

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 552**

S. P. 264

In Senate, February 9, 1951.

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Fuller of Oxford.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-ONE

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**AN ACT to Revise Educational Subsidy and Tuition Regulations.**

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

**Sec. 1. R. S., c. 37, § 96, amended.** The last sentence of section 96 of the revised statutes, as amended, is hereby further amended to read as follows:

'When a town has made a contract as provided for in this section, or as provided in the act of incorporation of any such academy and amendments thereto prior to May 1, 1907, the tuition liability of said town shall be the same as if a free high school were maintained in accordance with section 89, and the expenditure of any town for schooling of pupils as provided in this section shall be subject to the same conditions ~~and shall entitle such town to the same state aid as if it had made such expenditure for a free high school~~ of sections 98 and 99 for the purposes of state subsidy to the municipality or community school district under the provisions of section 201.'

**Sec. 2. R. S., c. 37, § 98, amended.** The 1st sentence of the 2nd paragraph of section 98 of chapter 37 of the revised statutes, as repealed and replaced by section 1 of chapter 443 of the public laws of 1949, is hereby amended to read as follows:

'In the case of any youth attending school under conditions as provided for in the preceding paragraph, in schools in which the enrollment of tuition students is 10% or more of the total enrollment or attending any community ~~district~~ high school, the annual tuition shall not exceed ~~100%~~ 115% of the average ~~of costs~~ cost per pupil in all secondary schools of the state for the preceding year; except that, in a secondary school in which the enrollment of tuition pupils is less than 10% of the total enrollment or in which at least 3 courses of study, 2 of which are industrial or occupational, are not offered, the tuition shall not exceed ~~90%~~ of the average ~~of costs~~ cost per pupil in all secondary schools of the state for the preceding year.'

**Sec. 3. R. S., c. 37, § 99, amended.** The 1st paragraph of section 99 of chapter 37 of the revised statutes, as amended, is hereby further amended to read as follows:

'When any town shall have been required to pay and has paid tuition for pupils attending secondary schools, as provided by section 98, the superintendent of schools of such town shall make a return under oath to the commissioner before the 1st day of September, annually, for the preceding school year, stating the name of each pupil for whom tuition has been paid, the amount paid by the town for each and the name and location of the school which each has attended. ~~Upon approval of said return, the commissioner shall apportion to such town a sum equal to 2/3 the amount thus paid by such town provided the apportionment to any one town for any one year does not exceed \$1,000. Provided further, that tuition~~ **Tuition charges** for each pupil may be paid by towns to an amount not exceeding the receiving school's average cost per pupil for the year preceding that for which the tuition is paid; except that payments in excess of said average cost may be made by vote of the sending town, but such payment by a town for any pupil for any one year shall be subject to the ~~provisions~~ **limitations** of section 98. Provided further, that the average cost per pupil shall be determined as follows: (1) Add the amounts paid for **certified or licensed teachers' wages salaries**, fuel, janitor service, textbooks, supplies, ~~ordinary minor repairs~~ **utility services**, premiums paid on insurance, and ~~3%~~ **6%** of the insured value of the school **buildings and equipment for depreciation**; (2) ~~from this amount subtract state and/or federal subsidy paid on teaching positions, courses, or per capita aid on account of this school;~~ (2) divide the ~~difference~~ **total** by the average daily ~~attendance~~ **membership** of all regularly enrolled students. Provided further, that any town not maintaining a high school may pay tuition for any student who with parents or guardian resides in said town and who attends an approved school of secondary grade in a town adjacent to the state of Maine in an-

other state, when distance and transportation facilities make attendance in a Maine high school or academy inexpedient; or who attends an approved school or secondary grade in another state when said school specializes in the correction of physical defects and when by reason of a physical disability the individual requires a specialized type of training available in said school but not obtainable in any approved secondary school in the state of Maine.

**Sec. 4. R. S., c. 37, § 165, repealed and replaced.** Section 165 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof:

**'Sec. 165. State aid for maintaining agriculture, industrial arts and home economics. Whenever the superintendent of schools of any municipality or community school or the trustees of any incorporated academy shall certify to the commissioner on forms prescribed by him that instruction has been provided pupils of elementary schools, high schools, or academies for the year preceding, said instruction having been approved as to course content, equipment and teacher qualifications, in general agriculture, industrial arts, or general home economics, the commissioner is authorized to make apportionments of state aid as follows: (a) for municipal programs, the reimbursement payable in accord with section 201; (b) for academy programs, \$700 per teaching position, as defined in section 197.'**

**Sec. 5. R. S., c. 37, § 197, amended.** Section 197 of the revised statutes, as amended, is hereby further amended by adding at the end thereof the following new paragraph:

**'The term "membership" shall mean active participation in the program of a school from the date of enrollment to the time the student (a) withdraws or (b) is absent from the school for 10 consecutive days for reasons other than illness.'**