

MAINE STATE LEGISLATURE

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February 18, 1975

Fred M. Bartlett, Supervisor, Federal
Aid

Parks and Recreation

Donald G. Alexander, Assistant

Attorney General

Community School Districts

Your inquiry of January 20, 1975, is answered as follows:

1. Community School Districts are political subdivisions of the state. Section 351 of Title 20 M.R.S.A. states that a community school district is "a body politic and corporate" if formed according to therein specified procedures.

2. Also pursuant to § 351, Community School Districts have authority to make expenditures for school buildings and "related recreational and athletic facilities." Thus the Community School Districts do have authority to contract with the state for public recreational purposes where the activities which are subject of the contracts are reasonably related to the School District's educational activities.

However, your question indicates that the Community School Districts may be receiving Federal Aid as part of your contracting activity. This may be a problem, as 20 M.R.S.A. § 357 subjects Community School Districts to the general education laws. Section 3672 of Title 20 requires that all Federal Aid for operation and construction of facilities for local school districts be channeled through the State Board of Education. It is our interpretation that this would include Federal funds for land acquisition or management.

DONALD G. ALEXANDER
Assistant Attorney General

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