
FORTY-SEVENTH LEGISLATURE.

HOUSE.

No. 52.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT.

AN ACT to establish the State Board of Education.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECTION 1. The governor and council shall appoint
2 a state superintendent of common schools, and one
3 assistant superintendent from and for each of the
4 counties of the state, who shall be duly sworn, and
5 continue in office three years, or during the pleasure
6 of the executive ; and when a vacancy occurs, a new
7 appointment shall be made for a like term. Such
8 state superintendent and county superintendents, to-
9 gether with the principals of the state normal schools
10 *ex officio*, shall constitute the State Board of Educa-
11 tion.

SECT. 2. An office shall be provided for the state
2 superintendent at the seat of government, where he
3 shall preserve all school reports of this state and of
4 other states which may be sent to his office ; copies of
5 all decisions given by him relating to the school law,
6 and of all rules, regulations, forms and blanks origi-
7 nating with him. He shall in like manner preserve
8 the returns of the superintending school committees of
9 the various towns, and such books, apparatus, maps,
10 charts, works on education, plans for school buildings,
11 models, and other articles of interest to school officers
12 and teachers as may be procured without expense to
13 the state.

Duties of State Superintendent.

SECT. 3. The duties of the state superintendent
2 shall be as follows :

3 *First*—To exercise a general supervision of all the
4 public schools of the state, and to advise and direct
5 the county superintendents and town committees in
6 the discharge of their duties, by circular letters and
7 personal conference.

8 *Second*—To obtain information as to the school sys-
9 tems of other states and countries, and the condition
10 and progress of common school education throughout
11 the world ; to disseminate this information, together

12 with such practical hints upon the conduct of schools
13 and the true theory of education as observation and
14 investigation shall convince him to be important, by
15 public addresses, circulars, and articles prepared for
16 the press ; and to do all in his power to awaken and
17 sustain an interest in education among the people of
18 the state, and to stimulate teachers to well directed
19 efforts in their work.

20 *Third*—In connection with the members of the
21 board of education, to hold a state educational con-
22 vention once each year, with a view of bringing to-
23 gether the teachers, school committees, and friends of
24 education generally, for the purposes of consultation
25 with reference to the interests of common schools, and
26 the most approved methods of instruction.

27 *Fourth*—In connection with the county superinten-
28 dent, to hold in each county, once during each year,
29 a public meeting or institute for teachers and educa-
30 tors, to continue at least two days.

31 *Fifth*—To decide all controversies and disputes on
32 appeal from county superintendents, such decisions to
33 be binding till otherwise decided by the proper judi-
34 cial authority.

35 *Sixth*—To prepare, and cause to be printed, blank
36 forms for all returns required by law, or deemed by

37 him necessary to be made by county superintendents,
38 school officers and teachers ; also to cause all school
39 laws, with necessary decisions and explanations, to be
40 printed in pamphlet form, annexing thereto forms for
41 making reports and conducting school business, and to
42 transmit the same to town clerks, who shall forthwith
43 deliver such pamphlets to town agents or committees.

44 *Seventh*—To prepare, and cause to be printed and
45 distributed, such portions of the proceedings of county
46 and state institutes or teachers' conventions as he may
47 deem important in the furtherance of the interests of
48 education.

49 *Eighth*—To act as superintendent of the state nor-
50 mal schools, and perform the duties imposed upon the
51 superintendent of common schools by the ninth section
52 of the act establishing normal schools.

53 *Ninth*—Annually, prior to the session of the legis-
54 lature, to make a report to the governor and council
55 of the result of his inquiries and investigations, the
56 doings of the county superintendents and board of
57 education, and the facts obtained from the school re-
58 turns, with such suggestions and recommendations as
59 in his judgment will best promote the improvement
60 of common schools.

SECT. 4. The salary of the state superintendent shall

2 be eighteen hundred dollars exclusive of travelling and
3 other expenses, for which he shall receive five hundred
4 dollars additional, to be paid quarterly on the first days
5 of April, July, October and January.

Duties of County Superintendents.

SECT. 5. The duties of the county superintendents
2 shall be as follows :

3 *First*—To visit every school in his county at least
4 once each year, and oftener if practicable, to note the
5 text books used, the branches taught, the methods of
6 instruction, the discipline, government and general
7 condition of each school, school building and equip-
8 ments, and as the representative of the state superin-
9 tendent and board of education, and official adviser of
10 the school officers and teachers, to give such direction
11 in the science and methods of teaching as he may deem
12 expedient and necessary.

13 *Second*—To deliver at least one public educational
14 address in each of the towns of his county during the
15 year, with a view of increasing public interest in com-
16 mon schools ; and to meet the school committees of
17 each town at least once a year, that he may inform
18 them in respect to the views and requirements of the
19 board of education, and obtain their views as to the
20 wants of the schools under their control.

21 *Third*—To hold monthly, within the limits of his
22 county, and in various parts of the same, county teach-
23 ers' institutes, for the purpose of delivering lectures,
24 imparting instruction, communicating the views of the
25 board, and obtaining necessary information ; and for
26 carrying out this design, to form in his county a county
27 educational association.

28 *Fourth*—To see that the provisions of law and the
29 requirements of the board having regard to securing a
30 uniformity of text books in the public schools, are
31 faithfully carried out.

32 *Fifth*—To report monthly to the office of the state
33 department of education, the condition, progress and
34 wants of school education in his county, including in
35 such reports the items which shall be embraced in the
36 blank forms which shall be issued from said office ; and
37 in general to carry out the instructions of the state
38 superintendent.

SECT. 6. In all controversies arising under the school
2 law, the opinion and advice of the county superinten-
3 dent shall first be sought, whence appeal may be taken
4 to the state superintendent upon a written statement
5 of facts certified by the county superintendent.

SECT. 7. The annual salary of each county super-
2 intendent shall be at the rate of ten cents for each av-

3 erage pupil attendance in the county between the ages
4 of four and twenty-one, said average to be obtained
5 from the returns of the superintending school commit-
6 tees for the year preceding, such salary to be paid
7 quarterly on the first days of April, July, October and
8 January, to be drawn from the interest on the perma-
9 nent school fund and to be deducted therefrom in the
10 annual distribution of the same.

Board of Education—Duties.

SECT. 8. The Board of Education shall meet annu-
2 ally at the office of the state superintendent, and as
3 much oftener as may be advisable, or as the state
4 superintendent may require, for the purpose of con-
5 sulting with reference to the interests of common
6 schools, and devising ways and means for increasing
7 their efficiency.

SECT. 9. The board may grant to teachers certifi-
2 cates of different grades, for a period not exceeding
3 three years, said certificates to be equally valid
4 throughout the state with the certificates of superin-
5 tending school committees.

SECT. 10. The Board of Education may prescribe
2 the studies that shall be taught in the common schools
3 of this state, reserving to town committees the right
4 to prescribe additional studies.

SECT. 11. To secure ultimately a uniformity of text
2 books in the schools of the state, on the most favorable
3 terms, it shall also be the duty of the Board of Edu-
4 cation to examine into the merits of the published
5 text books in the studies pursued in our common
6 schools, and to recommend such of them as may seem
7 best adapted to the same ; or in case they find none
8 of the published books satisfactory, to make such
9 arrangements as they may think proper with authors
10 and publishers for the publication of new books, with-
11 out expense to the state ; previously, however, making
12 arrangements with the publishers of such text books
13 as they may desire to recommend, to furnish such
14 books to the dealers in this state, or the county super-
15 intendants, at the lowest wholesale prices ; and in
16 case the trade is unwilling to supply the schools of
17 any town with any of such text books at such an ad-
18 vance above the wholesale prices agreed upon as the
19 board may deem reasonable, then it shall be the duty
20 of the county superintendents to furnish such books
21 under the regulations prescribed by the board.

SECT. 12. When the board shall recommend any
2 text book or books to be used in the common schools of
3 this state, they shall notify the superintending school
4 committees of their recommendations, and of the low-

5 est wholesale prices agreed upon for such books, and
6 of the advance above those rates deemed reasonable for
7 the retail prices ; and thereafter when any change
8 shall be made in any of the text books used in the
9 public schools of any town, those books recommended
10 by the board of education shall be adopted. And no
11 change shall be made by the board in any of the text
12 books recommended by them for the term of five years
13 from such recommendation.

SECT. 13. All returns of superintending school com-
2 mittees now required by law to be made to the secre-
3 tary of state, shall hereafter be made to the superin-
4 tendent of common schools, and all blanks relating to
5 common schools now required to be prepared and dis-
6 tributed by the former, shall hereafter be prepared and
7 distributed by the latter.

SECT. 14. To aid in the preparation and distribu-
2 tion of blanks and circulars, and in the arrangement
3 and publication of returns, and in general to further
4 the interests of this department of common schools,
5 the superintendent is hereby authorized to employ a
6 clerk, at a compensation not exceeding two dollars
7 per day.

SECT. 15. Sections sixty to section sixty-six, in-
2 clusive, of chapter eleven of the revised statutes, pro-

3 viding for the appointment of a superintendent of
4 common schools, and all acts and parts of acts in-
5 consistent with this act, are hereby repealed.

SECT. 16. This act shall take effect when approved
2 by the governor.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 5, 1868. }

Reported from the Committee on Education, by Mr. DINGLEY
of Lewiston.

S. J. CHADBOURNE, *Clerk.*