

MAINE STATE LEGISLATURE

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Dec. 1, 1942

Earl Hutchinson, Director
Secondary Education
Frank A. Farrington, Deputy

Education
Attorney General

Liability of Employers of Teachers

Reference is to your memorandum of November 23, 1942.

It is the opinion of this department that the town or city employing a teacher is not responsible for what happens within the school or classroom as a result of a teacher's handling and control of pupils under his or her control.

However, the cases seem to hold that a teacher is not liable for corporal punishment if it is not clearly excessive in the general judgment of reasonable men. (See 78 Maine, 509). It would be assumed, of course, that the punishment was necessary to the maintenance of discipline.

Frank A. Farrington
Deputy Attorney General

FAF:h