

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE

1899.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1899.

Chapter 80.

An Act to amend Section twenty-one, Chapter eleven of the Revised Statutes, relating to the rights of towns to make by-laws concerning Truants.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Children between ages of seven and fifteen, required to attend school unless excused by committee.

—children physically or mentally weak, may be excluded.

Section 1. Every child between the ages of seven and fifteen inclusive shall attend some public day school during the time such school is in session; provided that necessary absence may be excused by the superintending school committee or superintendent of schools or teacher acting by direction of either; provided, also, that such attendance shall not be required if the child obtain equivalent instruction, for a like period of time, in an approved private school or in any other manner approved by the superintending school committee; and provided further, that the superintending school committee may exclude from the public schools any child whose physical or mental condition makes it inexpedient for him to attend. All persons having children under their control shall cause them to attend school as provided in this section, and for every neglect of such duty shall forfeit a sum not exceeding twenty-five dollars, to the treasurer of the city or town, for the use of the public schools of such city or town, or shall be imprisoned not exceeding thirty days.

Children may be allowed to attend school in adjoining town, on terms as may be agreed upon.

—tuition.

Section 2. Children living remote from any public school in the town in which they reside may be allowed to attend the public schools in an adjoining town, under such regulations and on such terms as the school committees of said towns agree upon and prescribe, and the school committee of the town in which such children reside shall pay the sum agreed upon, out of the appropriations of money raised in said town for school purposes. Except as above provided, a child attending a public school in a town in which his parent or legal guardian does not reside, after having obtained the consent of the school committee of such town, shall pay, as tuition, a sum equal to the average expense per scholar in such school.

Cities and towns shall elect truant officers.

—duties.

Section 3. Cities and towns shall annually elect one or more persons, to be designated truant officers, who shall inquire into all causes of neglect of the duties prescribed in section one and ascertain the reasons therefor, and shall promptly report the same to the superintending school committee, and such truant officers, or any of them shall, when so directed by the school committee or superintendent in writing, prosecute in the name of the city or town, any person liable to the penalty provided in said section; and said officers shall have power, and it shall be their duty, when notified by any teacher that any pupil is irregular in attendance to arrest and take such pupil to school when

found truant; and further it shall be the duty of such officers to enforce the provisions of sections one hundred and fourteen to one hundred and sixteen, inclusive, of chapter eleven of the revised statutes. Every city or town neglecting to elect truant officers, and truant officers neglecting to prosecute when directed, as required by law, shall forfeit not less than ten nor more than fifty dollars, to the use of the public schools in the city or town neglecting as aforesaid, or to the use of the public schools in the city or town where such truant officer resides. The municipal officers shall fix the compensation of the truant officers, elected as prescribed in this section. Superintending school committees shall have power to fill vacancies occurring during the year.

—penalty for neglect to elect truant officers.

—compensation.

—vacancies, how filled.

Section 4. If a child, without sufficient excuse, shall be absent from school six or more times during any term, he shall be deemed an habitual truant, and the superintending school committee shall notify him and any person under whose control he may be that unless he conforms to section one of this act, the provisions of the two following sections will be enforced against them; and if thereafter such child continues irregular in attendance, the truant officers or any of them shall, when so directed by the school committee or superintendent in writing, enforce said provisions by complaint.

Habitual truant shall be admonished and punished.

Section 5. Any person having control of a child who is an habitual truant, as defined in the foregoing section, and being in any way responsible for such truancy, and any person who induces a child to absent himself from school, or harbors or conceals such child when he is absent shall forfeit not exceeding twenty dollars, for the use of the public schools of the city or town in which such child resides, to be recovered by the truant officer on complaint, or shall be imprisoned not exceeding thirty days.

Penalty for abetting habitual truancy.

Section 6. On complaint of the truant officer, an habitual truant, if a boy, may be committed to the state reform school, or, if a girl, to the state industrial school for girls, or to any truant school that may hereafter be established.

Habitual truants may be placed in suitable institutions.

Section 7. Police or municipal courts and trial justices shall have jurisdiction of the offenses described in sections one, three, five and six.

Police courts and trial justices shall have jurisdiction.

Section 8. Chapter twenty-two of the public laws of eighteen hundred and eighty-seven, as amended by chapter two hundred and six of the public laws of eighteen hundred and ninety-three, and by chapter three hundred and twenty-one of the public laws of eighteen hundred and ninety-seven, and all other legislation inconsistent herewith, are hereby repealed.

Inconsistent acts, repealed.