

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 298

In Senate, March 9, 1917.

Reported by Messrs. Ames, Ricker, Walker, Allen, Boman, Brewster, Cates and Williams from Committee on Education and ordered printed under joint rules.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT to amend Sections Fifty-five, Fifty-six, Fifty-seven, Fifty-eight, Fifty-nine, Sixty-one and Sixty-two of Chapter Sixteen of the Revised Statutes to Provide for the Formation of Unions for the Employment of Superintendents of Schools.

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

Section 1. Section fifty-five of Chapter sixteen of the
2 Revised Statutes is hereby amended by striking out all of
3 said section and inserting in place thereof the following
4 so that said section when amended shall read as follows:

'Sect. 55. I. It shall be the duty of the state superintend-

ent of public schools on or before the first day of January, nineteen hundred eighteen, to combine all the towns of the state, except as herein provided, into unions for the purpose of employing superintendents of schools. Such supervisory unions as shall have been formed prior to said date may be dissolved by the state superintendent of public schools for the purpose of more advantageous combination. Provided, however, that any superintending school committee of a town dissatisfied with the combination proposed by the state superintendent of public schools to include that town may appeal to the Governor and Council who shall make the final decision relative thereto. The unions formed under the provisions of this act shall be effective July first, nineteen hundred eighteen. Whenever, upon the representation of the superintending school committee of any town, it shall appear to the state superintendent of public schools to be to the advantage of said town and of the state to change the combination of towns composing the union of which said town is a part, the said state superintendent of public schools shall have authority to direct the dissolution and organization of unions so that a more advantageous combination may be effected. Provided, however, that any superintending school committee of a town dissatisfied with the change in the combination proposed by the state superintendent of public schools to include that town may appeal to the Governor and Council who shall make the final decision relative thereto.

‘II. Any school supervisory union formed under the pro-

2 visions of this section shall include not less than thirty nor
3 more than fifty schools unless the state superintendent of
4 public schools shall find upon representation of any school
5 committee that owing to geographical situation or other rea-
6 sons it is to the advantage of the state and of said towns
7 that a union shall include fewer than thirty or more than
8 fifty schools.'

Sect. 2. Section fifty-six of Chapter sixteen of the Re-
2 vised Statutes is hereby amended by striking out all of said
3 section and inserting in place thereof the following so that
4 said section when amended shall read as follows:

'Sect. 56. The superintending school committees of the
2 towns composing a union shall form a joint committee, and
3 for the purposes of this section and the four following sec-
4 tions, said joint committee shall be held to be the agents of
5 each town composing the union, provided, however, that the
6 superintending school committee of any town may authorize
7 one of its members to act for the committee in the meetings
8 of the joint committee, and in such case, the member so au-
9 thorized, may cast the votes for the full membership of his
10 committee. Said joint committee upon notification by the
11 state superintendent of public schools shall meet before the
12 first day of July, nineteen hundred eighteen, and in June an-
13 nually thereafter, at a day and place agreed upon by the
14 chairman of the committees of the several towns composing
15 the union, and shall organize by the choice of a chairman and
16 a secretary. Said joint committee shall determine the rela-

17 tive amount of service to be performed by the superintendent
18 in each town, including the minimum number of visits to be
19 made each term to each school, fix his salary, apportion the
20 amounts thereof to be paid by the several towns, which
21 amounts shall be certified to the treasurers of said towns,
22 respectively and to the state superintendent of public schools,
23 together with the amounts apportioned to each town, provi-
24 ded, that the amount so certified shall be in proportion to the
25 amount of service performed in the several towns. Said
26 joint committee, at the time of its organization, or as soon
27 thereafter as possible, and whenever a vacancy shall occur,
28 shall choose by ballot a superintendent of schools for a term
29 of not less than three years nor more than five years, pro-
30 vided, however, that said committee, by a two-thirds vote of
31 its full membership, after due notice and investigation, may
32 for cause discharge a superintendent of schools before the
33 expiration of the term for which he was elected, and after
34 such discharge the salary of said superintendent shall cease.'

Sect. 3. Paragraph one of section fifty-seven of Chapter
2 sixteen of the Revised Statutes is hereby amended by strik-
3 ing out the words "Annually upon the first day of April" in
4 the fifth line thereof, and substituting in place thereof the
5 words 'On or before the first day of August, nineteen hun-
6 dred eighteen, and annually thereafter,' and by striking out
7 the words "and out of any moneys in the treasury not other-
8 wise appropriated" in the tenth and eleventh lines thereof, so
9 that said section when amended shall read as follows:

'Sect. 57. I. The chairman and secretary of said joint

2 committee shall, upon the election of a superintendent of
3 schools as provided by the preceding section, certify under
4 oath to the state superintendent of public schools, upon the
5 forms prescribed by him, all facts relative to said union and
6 employment of a superintendent. On or before the first day
7 of August, nineteen hundred eighteen, and annually there-
8 after, and whenever a new superintendent is chosen said
9 chairman and secretary shall make return of a similar certifi-
10 cate. Upon approval of said certificate the superintendent
11 so employed shall, on presentation of proper vouchers, re-
12 ceive monthly out of the sum appropriated for superinten-
13 dence of towns composing school unions a sum equal to
14 twice the aggregate sum paid by the towns composing the
15 union, provided, that the amount so paid for the benefit of a
16 single union of towns shall not exceed eight hundred dollars
17 in one year, and provided further, that the annual appropria-
18 tion for payments hereunder shall be deducted from state
19 school funds.'

Sect. 4. Paragraph two of Section fifty-seven of Chapter
2 sixteen of the Revised Statutes is hereby amended by striking
3 out all of said paragraph of said section, so that said para-
4 graph when amended shall read as follows:

'II. The superintending school committee of a city or
2 town having under its care and custody an aggregate of more
3 than fifty schools may employ a superintendent of schools
4 without uniting with other cities or towns for the purpose.
5 Said superintendent of schools shall be chosen in the same

6 manner and for the same term and may be discharged under
7 the same conditions as superintendents employed under the
8 provisions of Section fifty-six. Annually, in the month of
9 December the chairman and secretary of said committee shall
10 certify to the state superintendent of public schools, upon
11 forms prescribed by him, all facts relative to the employment
12 of a superintendent including the amount of his salary re-
13 ceived, then upon the approval of said certificate by the state
14 superintendent of public schools and presentation to the Gov-
15 ernor and Council, a warrant shall be drawn upon the treas-
16 urer of state for the payment to the treasurer of that town
17 or city, of a sum equal to two-thirds the amount expended
18 by said town or city for said superintendence, provided that
19 the amount so paid for the benefit of a single town or city
20 shall not be at a rate exceeding eight hundred dollars for
21 one year.'

Sect. 5. Section fifty-eight of Chapter sixteen of the Re-
2 vised Statutes is hereby amended by striking out all of para-
3 graph one of said section and substituting in place thereof
4 the following, "Towns shall appropriate for the salary of the
5 superintendent of schools their proportion of the sum paid
6 said superintendent to the amount certified by the joint com-
7 mittee to the town treasurer, and said proportion to be paid
8 by any town may be paid out of an appropriation for the
9 salaries of town officers or out of a special appropriation for
10 the purpose or out of both, but it shall not be paid from any
11 appropriation made for the support or maintenance of com-

12 mon schools or high schools,' so that said section when
13 amended shall read as follows:

'Sect. 58. I. Towns shall appropriate for the salary of
2 the superintendent of schools their proportion of the sum
3 paid said superintendent to the amount certified by the joint
4 committee to the town treasurer, and said proportion to be
5 paid by any town may be paid out of an appropriation for
6 the salaries of town officers or out of a special appropria-
7 tion for the purpose or out of both, but it shall not be paid
8 from any appropriation made for the support or mainte-
9 nance of common schools or high schools.

'II. The state superintendent of public schools shall an-
2 nually hold a conference for the instruction of superintend-
3 ents serving under the provisions of the three preceding
4 sections; he may expend not exceeding five hundred dol-
5 lars out of the appropriation for the superintendence of
6 towns composing school unions, to assist in defraying the
7 mileage expenses of those superintendents who live remote
8 from the place of such conference; but no superintendent
9 shall be entitled to any part of such expenses unless he shall
10 regularly attend all sessions of such conference.'

Sect. 6. Section fifty-nine of chapter sixteen of the Re-
2 vised Statutes is hereby amended by designating said sec-
3 tion as paragraph one and striking out the words "upon
4 such examination" in the fourth line thereof, and substi-
5 tuting in place thereof the words 'under such regulations,'
6 and by striking out all of the last sentence of said section

7 so that said section when amended shall read as follows:

‘Sect. 59. I. Persons employed to serve as superintend-
2 ents of schools under section fifty-six and section fifty-seven
3 shall hold state certificates of superintendence grade which
4 shall be issued under such regulations as may be prescribed
5 by the state superintendent of public schools; they shall de-
6 vote their entire time to superintendence in the towns com-
7 posing the union; provided, however, that they may, with-
8 out violation of the provisions of this section, perform such
9 educational service outside of the towns of their unions as
10 may be performed with the approval of the state superin-
11 tendent of public schools and with the consent of the com-
12 mittees employing them.’

Sect. 7. Section fifty-nine of chapter sixteen of the Re-
2 vised Statutes is hereby further amended by inserting the
3 following as paragraph two of said section:

‘II. A superintendent of schools employed under the pro-
2 visions of sections fifty-six and fifty-seven shall have the
3 following powers and duties:

(a) He shall be ex-officio, secretary of the superintending
2 school committee and shall perform such duties not herein
3 enumerated as said committee shall direct.

(b) He shall keep a permanent record of all its votes,
2 orders and proceedings; he shall place all orders for ma-
3 terials and supplies purchased by vote of the committee and
4 shall be its agent in keeping all financial records and ac-
5 counts. He shall issue vouchers showing the correctness of

6 bills contracted on account of school appropriations, but
7 such bills shall not be allowed for payment by the municipal
8 officers of towns unless they shall have been approved by a
9 majority of the members of the superintending school com-
10 mittee.

(c) He shall examine the schools and inquire into the
2 regulations and discipline thereof, and the proficiency of the
3 pupils, for which purposes he shall visit each school at least
4 the minimum number of times each term which the joint
5 committee may designate. At the annual town meeting, he
6 shall make a written report of the condition of the schools
7 for the past year, with a statement of the condition of
8 school buildings, the proficiency made by the pupils, and
9 the success attending the modes of instruction and govern-
10 ment thereof, and transmit a copy to the state superintend-
11 ent of public schools.

(d) He shall keep a faithful and accurate account of
2 school finances and he shall report at least once a term in
3 writing to each of the several committees of the supervisory
4 union, including in such report a statement of the condition
5 of the schools, a financial statement, and a statement of the
6 condition of school buildings and outbuildings in the matter
7 of repair, cleanliness and sanitary arrangements.

(e) He shall nominate all teachers subject to such regu-
2 lations governing salaries and the qualifications of teachers
3 as the superintending school committee shall make, and upon
4 the approval of nominations by said committee he may em-

5 ploy teachers so nominated and approved.

(f) He shall direct and supervise the work of all teachers.

(g) He shall select textbooks, supplies and apparatus sub-
2 ject to the approval of the superintending school committee
3 and shall make all purchases of the same under such regu-
4 lations as the superintending school committee shall adopt.

(h) He shall see to it that all necessary apparatus and
2 supplies are seasonably distributed to each school and accu-
3 rately accounted for and economically used.

(i) He shall enforce or cause to be enforced all regula-
2 tions of the superintending school committee.'

Sect. 8. Section sixty-one of chapter sixteen of the Re-
2 vised Statutes is hereby amended by inserting after the word
3 "any" in the second line thereof the words 'town or,' and
4 by striking out the words "upon the petition of the superin-
5 tending school committee of said plantation" in the fourth
6 and fifth lines thereof, and by striking out the words "said
7 committee" in the fifth line thereof and inserting in place
8 thereof the words 'the committee of such town or plan-
9 tation,' and by inserting after the word "townships" in the
10 sixth line thereof the words 'or any other agent of the state
11 superintendent of public schools,' and by inserting after the
12 word "said" in the seventh and tenth lines thereof the
13 words 'town or' so that said section when amended shall
14 read as follows:

'Sect. 61. Whenever the state superintendent of public
2 schools shall find on investigation that any town or planta-

3 tion is so situated that it is not practicable to form a union
4 in accordance with the provisions of sections fifty-five to
5 sixty, inclusive, he may place at the service of the com-
6 mittee of such town or plantation the general agent for the
7 schooling of the children in unorganized townships, or any
8 other agent of the state superintendent of public schools,
9 who shall when so assigned, serve as the superintendent of
10 schools of said town or plantation; when the said agent shall
11 so serve he shall have the same powers and shall perform
12 the same service as superintendent of schools of towns; pro-
13 vided, however, that his visits to the schools of said town
14 or plantation shall be at such intervals as may be directed
15 by the state superintendent of public schools.'

Sect. 9. Section sixty-two of chapter sixteen of the Re-
2 vised Statutes is hereby amended by striking out all of said
3 section and inserting in place thereof the following so that
4 said section when amended shall read as follows:

'Sect. 62. Whenever the schools of any town or planta-
2 tion shall be placed under the supervision of agents of the
3 state superintendent of public schools as provided by the
4 preceding section the treasurer of said town or plantation
5 shall pay to the treasurer of state a sum which shall be at
6 the rate of twenty-five dollars annually for each of the
7 schools of said town or plantation and the amount so re-
8 ceived by the treasurer of state shall be added by him to the
9 appropriation for the superintendence of towns composing
10 school unions and may be used for defraying the traveling
11 expenses of agents so employed.'