

MAINE STATE LEGISLATURE

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May 23, 1946

To Harry V. Gilson, Commissioner of Education

Re: Payment to Private School of Elementary School Tuition, etc.

Consideration and study have been given to your inquiry of April 4th, wherein you asked to be advised whether under Sections 142 and 143 of Chapter 37, R. S. 1944, elementary school tuition may legally be paid to a proposed private school, and, if so, whether in addition thereto transportation or board in full or in part may be paid for such pupils. This has relation to pupils residing in an unorganized township.

You are hereby advised that such tuition and transportation or board are allowed only where the pupil is sent to a "public elementary school in the state," who "shall be entitled to all privileges and benefits and be subject to the same rules and regulations as children residing in the municipality to which they are sent." It is very clear from the language here employed that this cannot relate to a private or parochial school.

I return herewith your copy of the request for an opinion.

Abraham Breitbard
Deputy Attorney General

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