

MAINE STATE LEGISLATURE

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FIFTY-SECOND LEGISLATURE.

HOUSE.

No. 34.

[NEW DRAFT.]

STATE OF MAINE.

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

AN ACT in aid of free high schools.

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

SECTION 1. When any town shall have established
2 and maintained a free high school as provided by this
3 act, for at least ten weeks in any one year, such town
4 on complying with the conditions herein set forth,
5 shall be entitled to receive from the state one half the
6 amount actually expended for instruction in said
7 school, not however exceeding five hundred dollars
8 from the state to any one town; *provided*, that no
9 town shall be entitled to such state aid unless the
10 appropriation and expenditure for such school on the
11 part of said town, has been exclusive of the amounts

12 required by law to be expended for common school
13 purposes. Such state aid shall be paid from the state
14 treasury on and after the first day of December of
15 each year, upon certification by the governor and
16 council as provided by section eight.

SECT. 2. Any town may establish and maintain not
2 exceeding two free high schools; and when two such
3 schools are maintained, shall be entitled to receive
4 the same state aid as if the expenditures for both
5 schools had been made for one school. Two or more
6 adjoining towns may unite in establishing and main-
7 taining a free high school, and both receive the same
8 state aid as if such school had been maintained by one
9 town. So long as any town shall decline to avail
10 itself of the provisions of this act, any school district,
11 or union of districts in such town, may establish
12 and maintain a free high school, and receive state
13 aid the same as the town might have done; *pro-*
14 *vided*, that no more than two such free high schools
15 shall be established in any one town, and that the
16 amount of state aid extended to the districts in any
17 town shall not exceed the sum that the town might
18 have received. Two adjoining school districts in
19 different towns may establish and maintain a union
20 free high school, and, with the consent of both towns,
21 may receive a proportional part of such state aid, to

22 be determined as provided by section eight, but in no
23 case to exceed the amount that either town might have
24 received. Towns shall receive in trust and faithfully
25 expend donations and bequests made to aid in the
26 maintenance of free high schools, and shall receive
27 state aid in such cases to the same extent, and on the
28 same conditions as if such schools had been established
29 and maintained by taxation ; *provided*, that no town
30 shall be entitled to receive such state aid on any
31 expenditure for a free high school or schools made
32 from the funds or proceeds of the real estate of an
33 academy or incorporated institution of learning, sur-
34 rendered or transferred to such town for educational
35 purposes.

SECT. 3. Any town, or union of towns or districts,
2 voting to establish a free high school as herein pro-
3 vided, may locate the same permanently, or vote that
4 the terms of said school be held alternately in such
5 school districts within the town or towns as may be
6 selected, and as may accept said school. It shall be
7 the duty of the district in which said free high school
8 is thus held, to supply appropriate equipments for the
9 same, and also to furnish and warm a suitable build-
10 ing ; *provided*, that such district may use its district
11 school-house for such free high school, when not re-
12 quired for ordinary school purposes.

SECT. 4. The course of study in the free high school contemplated by this act, shall embrace the ordinary academic studies, especially the natural sciences in their application to mechanics, manufactures and agriculture. Such school or schools, when established by any town or union of towns, shall be free to all the youth in such town or towns, on such attainments of scholarship as shall be fixed by the superintending school committee or committees having the supervision of said school or schools. When such school is established by any school district or union of school districts, it shall be free in the same manner to the scholars within such district or districts; and also open to scholars passing the required examination from without such district or districts, but within the town or towns in which said district or districts are situated, on the payment to the agent of the district in which such school is located, of such tuition, to be fixed by the superintending school committee or committees having the supervision of the same, as shall be equivalent to the cost per scholar of maintaining such school, after deducting the aid extended by the state. Whenever in the judgment of the superintending school committee or committees having the supervision of any free high school or schools, the number of pupils in the same may be

27 increased without detriment, scholars from without
28 the town or towns directly interested in such school
29 or schools, may be admitted to the same on passing
30 the required examination, and paying such tuition
31 as may be fixed by said committee, to the treasurer
32 of the town in which the school is kept, when such
33 school is maintained by a town or union of towns,
34 or to the agent of the district in which the school is
35 kept, when such school is maintained by a district or
36 union of districts.

SECT. 5. Free high schools established and main-
2 tained under the provisions of this act, shall be sub-
3 ject to the laws of the state relating to common
4 schools so far as applicable, except as herein other-
5 wise provided. When established and maintained by
6 a town, such free high school or schools shall be under
7 the supervision and entire management of the super-
8 intending school committee of such town. When es-
9 tablished and maintained by a union of towns, such
10 school shall be under the supervision and entire man-
11 agement of the superintending school committees of
12 such towns, who shall constitute a joint board for that
13 purpose. When established and maintained by any
14 district or union of districts in the same town, such
15 school shall be under the supervision of the superin-
16 tending school committee of such town, and under

17 the financial management of the agent of the school
18 district in which such school is kept, who in con-
19 nection with said committee, shall employ the teacher
20 or teachers for the same. When established and
21 maintained by two districts in different towns, such
22 school shall be under the supervision of the superin-
23 tending school committees of such towns, who shall
24 constitute a joint board for that purpose, and under
25 the financial management of the agents of both dis-
26 tricts, who in connection with said committees, shall
27 employ the teacher or teachers for such school.

SECT. 6. Towns and school districts are hereby au-
2 thorized to raise money for the purpose of establishing
3 and maintaining free high schools, and erecting build-
4 ings and providing equipments for the same, in the
5 same manner as provided by law for supporting com-
6 mon schools and erecting school-houses.

SECT. 7. Any town may from year to year authorize
2 its superintending school committee to contract with
3 and pay the trustees of any academy in said town, for
4 the tuition of scholars within such town, in the
5 studies contemplated by this act, under a standard of
6 scholarship to be established by such committee; and
7 the expenditure of any town for tuition in such acad-
8 emy shall be subject to the same conditions, and shall
9 entitle such town to the same aid from the state as if

10 said town had made such expenditure for a free high
11 school.

SECT. 8. The superintending school committee or
2 committees having the supervision of any free high
3 school or schools, shall annually before the first day of
4 December, make return under oath to the superintend-
5 ent of common schools, on blanks prepared and sent
6 out by him, of the amount appropriated and also the
7 amount expended by each town or school district for
8 instruction in such free high school or schools during
9 the current year; also of the amount appropriated
10 and the amount expended for common school purposes
11 by each town or school district maintaining such free
12 high school or schools; the number of weeks which
13 such school or schools have been taught; the wages
14 paid each teacher; the number of pupils registered;
15 the average attendance; the number of pupils in each
16 branch of study pursued; and the amount received for
17 tuition. If the superintendent of common schools
18 shall be satisfied that the provisions of this act have
19 been complied with, he shall certify to the governor and
20 council the sum which each town or district is entitled
21 to receive from the state under this act. If any town or
22 district is dissatisfied with the decision of the super-
23 intendent of common schools, such town or district
24 may appeal to the governor and council. The gover-

25 nor and council shall issue a certificate to the treasurer
26 of the town or agent of the district for such amount
27 as they may adjudge such town or district is entitled
28 to receive from the state treasury.

SECT. 9. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 12, 1873. }

Reported from the Committee on Education, by Mr. DINGLEY,
and ordered printed under the rules.

S. J. CHADBOURNE, *Clerk.*