

MAINE STATE LEGISLATURE

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October 10, 1963

Joseph P. Youngs, Jr. Superintendent
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Governor Baxter State School for
the Deaf.
Mental Health and Corrections

Tuition to School for the Deaf for State Wards and Indian Children.

FACTS:

From time to time there are in attendance at the Governor Baxter State School for the Deaf Indian children from the Penobscot and Passamaquoddy tribes, and also children committed to the Department of Health and Welfare, and living with foster parents.

QUESTION:

Whether tuition should be charged for children of the Passamaquoddy and Penobscot Indian tribes attending the Governor Baxter State School for the Deaf and whether tuition should be charged for state wards attending the Governor Baxter State School for the Deaf.

ANSWER:

Yes.

OPINION:

The municipality in which resides the foster parent of a child, committed to the Department of Health and Welfare and in attendance at the Governor Baxter State School for the Deaf is liable for tuition charges since such child is entitled to school privileges in the municipality wherein the foster parent resides.

The tuition to the Governor Baxter State School for the Deaf for an Indian child living on an Indian reservation during attendance at said school should be paid by the Department of Health and Welfare from Indian funds, in an amount equal to the per capita cost of instruction and equipment for a child in the school provided for the education of children on the reservation.

The tuition to the Governor Baxter State School for the Deaf for an Indian child, living with a parent or guardian, in a town apart from the reservation provided that such parent or guardian has a legal residence therein, should be paid by such town in . . . an amount equal to the per capita cost of instruction and equipment in a public elementary school for a normal child in that town, "R.S. 1954, c. 27, §166, as amended, and such town would then seek reimbursement for its expenditure from the Department of Health and Welfare which would pay the same from Indian funds.

Courtland D. Ferry
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