

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 644**

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S. P. 240

In Senate, February 8, 1945.

Referred to the Committee on Education, sent down for concurrence and ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Sayward of York.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-FIVE

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**AN ACT Relating to School Age and Kindergartens.**

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

**R. S., c. 37, § 39, repealed and replaced.** Section 39 of chapter 37 of the revised statutes is hereby repealed and replaced to read as follows:

**‘Sec. 39. School age; kindergartens.** In public schools of the state, only those children who are or will become at least 6 years of age on October 15 of the school year shall be admitted to grade 1.

In schools which offer 1 year of childhood education prior to grade 1, only those children who are or will become at least 5 years of age on October 15 of the school year shall be admitted to this educational program.

In schools which offer 2 years of education prior to grade 1, only those children who are or will become at least 4 years of age on October 15 of the school year shall be admitted to this childhood program.

The superintending school committee of any city or town may maintain a kindergarten or kindergartens, and shall maintain such a school or schools as a part of the common school organization if a petition signed by the parents or guardians of 30 or more eligible children has been filed with the municipal officers of such city or town not less than 1 month before the

annual meeting for appropriation of funds, unless otherwise instructed by the town or city. Only those pupils who will be at least 4 years of age on October 15 of the school year shall be allowed to attend a kindergarten. It is further provided that unless the average daily attendance in any kindergarten shall be 15 or more for any school year the superintending school committee, upon the recommendation of the superintendent of schools, may discontinue the school; provided further, that no person shall be allowed to teach in any kindergarten maintained under the provisions of this section who has not completed at least a 2-year course in kindergarten training or its equivalent and received a certificate or diploma from a recognized kindergarten training school approved by the commissioner of education.

Subject to the foregoing provisions and further subject to such reasonable regulations as the superintending school committee shall from time to time prescribe, every person between the ages of 5 and 21 shall have the right to attend the public schools in the town in which his parent or guardian has a legal residence.'