

MAINE STATE LEGISLATURE

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Sixty-Ninth Legislature.

SENATE.

No. 86.

STATE OF MAINE.

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

AN ACT to amend section 21, chapter 11 of the Revised Statutes relating to the Rights of Towns to make By-laws concerning Truants.

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

Section 1. Every child between the ages of seven and
2 fifteen inclusive shall attend some public day school during
3 the time such school is in session; provided that necessary
4 absence may be excused by the superintending school com-
5 mittee or superintendent of schools or teacher acting by direc-
6 tion of either; provided, also, that such attendance shall not
7 be required if the child obtain equivalent instruction, for a
8 like period of time, in an approved private school or in any
9 other manner approved by the superintending school com-

10 mittee; and provided further, that the superintending school
11 committee may exclude from the public schools any child
12 whose physical or mental condition makes it inexpedient for
13 him to attend. All persons having children under their
14 control shall cause them to attend school as provided in this
15 section, and for every neglect of such duty shall forfeit a sum
16 not exceeding twenty-five dollars, to the treasurer of the city
17 or town, for the use of the public schools of such city or town
18 or shall be imprisoned not exceeding thirty days.

Sect. 2. Children living remote from any public school in
2 the town in which they reside may be allowed to attend the
3 public schools in an adjoining town, under such regulations
4 and on such terms as the school committees of said towns
5 agree upon and prescribe, and the school committee of the
6 town in which such children reside shall pay the sum agreed
7 upon, out of the appropriations of money raised in said town
8 for school purposes. Except as above provided, a child
9 attending a public school in a town in which his parent or
10 legal guardian does not reside, after having obtained the
11 consent of the school committee of such town, shall pay, as
12 tuition, a sum equal to the average expense per scholar in
13 such school.

Sect. 3. Cities and towns shall annually elect one or more
2 persons, to be designated truant officers, who shall inquire
3 into all causes of neglect of the duties prescribed in section
4 one and ascertain the reasons therefor, and shall promptly
5 report the same to the superintending school committee, and
6 such truant officers, or any of them, shall, when so directed
7 by the school committee or superintendent in writing, prose-
8 cute in the name of the city or town, any person liable to
9 the penalty provided in said section; and said officers shall
10 have power, and it shall be their duty, when notified by any
11 teacher that any pupil is irregular in attendance, to arrest

12 and take such pupil to school when found truant ; and further
13 it shall be the duty of such officers to enforce the provisions
14 of sections one hundred fourteen to one hundred sixteen,
15 inclusive, of chapter eleven of the Revised Statutes. Every
16 city or town neglecting to elect truant officers, and truant
17 officers neglecting to prosecute when directed, as required by
18 law, shall forfeit not less than ten nor more than fifty dol-
19 lars, to the use of the public schools in the city or town
20 neglecting as aforesaid, or to the use of the public schools
21 in the city or town where such truant officer resides. The
22 municipal officers shall fix the compensation of the truant
23 officers, elected as prescribed in this section. Superintend-
24 ing school committees shall have power to fill vacancies
25 occurring during the year.

Sect. 4. If a child, without sufficient excuse, shall be absent
2 from school six or more times during any term, he shall be
3 deemed an habitual truant, and the superintending school
4 committee shall notify him and any person under whose con-
5 trol he may be that unless he conforms to section one of this
6 act, the provisions of the two following sections will be
7 enforced against them ; and if thereafter such child continues
8 irregular in attendance, the truant officers or any of them
9 shall, when so directed by the school committee or superin-
10 tendent in writing, enforce said provisions by complaint.

Sect. 5. Any person having control of a child who is an
2 habitual truant, as defined in the foregoing section, and being
3 in any way responsible for such truancy, and any person
4 who induces a child to absent himself from school, or harbors
5 or conceals such child when he is absent shall forfeit not
6 exceeding twenty dollars, for the use of the public schools
7 of the city or town in which such child resides, to be recov-
8 ered by the truant officer on complaint, or shall be imprisoned
9 not exceeding thirty days.

Sect. 6. On complaint of the truant officer, an habitual
2 truant, if a boy, may be committed to the State Reform
3 School, or, if a girl, to the State Industrial School for Girls,
4 or to any truant school that may hereafter be established.

Sect. 7. Police or municipal courts and trial justices shall
2 have jurisdiction of the offences described in sections one,
3 three, five and six.

Sect. 8. Chapter twenty-two, of the Public Laws of eight-
2 een hundred and eighty-seven, as amended by chapter two
3 hundred and six, of the Public Laws of eighteen hundred and
4 ninety-three, and by chapter three hundred and twenty-one,
5 of the Public Laws of eighteen hundred and ninety-seven,
6 and all other legislation inconsistent herewith, are hereby
7 repealed.

STATE OF MAINE.

IN SENATE, March 2, 1899.

Reported by Mr. BLANCHARD from Committee on Education, and
laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.