herein enumerated as said committee shall direct.

(b) He shall keep a permanent record of all its voted,
2 orders and proceedings; he shall place all orders for materi-
3 als and supplies purchased by vote of the committee and
4 shall be its agent in keeping all financial records and ac-
5 counts. He shall issue vouchers showing the correctness of
6 bills contracted on account of school appropriations, but
7 such bills shall not be allowed for payment by the municipal
8 officers of towns unless they shall have been approved by
9 a majority of the members of the superintending school
10 committee.

(c) He shall examine the schools and inquire into the
2 regulations and discipline thereof, and the proficiency of
3 the pupils, for which purposes he shall visit each school at
4 least the minimum number of times each term which the

5 joint committee may designate. At the annual town meet-
6 ing, he shall make a written report of the condition of the
7 schools for the past year, with a statement of the condition
8 of school buildings, the proficiency made by the pupils, and
9 the success attending the modes of instruction and govern-
10 ment thereof, and transmit a copy to the state superinten-
11 dent of public schools.

(d) He shall keep a faithful and accurate account of
2 school finances and he shall report at least once a term in
3 writing to each of the several committees of the supervisory
4 union, including in such report a statement of the condition
5 of the schools, a financial statement, and a statement of the
6 condition of school buildings and outbuildings in the matter
7 of repair, cleanliness and sanitary arrangements.

(e) He shall nominate all teachers subject to such regula-
2 tions governing salaries and the qualifications of teachers as
3 the superintending school committee shall make, and upon
4 the approval of nominations by said committee he may em-
5 ploy teachers so nominated and approved.

(f) He shall direct and supervise the work of all teachers.

(g) He shall select textbooks, supplies and apparatus
2 subject to the approval of the superintending school com-
3 mittee and shall make all purchases of the same under such
4 regulations as the superintending school committee shall
5 adopt.

(h) He shall see to it that all necessary apparatus and
2 supplies are seasonably distributed to each school and accu-
3 rately accounted for and economically used.

(i) He shall enforce or cause to be enforced all regulations of the superintending school committee.'

Sect. 8. Section sixty-one of Chapter sixteen of the Revised Statutes is hereby amended by inserting after the word "any" in the second line thereof the words 'town or,' and by striking out the words "upon the petition of the superintending school committee of said plantation" in the fourth and fifth lines thereof, and by striking out the words "said committee" in the fifth line thereof and inserting in place thereof the words 'the committee of such town or plantation,' and by inserting after the word "townships" in the sixth line thereof the words 'or any other agent of the state superintendent of public schools,' and by inserting after the word "said" in the seventh and tenth lines thereof the words 'town or' so that said section when amended shall read as follows:

'Sect. 61. Whenever the state superintendent of public schools shall find on investigation that any town or plantation is so situated that it is not practicable to form a union in accordance with the provisions of sections fifty-five to sixty, inclusive, he may place at the service of the committee of such town or plantation the general agent for the schooling of the children in unorganized townships, or any other agent of the state superintendent of public schools, who shall when so assigned, serve as the superintendent of schools of said town or plantation; when the said agent shall so serve he shall have the same powers and shall perform

12 the same service as superintendent of schools of towns;
13 provided, however, that his visits to the schools of said town
14 or plantation shall be at such intervals as may be directed by
15 the state superintendent of public schools.'

Sect. 9. Section sixty-two of Chapter sixteen of the Re-
2 vised Statutes is hereby amended by striking out all of said
3 section and inserting in place thereof the following so that
4 said section when amended shall read as follows:

'Sect. 62. Whenever the schools of any town or plantation
2 shall be placed under the supervision of agents of the state
3 superintendent of public schools as provided by the preced-
4 ing section the treasurer of said town or plantation shall
5 pay to the treasurer of state a sum which shall be at the
6 rate of twenty-five dollars annually for each of the schools
7 of said town or plantation and the amount so received by
8 the treasurer of state shall be added by him to the appro-
9 priation for the superintendence of towns composing school
10 unions and may be used for defraying the traveling expenses
11 of agents so employed.'