

MAINE STATE LEGISLATURE

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CHAPTER 5

COMMISSIONER OF EDUCATION

Sec.

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§ 101. Appointment; salary

The board shall appoint a Commissioner of Education, as heretofore appointed and in this Title called the "commissioner", whenever a vacancy occurs and fix his salary, not to exceed \$16,000 per year. The commissioner shall be executive officer and ex officio secretary of the board.

R.S.1954, c. 41, § 4; 1955, c. 473, § 13-A; 1957, c. 418, § 15; 1959, c. 369; 1963, c. 381.

§ 102. Duties

The commissioner shall perform all duties now prescribed by statute, or which may hereafter be prescribed, in accordance with the policies adopted by the board.

In addition to the duties elsewhere specifically imposed on him the commissioner's duties are as follows:

1. General supervision. To exercise a general supervision of all the public schools and to advise and direct the town committees and superintendents in the discharge of their duties, by circular letters and personal conference, devoting all his time to the duties of his office;

2. Obtain and disseminate information. To obtain information as to the school systems of other states and countries and the condition and progress of public school education throughout the world; to disseminate this information, with such practical hints upon the conduct of schools, improved systems of instruction and the true theory of education as observation and investigation convince him to be important, by public addresses, circulars and articles prepared for the press, and by outlines, suggestions and directions concerning the management, discipline and methods employed in teaching, prepared for and distributed among the

teachers of the schools and school officers of the State; and to do all in his power to awaken and sustain an interest in education among the people and to stimulate teachers to well directed efforts in their work;

3. State educational convention. To take such measures as he deems necessary to secure the holding of a state educational convention once each year, with a view of bringing together the teachers, school committees, school superintendents and friends of education for consultation with reference to the interest of public schools and the most approved method of instruction;

4. County teachers' associations; summer training schools for teachers. To encourage the formation of county teachers' associations, approve rules of government therefor and to supervise the conduct of conventions held by such associations. He shall conduct summer training schools for teachers whenever provision is made by the Legislature for holding such schools;

5. Proceedings of state institutes or teachers' conventions. To prepare and cause to be printed and distributed such portions of the proceedings of state institutes or teachers' conventions as he deems important in the furtherance of education;

6. Copies of school laws. To compile and distribute, in pamphlet form, to the municipal and school officers of the several towns copies of the amended school laws of the State; and to prepare and issue biennially, such circulars of information and advice to school officers, relating to new school enactments as he shall deem necessary for the intelligent and effectual enforcement of such enactments;

7. Studies to be taught. To prescribe the studies to be taught in the public schools and in private schools approved for attendance and tuition purposes, reserving to superintending school committees, trustees or other officers in charge of such public or private schools the right to prescribe additional studies, and the course of study prescribed by the commissioner shall be followed in all public schools and in all private schools approved by the said commissioner for attendance or tuition purposes. Upon the approval by the said commissioner of any course arranged by the superintending school committee of any town, or by the trustees or other officers of any private school, said course shall be the authorized course for said town or private school. The basic language of instruction in all schools, public and private, shall be the English language. American history and civil government, including the Constitution of the United States and the

Declaration of Independence, the importance of voting and the privileges and responsibilities of citizenship, shall be taught in all schools of elementary and secondary grades, both public and private, and American history and civil government shall be required for graduation from all elementary schools, both public and private. Nothing in this section shall be construed to prohibit the teaching in elementary schools of any language as such;

A course in geography and the natural and industrial resources of Maine shall be taught in at least one grade from 7 to 12, in all school systems, both public and private.

1955, c. 300.

8. Record books. To furnish to the school officers of each administrative unit, proper blank books in which shall be kept complete and itemized records of all matters relating to moneys appropriated, received and expended for schools, which said books shall remain the property of the State;

1957, c. 364, § 2.

9. Control of gift-established schools. To assume the control and management of all free public schools established and maintained by gifts or bequests, when said gifts or bequests are conditioned upon said commissioner assuming such control and management; and he shall carry out the provisions upon which such gifts or bequests are conditioned, when said conditions are approved by the Governor and Council;

10. Duties imposed by charters. To perform all duties imposed upon him by any charter or charters granted by the Legislature to educational institutions in the State;

11. Reports. Biennially, to report to the board the result of his inquiries and investigations and the facts obtained from the school returns, with such suggestions and recommendations as in his judgment will best promote the improvement of public schools;

12. Inspection. To cause an inspection to be made under the direction of the board and to report to the school committee and to the board his findings and recommendations when petitioned by 60% of the parents of the children of any one school or whenever the superintending school committee, school directors or the superintendent of schools of any administrative unit, or 20% of the legal voters, shall petition him or the board to make an inspection of the schools in said unit; and to prepare a list of

standards of buildings, equipment, organization and instruction, and to give such ratings upon such lists of standards to any schools that are inspected under this subsection as their general condition, equipment and grade of efficiency may entitle them. Whenever such a petition is received by the commissioner or the board, the board may determine the extent and conditions under which an inspection shall be made;

1957, c. 364, § 3.

13. State teachers' colleges. To supervise the state teachers' colleges;

1961, c. 387, § 1.

14. High school equivalency certificates. To issue state high school equivalency certificates to residents of Maine, either war veterans or to other citizens 21 years of age or over, who demonstrate, through procedures prescribed by the commissioner, that they have attained a general educational development comparable to that of secondary school graduates. Certificates so issued shall have the legal status of high school diplomas. Fees sufficient to defray operating costs may be charged by the commissioner, except that honorably discharged war veterans shall be exempt from payment of fees, which shall be paid from the income of the Permanent School Fund.

15. Educational television programs. To produce or contract for educational television programs. (1963, c. 403, § 1.)

R.S.1954, c. 41, §§ 9, 11; 1955, c. 300; 1957, c. 364, §§ 2, 3; 1961, c. 387, § 1; 1963, c. 403, § 1.

§ 103. Office

An office shall be provided for the commissioner at the seat of government, where he shall perform his official duties, not meaning to prohibit him from making such necessary journeys and performing such duties as are necessary or incidental to the immediate object of such journey. He shall preserve all school reports of this State and of other states which he may receive, the returns from the various towns and institutions of learning and such books, apparatus, maps, charts, works on education, plans for school buildings, models and other articles of interest to school officers and teachers as may be procured without expense to the State.

R.S.1954, c. 41, § 10.

§ 104. Blanks for school returns

The commissioner shall prepare and print blank forms for all returns required by law or deemed by him necessary, and shall, on the first day of each March, forward to the superintendents of schools of the several administrative units blanks for the annual school return as provided in section 966, and shall, on the first day of each May, forward to said superintendents blanks for the returns required by section 967.

R.S.1954, c. 41, § 12; 1957, c. 364, § 4.

§ 105. Appointment of supervisors

As a means of increasing the efficiency of education, the commissioner may appoint supervisors whose duty it shall be to assist and direct elementary and secondary teachers, to work with local school officials upon request, and to perform such other duties in the field of education as the said commissioner may direct. The salary and necessary traveling expenses of such supervisors shall be paid from an appropriation for said purpose.

R.S.1954, c. 41, § 13; 1957, c. 17.