

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 988

H. P. 788

House of Representatives, March 5, 1979

On Motion of Mr. Connolly of Portland, referred to the Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Davis of Monmouth.

Cosponsors: Mr. Diamond of Windham, Mr. McSweeney of Old Orchard Beach and Mr. Boudreau of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Provide an Alternative to Compulsory School Attendance.

Be it enacted by the People of the State of Maine, as follows:

20 MRSA § 911, sub-§ 1, as enacted by PL 1977, c. 499, § 1, is repealed and the following enacted in its place:

1. Attendance. Every child between his 7th and 17th birthdays shall attend a public day school during the time it is in session. An absence therefrom of 1/2 day or more shall be deemed a violation of this requirement. This subsection shall not apply to a child who has graduated from high school before his 17th birthday, **nor to a child who:**

- A. Has attained age 15;**
- B. Has completed the 9th grade;**
- C. Has parental permission;**
- D. Has successfully passed tests of competencies established by the local education agency; and**
- E. Has the approval of the school principal.**

STATEMENT OF FACT

Compulsory education beyond the 9th grade is a relatively recent development that had its origin in attempts to prohibit child labor abuses. It was also seen as an alternative to displacement of adult workers in the labor market. Regardless of its origin, compulsory attendance beyond the 9th grade doesn't work very well. The major result of such attendance law is to force many disinterested children into schools for 5-6 hours a day. Using schools as custodial institutions conflicts with their primary role as educational institutions. The harm done to the school's educational atmosphere by pupils who do not want to be there far outweighs the marginal educational gain of disinterested students. A large portion of the vandalism and disruptive behavior is attributed to these students who do not want to be in school. Such misbehavior detracts from the educational opportunities of those students who wish to apply themselves to their studies. The time, the energy and the moneys spent on trying to educate students who refuse to participate should be allocated to more productive purposes.

Although every effort should be made to provide educational programs that meet the needs and abilities of the disinterested student, there should be a point at which both the school authorities and the student can mutually agree that educational progress has stopped and other avenues should be pursued.

It should be pointed out that some pupils may apply themselves to their studies more diligently, knowing that a reward, waiving of compulsory attendance, depended upon application. It is possible, also, that those pupils who apply themselves and succeed in the task of learning to read, write, and do mathematics may choose to remain in school since major roadblocks to academic success have been removed.