

MAINE STATE LEGISLATURE

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CHAPTER 103

DUTIES OF ADMINISTRATIVE UNITS

Sec.

- 851. Administrative unit defined; raising funds; expenditure.
- 852. Expenditures by towns failing to account for permanent school funds.
- 853. School money paid by towns.
- 854. School funds withheld from delinquent towns or administrative units.
- 855. Equal school privileges for all pupils.
- 856. Facilities provided; schoolbooks.
- 857. Distribution of books and appliances.
- 858. Money raised for day and evening schools; adult education.
- 859. School age; kindergartens.
- 860. Scholars at light stations.
- 861. Temporary residents; schooling; jurisdiction.
- 862. —Transportation; board; tuition; residents on state-owned property.

§ 851. Administrative unit defined; raising funds; expenditure

An administrative unit as referred to in this Title shall include all municipal or quasi-municipal corporations responsible for operating public schools.

Every administrative unit shall raise and expend, annually, for the support of public schools therein, exclusive of the income of any corporate school fund, or of any grant from the revenue or fund from the State, or of any voluntary donation, devise or bequest, or of any forfeiture accruing to the use of schools, not less than 80¢ for each inhabitant, according to the census by which Representatives to the Legislature were last apportioned, under penalty of forfeiting not less than twice nor more than 4 times the amount of its deficiency. All moneys provided by towns or other administrative units or apportioned by the State for the support of public schools shall be expended for the maintenance of public schools established and controlled by the administrative units by which said moneys are provided or to which said moneys are apportioned. Nothing in this section shall be so construed as to annul or render void the provisions made in section 521 for the establishment and maintenance of union schools by adjoining towns.

R.S.1954, c. 41, § 28; 1957, c. 364, § 11.

§ 852. Expenditures by towns failing to account for permanent school funds

All towns incorporated since 1788, not formerly parts of other towns, which fail to account for the permanent school fund arising from sale or lease of school lands in said towns, shall annually raise and expend for the maintenance of public schools not less than \$45 in addition to the amount required by law to be raised and expended for the support of said schools.

R.S.1954, c. 41, § 29.

§ 853. School money paid by towns

No money appropriated by law for public schools shall be paid from the treasury of any town except upon written order of its municipal officers. No such order shall be drawn by said officers except upon presentation of a properly avouched bill of items, said bill of items having first been approved by a majority of the members of the superintending school committee and certified by the superintendent of schools.

R.S.1954, c. 41, § 30.

§ 854. School funds withheld from delinquent towns or administrative units

When the Governor and Council have reason to believe that a town or district has neglected to raise and expend the school money required by law, or to employ teachers certified as required by law, or to have instruction given in the subjects prescribed by law, or to provide suitable textbooks in the subjects prescribed by law, or faithfully to expend the school money received from the State or in any way to comply with the law prescribing the duties of administrative units in relation to public schools, they shall direct the Treasurer of State to withhold from the apportionment of state school funds made to that administrative unit such amount as they may deem expedient. The amount so withheld shall not be paid until such administrative unit shall satisfy said Governor and Council that it has expended the full amount of school money as required by law and that it has complied in all ways with the law prescribing the duties of administrative units in relation to public schools. Whenever such administrative unit shall fail, within the year for which the apportionment is made, so to satisfy the Governor and Council, the said

amount withheld shall be forfeited and shall be added to the General Fund of the State.

R.S.1954, c. 41, § 31; 1957, c. 364, § 12; c. 443, § 6.

§ 855. Equal school privileges for all pupils

The school moneys of every administrative unit shall be so expended as to give as nearly as practicable the same aggregate annual length of terms in all its schools, and every administrative unit shall make provision for the maintenance of all its schools for not less than 36 weeks annually. Any administrative unit failing to maintain its schools as provided in this section shall be debarred from drawing its state school moneys until it shall have made suitable provisions for so maintaining them thereafter.

Five days constitutes the school week and 4 weeks a school month.

R.S.1954, c. 41, § 32; 1957, c. 364, § 12-A.

§ 856. Facilities provided; schoolbooks

Administrative units shall provide schoolbooks, apparatus and appliances for the use of pupils in the public schools, including all free high schools, at the expense of said administrative unit as provided in section 3721, subsection 2. Any parent or guardian of any pupil in the public schools may at his own expense procure for the separate and exclusive use of such pupil the textbooks required to be used in such schools. No second-hand books shall be purchased for the use of any school, and whoever violates this provision shall forfeit not exceeding \$500, to be recovered in a civil action by any school officer or person aggrieved.

Administrative units shall pay for the necessary repairs of school buildings and the improvement and maintenance of school yards and playgrounds out of a sum or sums of money raised and appropriated for that purpose, which shall be assessed like other money and shall be in addition to and independent of the amount which administrative units are required by law to raise, assess and expend for the support of schools as provided in section 3721, subsection 2.

R.S.1954, c. 41, § 34; 1957, c. 364, § 14; c. 443, § 7; 1961, c. 317, § 84.

§ 857. Distribution of books and appliances

School committees shall make such rules and regulations not repugnant to law, as they deem proper, for the distribution and preservation of schoolbooks and appliances furnished at the expense of the town.

R.S.1954, c. 41, § 35.

§ 858. Money raised for day and evening schools; adult education

Any administrative unit may, in addition to the sum raised for the support of the public schools, raise and appropriate money for the support of evening schools, day schools, classes and educational activities, which shall admit persons over 16 years of age, who are not in attendance at another public school, and shall be under the direction and supervision of the superintending school committee or school directors, and shall give such courses of instruction as said committee or school directors may determine. Pupils in such schools shall be subject to the same conditions, rules and regulations as are provided for public schools.

R.S.1954, c. 41, § 37; 1955, c. 455, § 1; 1957, c. 364, § 16; 1963, c. 403, § 3.

§ 859. School age; kindergartens

In the public schools of the State only those children who are or will become 6 years of age on or before October 15th of the school year shall be admitted to grade one.

In schools which offer a one-year childhood education program prior to grade one, only those children who will be 5 years of age on or before October 15th of the school year shall be admitted.

In schools which offer a 2-year childhood education program prior to grade one, only those children who will be 4 years of age on or before October 15th of the school year shall be admitted.

Subject to the provisions of this section and subject to such reasonable regulations as the superintending school committee or school directors shall from time to time prescribe, every person between the ages of 5 and 21 shall have the right to attend the public schools in the administrative unit in which his parent or guardian has residence. Residence as used in this section shall mean the administrative unit where the father main-

tains a home for his family. If the parents of the child are separated, residency shall be considered to be the administrative unit where the person having custody of the child maintains his or her home.

Notwithstanding the provisions of this section, summer schools operated by public school administrative units may charge tuition, not exceeding the school's per capita cost for the preceding summer. The per capita cost shall be determined in accordance with regulations established by the State Board of Education. In the first summer of its operation a school's tuition rate shall not exceed the average cost per pupil in all approved public summer schools of the State for the preceding summer. The tuition rate in a public summer school shall be the same for all pupils in attendance at that school who are legal residents of Maine.

R.S.1954, c. 41, § 44; 1955, c. 63; c. 365, § 1; 1957, c. 364, § 22; 1961, c. 109.

§ 860. Scholars at light stations

Persons between the ages of 5 and 21 years living at any light station, fog warning station or lifesaving station shall be admitted to any public school in the State without paying tuition. Such scholars shall be entitled to all privileges and benefits and be subject to the same conditions, rules and regulations as scholars residing in the administrative unit in which they attend school.

R.S.1954, c. 41, § 41; 1957, c. 364, § 19-A.

§ 861. Temporary residents; schooling; jurisdiction

In order to facilitate the education of children whose parents find it necessary, in the pursuit of their occupations, to move from place to place and whose children reside with them in such temporary residence, it is provided that the children of such person or persons shall be under the jurisdiction of the administrative units, or the commissioner if domicile is in unorganized territory, in which the parent has temporary residence and shall be subject to the school attendance laws and to the rules and regulations of the administrative units or the commissioner in which they with the parent have temporary residence, provided this does not interfere with the free school privileges of such children in the administrative units of the permanent residence of the parent.

R.S.1954, c. 41, § 42; 1957, c. 364, § 20; c. 443, § 11.

§ 862. —Transportation; board; tuition; residents on state-owned property

Where the distance from the place of temporary residence to the school is more than 2 miles and transportation is deemed advisable by the superintending school committee or school directors, the superintendent of schools shall report the same to the commissioner with such other information as may be required and if so directed by the commissioner shall procure transportation for such child or children or, if transportation is inadvisable, board in lieu thereof. When there shall be reported to the commissioner in connection with the annual report a bill of expenses incurred in connection with such transportation or board, the commissioner is authorized to reimburse such administrative units for such expenses, the same to be paid annually in December from the department appropriation for the purpose. The commissioner is authorized to make similar provisions for the transportation of any children who reside with a parent on state-owned property located in towns of less than 100 inhabitants. The commissioner is authorized to reimburse a town for tuition payments for the education of children who reside with a parent on state-owned property located in towns of less than 100 inhabitants when such towns do not maintain a school within the town.

R.S.1954, c. 41, § 43; 1955, c. 69; 1957, c. 364, § 21; c. 377, § 1-A; c. 443, § 12; 1959, c. 64.