

MAINE STATE LEGISLATURE

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May 14, 1946

To Harland A. Ladd, Commissioner of Education
Re: Teachers for Physically Handicapped Children

I have your memo of May 13th relating to your attempt to administer a program of special education provided under the provisions of Chapter 149, P. L. 1945. You state that the department is having great difficulty in obtaining the services of teachers with special training enabling them to deal effectively with children who are partially seeing, hard of hearing, defective in speech, etc.; that you have many such children throughout the State with applications fully processed, but for whom no program is in effect because it has been impossible for the department to find teachers with the educational background, including some methodology, for dealing with children so handicapped.

You state that this creates a bottleneck and that in an attempt to eliminate this bottleneck special courses will be offered at Gorham and at the University of Maine, at the summer sessions, which aim to treat with some of the fundamentals necessary for teaching these atypical children. You further state that the establishment of these courses is only part of the problem, as teachers must be encouraged in some way to use their summer vacations for this special preparation.

Upon the basis of the foregoing facts, you ask my opinion as to whether or not under the provisions of Chapter 149 a portion of the appropriation might be used for a matching subsidy to towns for the purpose of making available scholarships for teachers who will avail themselves of the proposed summer courses, in the interest of providing better educational opportunities for handicapped children, under this enabling statute passed by the last legislature.

Chapter 149, P. L. 1945, contains nine sections, numbered 180-A to 180-I, inclusive. I call your attention to the provisions of Section 180-C, under "Definition", which provides as follows:

"Educational services for physically handicapped children shall include the training of teachers, and the teaching services for crippled, partially seeing . . . children."

I further call your attention to the last sentence under Section 180-D, which reads:

"Subsidies on an individual pupil basis are to be used for schools in treatment institutions, pupils attending classes in schools not in their regular school districts; the same to be distributed according to rules and regulations established by the division of special education."

I also call your attention to Section 180-I, under the heading "Appropriation", which states in the fourth line thereof:

" . . and the sum of \$7,500 for subsidies, scholarships and reimbursements to local school districts; . . ."

Reading the purposes, definitions and appropriations in this bill together, I am of the opinion that it was the intent of the legislature to give the division of special education the authority to grant subsidies under the provisions of this act for the purpose of aiding in the training of teachers for physically handicapped children, and it was not the intent of the legislature to create a bottleneck in special courses in this kind of instruction. It is my opinion that a portion of the appropriation may be used for advancing subsidies to towns for the purpose of making available scholarships for teachers who will avail themselves of the proposed summer session offerings in the interest of providing better educational opportunities for handicapped children, under the provisions of said Chapter 149, P. L. 1945. In other words, educational services for physically handicapped children include the training of teachers, and the legislature provided the sum of \$7,500 for subsidies, scholarships and reimbursements to local school districts. I base my interpretation upon the word 'scholarship' under Section 180-I of the Act.

Ralph W. Farris
Attorney General

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