

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 1478

S. P. 515

In Senate, April 5, 1957

Reported by Senator Low of Knox from the Committee on Education and 4500 copies ordered printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-SEVEN

AN ACT Relating to Educational Aid and Reorganization of School  
Administrative Units.

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

**Sec. 1. R. S., c. 41, §§ 237-A - 237-H, additional.** Chapter 41 of the Revised Statutes is hereby amended by adding thereto 8 new sections, to be numbered 237-A to 237-H, inclusive, to read as follows:

**'Sec. 237-A. Minimum salaries for teachers.** Each administrative unit operating public schools within the State shall employ only certified teachers and shall pay such teachers, except substitute teachers as defined by the State Commissioner of Education, the minimum salaries as follows:

Years of Teaching Experience	Certified Teachers	Teachers with 3 years of Professional Study beyond High School	Teachers with 4 years of Professional Study beyond High School and with a Bachelor's Degree	Teachers with an earned Master's Degree
0	\$2,200	\$2,600	\$3,000	\$3,200
1	2,300	2,700	3,100	3,300
2	2,400	2,800	3,200	3,400
3	2,500	2,900	3,300	3,500
4	2,600	3,000	3,400	3,600
5	2,700	3,100	3,500	3,700

Years of Teaching Experience	Certified Teachers	Teachers with 3 years of Professional Study beyond High School	Teachers with 4 years of Professional Study beyond High School and with a Bachelor's Degree	Teachers with an earned Master's Degree
6	2,800	3,200	3,600	3,800
7	2,900	3,300	3,700	3,900
8	3,000	3,400	3,800	4,000
9	3,100	3,500	3,900	4,100
10	3,200	3,600	4,000	4,200

Notwithstanding the provisions of this paragraph no town shall be required to increase the salary of any teacher more than \$300 in any one school year. Any administrative unit which fails to comply with any of these conditions shall have deducted from its apportionment a sum equal to that by which it is delinquent.

After providing an opportunity for a hearing, the State Board of Education, on recommendation of the Commissioner, may adjust the state subsidy to an administrative unit when, in the opinion of the Board, the expenditures for education in such unit shows evidence of manipulation to gain an unfair advantage or are adjudged excessive.

Sec. 237-B. Reimbursement for professional credits. Whenever any certified teacher completes, within any 2-year period, 6 credit hours of additional professional work approved by the Commissioner and receives supplementary financial assistance in an amount not less than \$50 from an administrative unit, said unit shall receive reimbursement of \$50 from the State for such expenditure at the next distribution of state funds. The renewal of each teaching certificate shall be conditional on the completion of at least 6 semester hours of professional study within each period of 5 years, excepting that

I. Teachers qualifying for standard grade certificates, completing 18 semester hours of post-baccalaureate study, and teaching successfully for not less than 4 years, and

II. Certified teachers who have taught successfully for not less than 25 years may be declared eligible to a 10-year term certificate, renewal of which being conditional upon the presentation of evidence of professional improvement acceptable to the Commissioner.

If the employment of teachers under permits or other special licenses is authorized by the State Board of Education, the said Board shall have the authority to prescribe minimum salaries and other regulations for this class of teachers.

Sec. 237-C. The foundation program, defined. To help equalize educational opportunity and guarantee a minimum program of education for all children throughout the State there is hereby established a foundation program or level

of education, expressed in terms of a minimum dollar cost per pupil, in which the State will participate financially on a percentage basis rendering greater financial assistance to the less able administrative units.

Criteria for the foundation program shall be:

- I. The scope of the school program shall include sub-primary through the 12th grade;
- II. The cost of the foundation program shall include expenditures for teachers' salaries and board, conveyance of pupils, fuel, janitors' services, tuition, board of pupils, textbooks, reference books, school supplies for desk or laboratory use, public utility services, flags, replacement of instructional equipment, fire insurance, compensation for superintendent and his assistants, school committee, community school committee or school directors, office, attendance officers and medical inspection.
- III. School administrative units shall:
  - A. Pay teachers in accordance with the minimum salary law;
  - B. Employ at least one teacher for each 30 elementary school pupils except in the sub-primary where the ratio shall not exceed one to 60 and at least one teacher for each 25 high school pupils;
  - C. Expend at least 35% of the cost of instruction on nonteaching services.

Sec. 237-D. Foundation program allowance. The foundation program allowance for each administrative unit, except community school districts which do not offer educational programs for both grades and high school pupils, shall be determined as follows:

The average of the 2 preceding years' average daily membership of the pupils attending school in the unit shall be multiplied by the applicable dollar allowance in Table I below. To this amount shall be added the average of the unit's 2 preceding years' expenditure for tuition, pupil transportation and board. The total of these items will be the total foundation program. From this total foundation program shall be subtracted the average of the 2 preceding years' tuition collections and other school maintenance incidental receipts. The net cost thus obtained represents the net foundation program allowance on which state subsidy shall be computed biennially in accordance with section 237-E and Table II.

Table I

Size of School Administrative Unit Based on Average Daily Membership	Foundation Program Allowances Per Pupil	
	Elementary Schools	Secondary Schools
1-25	\$4,000 (1)	\$11,000 (2)
26-50	\$4,000 / 80 per pupil (1)	\$12,000 (2)
51-100	\$164 per pupil (1)	300 p/pupil (2)
101-200	160 " " (1)	285 " (2)

**Size of School  
Administrative  
Unit**

Based on Average Daily Membership	Foundation Program Allowances Per Pupil	
	Elementary Schools	Secondary Schools
201-300	154 " " (1)	270 " (2)
301-500	148 " "	260 " "
501-800	144 " "	250 " "
801 and over	140 " "	245 " "

- (1) Compute at \$142 p/pupil in ADM if within 10 miles of neighboring school by nearest suitable highway.
- (2) Compute at \$260 p/pupil in ADM if within 15 miles of neighboring school by nearest suitable highway for payments in December of 1957 and 1958. Thereafter, compute those high schools that have been classified as unnecessary by the school district commission as follows: If average daily membership is 60 or less, compute at \$225. If average daily membership is between 61 and 300, compute at \$260.

Sec. 237-E. State support of the foundation program. On the basis of information available in the office of the Commissioner of Education on September 1st for the 2 years next preceding the biennial convening of the Legislature, as provided in returns of educational statistics required by him, the Commissioner shall apportion subsidies to the school administrative units of the State for each of the next 2 years according to the following plan:

The several administrative units (cities, towns, plantations and school administrative districts) shall be divided into 21 classifications according to their valuations per resident school child being educated at public expense. The valuation shall be as determined by the Board of Equalization in the statement filed by it, as provided in section 67 of chapter 16 and effective on September 1st, and the number of children shall be the average of the last 2 enrollment reports of resident pupils being educated at public expense on April 1st annually, except that for the years 1957-58 allocations shall be based on the Board of Equalization statement filed on December 1st, 1956.

For each classification the subsidy allocation thereafter shall be the same for each of the 2 years of the biennium and shall be the applicable percentage of the average net foundation program allowance for the preceding 2 years, as defined in section 237-D obtained from Table II below.

Table II

Class	State Valuation per Resident pupil	Percentage of State support of Foundation Program
1	\$ 3,000 and under	66%
2	3,001-3,500	64
3	3,501-4,000	62
4	4,001-4,500	60

Class	State Valuation per Resident pupil	Percentage of State support of Foundation Program
5	4,501-5,000	58
6	5,001-5,500	55
7	5,501-6,000	52
8	6,001-6,500	49
9	6,501-7,000	46
10	7,001-7,500	44
11	7,501-8,000	41
12	8,001-8,500	38
13	8,501-9,000	36
14	9,001-9,500	34
15	9,501-10,000	32
16	10,001-10,500	30
17	10,501-11,000	28
18	11,001-11,500	26
19	11,501-12,000	24
20	12,001-12,500	21
21	12,501 and over	18

Whenever any administrative unit's average net operating cost in any biennium is less than the amount provided for in the total foundation program, its state subsidy for the next 2 years will be decreased accordingly, that is, the percentage that the net operating cost is of the net foundation program allowance will be applied to that unit's preliminary allotment to determine the final subsidy.

As larger and more efficient administrative units are established throughout the State the existing inequities in state subsidy will level off. As this condition progresses it is the intent of the Legislature to revise Table II toward the ultimate end that all administrative units will be required to exert a single uniform tax effort on state valuation to support the foundation program.

In figuring subsidy to community school districts, the following shall apply.

Those community school districts offering a school program which includes sub-primary through the 12th grade shall be subsidized as a single administrative unit, and payment made directly to the community school district rather than to the participating towns. In those community school districts where only part of this program is offered, the district cannot be considered as an administrative unit for subsidy purposes but each participating town's share of the operating cost of such district shall be treated as a tuition expenditure in the subsidy tabulation for that town and its subsidy figured accordingly.

The allocation made to each such town because of its share in the allowable operating cost of the community school district shall be paid to the community school district and credited to the town's share of the cost of operating the school with the remainder of each participating town's subsidy being paid directly to the town.

**Sec. 237-F.** Subsidy payments in December, 1957 and December, 1958. In those administrative units where state subsidy for 1957 and 1958 under the general purpose educational aid law would have been greater than the subsidy calculated under the provisions of sections 237-D and 237-E, the following shall apply: For payment in December, 1957 the larger of the 2 amounts will be paid. For payment in December, 1958 the payment will be the subsidy due under sections 237-D and 237-E plus  $\frac{1}{2}$  the difference between this amount and the amount that would have been allowed under the general purpose educational aid law.

**Sec. 237-G.** Supplemental state aid for reorganized districts. When administrative units are reorganized by the formation of "School Administrative Districts" as is provided for in sections 237-A to 237-H, inclusive, the state subsidy paid annually to each such district, as determined in section 237-E, shall be supplemented by an additional 10% of the percent to which it is entitled through the computation in section 237-E.

**Sec. 237-H.** State aid for school construction in reorganized districts. To provide effective incentive for the establishment of appropriate larger school administrative districts, the Commissioner shall allocate state financial assistance to school administrative districts on school construction approved subsequent to the formation of such districts in accordance with the following: On the basis of information available in the office of the Commissioner on November 1st of each year, he shall apportion, in December of that year, to school administrative districts the same percentage of said district's expenditures for capital purposes, including cash payments, interest and principal payments, that the district would be entitled to receive that year on operational cost under the provisions of section 237-E. Said apportionment shall apply similarly to payments made on contracts awarded subsequent to the effective date of this act in single municipality administrative units where the April 1st enrollment of resident pupils in Grades 9 through 12 for that year is over 700 pupils.'

**Sec. 1-A. R. S., c. 41, § 237, repealed.** Section 237 of chapter 41 of the Revised Statutes, as amended by chapters 70 and 449 of the public laws of 1955, is hereby repealed.

**Sec. 1-B. R. S., c. 41, §§ III-A - III-P, additional.** Chapter 41 of the Revised Statutes is hereby amended by adding thereto 16 new sections, to be numbered III-A to III-P, inclusive, to read as follows:

#### 'School District Commission.

**Sec. III-A. Declaration of policy.** It is hereby declared to be the policy of the State to encourage the development of school administrative units of sufficient size to provide a more equalized educational opportunity for pupils, to establish satisfactory school programs, and achieve a greater uniformity of school tax rates among the school administrative districts and a more effective use of the public funds expended for the support of public schools.

**Sec. III-B. School District Commission.** For the purpose of promoting, developing and adjusting a state plan for the creation of efficient school administrative districts throughout the State and for the purpose of approving appli-

cations for the organization of school administrative districts, there is hereby created a School District Commission consisting of 5 members, one of whom shall be the Commissioner of Education or his representative, who shall serve as secretary to the Commission, to be appointed by the Governor to serve for a period of 5 years. At the expiration of their term of office their duties and responsibilities are to be assumed by the State Department of Education. Vacancies in the membership of this Commission shall be filled by the Governor. Members of the Commission shall be reimbursed for their traveling expenses necessarily incurred and \$10 per day for subsistence while in the performance of their official duties.

Sec. III-C. Organization. The School District Commission shall meet at the call of its secretary and organize by electing from its membership a Chairman and vice-chairman and a treasurer. The Commission shall adopt such by-laws, rules and regulations for the calling and holding of meetings and the administration of its affairs as it deems appropriate and necessary to effectuate the purposes of sections III-A to III-P, inclusive. A majority of the membership of the Commission shall constitute a quorum for the purpose of transacting business.

Sec. III-D. Powers and duties. The State School District Commission is hereby empowered and authorized and it shall be their duty:

I. To appoint and employ in accordance with the Personnel Law such personnel as may be deemed necessary to carry out the duties imposed upon it by sections III-A to III-P, inclusive, to fix the duties of such employees and to utilize staff of the State Department of Education and make funds available therefor;

II. To be responsible for a thorough study of school conditions and needs in the State, to determine plans for the establishment of appropriate school administrative districts in all organized territory of the State and to report its actions and recommendations to the 99th session of the Legislature. Said study and planning to be directed by the Commission but to include all possible participation and assistance by citizens and organizations at the local level;

III. To evaluate the impact of consolidation on valuation per pupil in the larger district as compared to the individual towns comprising the district and make definite recommendations with respect to an eventual uniform minimum tax rate toward the support of a foundation program of education when these larger districts have been appropriately established throughout the State;

IV. To survey, as completely as possible, school building needs and costs in the respective proposed districts which are required to effectively accomplish the organization of the districts;

V. To identify specifically the unnecessary small schools, for which the full foundation program allowance should not be provided;

VI. To further expedite this reorganization by receiving, filing, examining and approving or disapproving applications for the establishment of school



administrative districts. When so approved, the Commission shall order the proposal submitted to referendum in the municipalities involved, within a period of 60 days. On receipt of satisfactory evidence of an affirmative action by a majority vote in each of the municipalities involved, the Commission is further empowered to assign to the newly created district a name and number, and make proper reports of the districts organization to the Secretary of State who shall issue to the applicant a certificate of organization. On receipt of such certificate the newly formed school administrative district is authorized to and is responsible for the operation of all public schools within the district, beginning with the opening of school for the next school year.

Sec. 111-E. Criteria for school administrative districts. The school administrative district, to be effective, must be of sufficient size and ability to offer an efficient educational program in grades one through 12, including a kindergarten or pre-primary year. To accomplish this purpose, it must be able to maintain a minimum average daily membership of approximately 300 pupils educated at public expense in grades 9 through 12 in one secondary school attendance unit and such elementary attendance units as are needed. If this minimum size district cannot be attained without transporting high school pupils an unreasonable distance, generally considered to be over 20 miles, smaller districts may be approved by the Commission.

#### Organization of School Administrative Districts.

Sec. 111-F. School administrative districts. The inhabitants of and the territory within 2 or more municipalities or parts thereof may form a school administrative district which shall be a body politic and corporate, if previously approved by the School District Commission, by proceeding as follows: The municipal officers in each of the several municipalities may call a meeting of the inhabitants of their respective municipalities in the manner provided by law for the calling of town meetings, and such meetings shall vote to favor or oppose similar articles in the following form:

Article : To see if the municipality will vote to join with the municipalities of (naming them) to form a school administrative district.

Article : To see if the municipality will vote to authorize said school administrative district, from time to time, to borrow money to pay current operating expenses of its schools in anticipation of the receipt of assessments from the participating municipalities, and for capital outlay purposes by issuing its bonds and notes therefor in an amount not to exceed  $7\frac{1}{2}\%$  of the equalized state valuation of the municipalities or parts thereof comprising the district but any such borrowing of funds for capital outlay purposes of the district shall first be approved by a majority of those qualified voters of the district voting at a regular or special election called by the directors and held under the provisions of Australian ballot law.

Article : To see if the municipality will vote to authorize the transfer of the title of all school property now in use in the municipality to the new school administrative district.

Where coterminous school districts exist or there is indebtedness outstanding

for school construction in any of the municipalities concerned, the following additional article must be acted upon similarly:

**Article :** To see if the municipality will vote to authorize the district to assume full responsibility for amortizing the following listed indebtedness now outstanding in the municipalities and districts comprising the school administrative district under consideration. (The list must include the name of the obligated municipality or district, type of obligation, amount unpaid and the payment schedule.)

The clerk in each of the several municipalities shall file a return of such votes with the School District Commission. If a majority of those voting in each of the municipalities shall favor each of the above articles, the inhabitants of and the territory within said municipalities shall thereupon become a school administrative district, which shall, subject to the provisions hereof, bear the name and number assigned it by the School District Commission and shall have authority to acquire and hold property and to borrow money not in excess of the amount so determined upon.

Existing community school districts may become school administrative districts on approval of the School District Commission and may suspend operation as a community school district if each of the participating municipalities acts affirmatively on an article similar in form to the following, prior to accepting the other articles required in this section.

**Article:** To see if the municipality will vote to authorize the Community School District, of which said municipality is a part, to suspend operation as a community school district and organize and operate as a school administrative district in accordance with action on the following articles.

When affirmative action is taken in accordance with the preceding article in each of the participating municipalities and the newly proposed school administrative district is approved by the School District Commission, said district shall automatically become eligible to the benefits of sections 237-G and 237-H and become responsible for assessing in all the participating municipalities in the new school administrative district, collecting and paying over to the trustees of the Community School District each year the funds necessary to amortize all outstanding capital outlay indebtedness existing at the time when the operation of the Community School District was suspended.

**Sec. III-G. Organization.** When the inhabitants of 2 or more municipalities or parts thereof have voted to form a school administrative district, as provided in section III-F, the municipal officers of each of the municipalities in the proposed district shall make a return to the School District Commission setting forth the fact of the organization of the district and listing the vote from their respective municipalities on each of the articles. If found in order, and approvable by the Commission, it shall be approved and assigned a name and number and forwarded to the Secretary of State for recording. If the Secretary of State finds that the school administrative district has been organized according to law, he shall issue to it a certificate of organization and such certificate shall be conclusive evidence of the lawful organization of the school administrative district. Whenever the membership of a school administrative district is changed

by the addition or subtraction of new territory, a return to that effect shall promptly be so filed by the school directors. A copy approved by the School District Commission and certified by the Secretary of State, of a return so filed shall be conclusive evidence of the change in the school administrative district.

Only those municipalities the inhabitants of which vote to join such school administrative district shall be bound by the terms of sections 111-A to 111-P, inclusive.

When the territory of a school district or community school district falls within a school administrative district which has been issued its certificate of organization, the trustees of such district or community school district shall upon request of the school directors of the said school administrative district convey the title to all school property and buildings then owned by said district or community school district to said school administrative district notwithstanding any other provision in the charter of said school district or community school district.

Sec. 111-H. School directors. All the affairs of said district shall be managed by a Board of School Directors which shall consist of not less than 5 nor more than 12 members, the exact number to be determined by the School District Commission during its life and by the State Department of Education after the dissolution of the Commission. The number of members on the Board of School Directors and the division of representation on the Board among the municipalities or parts of municipalities shall be determined as follows: Whenever it is proposed that a new school administrative district may be formed, the School District Commission, cooperating with local interested citizens, shall study the area involved and decide on a suitable and desirable number of school directors and school district wards for each proposed administrative district. The boundaries of these several wards shall be clearly established on a map prepared for the purpose, without concern for municipality boundary lines and in such a manner that there will be approximately equal voting population in each such ward.

A copy of said map shall be posted in each voting place when the several municipalities vote on the articles listed in section 111-F.

If at any time after a school administrative district has been formed, conditions appear to warrant a change in school district ward boundaries or the number of school directors, petitions may be filed with the School District Commission or State Department of Education requesting such changes and the Commissioner or Department is authorized to make such changes when in their judgment the petitions represent the wishes of a majority of the voters and the proposed change will improve the conduct of the affairs of the administrative district.

Sec. 111-I. Election of school directors. When a school administrative district has been formed, elections shall be called within 60 days by the selectmen or city government in the several representative areas previously defined for the purpose of selecting a school director from each area by the legal voters of that area. The term of office of these school directors shall be decided by lot, 1/3 for one year, 1/3 for 2 years and the remaining third for 3 years, at the first meeting of the school directors of the district. Subsequent elections shall be called and

held during the month of March or when a vacancy occurs, by direction of the selectmen or city government, when so requested in writing by the Board of School Directors. The provisions of section 46 shall also apply to school directors when not in conflict with the provisions of this section.

The school directors shall receive as compensation for the services \$5 for each Board meeting that each attends. The superintendent of schools who shall serve as secretary and treasurer shall give a bond to the district in such sum and with such sureties as the directors may determine, which bond shall be deposited with the chairman. The expense of such bond shall be paid by the district. The treasurer's bond premium and fees paid members for attendance at meetings and all expenses of the district shall be paid from funds of the district by the treasurer on vouchers presented and certified by the superintendent of schools and approved by a majority of the members of the Board of School Directors or a finance committee of that Board duly appointed or elected annually by that Board.

Sec. III-J. Power to borrow money. To procure funds for authorized purposes of the district, the school directors of said district are authorized to borrow funds to pay current operating expenses of the district but said loans must be repaid within one year. To procure funds for capital outlay purposes, which include acquiring land, constructing, renovating, remodeling and equipping school buildings and related recreational and athletic facilities, the school directors of said district are authorized to issue bonds and notes of the district, not to exceed in the aggregate at any one time outstanding, the limit of indebtedness of 7½% of the total of the last preceding state valuation of all the participating towns. The issuing of bonds or notes for capital outlay purposes shall first be approved by a majority of those qualified voters of the district voting at an election called by the school directors and held under the provisions of sections 49 to 63 of chapter 91. Contracts, leases or agreements with the Maine School Building Authority shall not be debts or liabilities within the provisions of this section. Each bond or note shall have inscribed upon its face the name and number of the school administrative district and shall be dated at such time or times, shall be in such denomination, shall bear such rate of interest, per annum, payable semiannually, be in such form, subject to the provisions of sections III-A to III-P, inclusive, and be sold in such manner, at public or private sale as the school directors shall determine. Each issue of said bonds shall mature in substantially equal annual installments, so that the first installment shall be payable not later than 2 years after the date of issue and the last installment not later than 25 years from the date thereof. If the proceeds of an issue of bonds are used in whole or in part to fund temporary notes of the district or renewals thereof, the period during which such issue of bonds shall be outstanding, plus the period of the loan represented by such temporary notes or renewals thereof, shall not exceed 25 years. All notes or bonds issued by said school directors on behalf of an administrative district shall be signed by the treasurer and countersigned by the chairman of said Board of School Directors, and if coupons be issued, each coupon shall be attested by a facsimile signature of the treasurer printed thereon. Notes issued by the administrative district shall mature not later than one year from their date but may be renewed from time to time, provided the period of the original note plus that of renewals thereof shall not exceed 2 years. Said notes and bonds and said con-

tracts, leases and agreements with the Maine School Building Authority shall be legal obligations of said district, which is declared to be a quasi-municipal corporation within the meaning of section 136 of chapter 53, and all the provisions of said section shall be applicable thereto.

**Sec. III-K. How financed.** The directors of each school administrative district shall within 90 days after authorization by vote of the participating municipalities as provided in section III-F and thereafter annually before April 1st of each year determine the sum required each year to meet the bonds falling due and what further sum is necessary to meet the interest on said bonds or other obligations, and all other expenses necessary for the operation of the administrative district, including temporary loans and the rentals and other charges provided in any contract, lease or agreement with the Maine School Building Authority. Also before April 1st of each year and after their budget has been prepared, the school directors shall hold a public hearing, suitable notice of which shall have been posted in each school district ward for a minimum of 7 days. At this hearing the budget shall be thoroughly explained and the voters of the district shall be given an opportunity to be heard. The directors shall thereupon issue their warrants, in substantially the same form as the warrant of the Treasurer of State for taxes, to the assessors of each participating municipality, requiring them to assess upon the taxable polls and estates within said municipality an amount in proportion to the total sum required each year as that municipality's state valuation bears to the total state valuation of all the participating municipalities; and to commit the assessment to the constable or collector of said municipality who shall have all the authority and powers to collect said taxes as is in him vested by law to collect state, county and municipal taxes. On or before the 31st day of December of the year in which said tax is so levied, the treasurer of each municipality shall pay the amount of the tax so assessed against the taxable polls and estates within his said municipality to the treasurer of the administrative district. In the case of the failure on the part of the treasurer of said municipality to pay said sum or any part thereof on or before said 31st day of December in the year in which said tax is levied, the treasurer of the administrative district may issue his warrant for the amount of said tax or so much thereof as shall then remain unpaid to the county sheriff requiring him to levy by distress and sale on the real and personal property of any of the inhabitants of said administrative district living in the municipality where such default takes place and the sheriff or any of his deputies shall execute said warrant, except as otherwise provided. The same authority as is vested in county officials for the collection of county taxes under the provisions of the Revised Statutes is vested in the school directors of said district in relation to the collection of taxes within such municipality. If any school administrative district which has financed school construction through the Maine School Building Authority shall be delinquent in its payment to the Authority, the Department of Education shall make payment to the Authority in lieu of such school administrative district from any amounts properly payable to such district by such Department, not exceeding the amount then presently due to the Authority from such district.

**Sec. III-L. Application of general law.** Schools operated by school administrative districts, when established, shall be considered the official schools of

the participating municipalities and all provisions of the general law relating to public education shall apply to said schools. Special courses and other bases for allocations to municipalities because of these schools shall be paid by the State directly to the treasurer of the administrative districts.

**Sec. III-M. Transportation.** Transportation shall be provided by the school directors for both elementary and secondary school pupils in the same manner as is provided for transportation of elementary school pupils in section 14, the expenditures for transportation to be considered as expense of operation of said school or schools in such school administrative districts.

**Sec. III-N. Superintendents of schools.** The superintendent of the school administrative district and such other staff personnel as the school directors deem necessary shall be selected by a majority voter of the full membership of the Board or Boards of School Directors and shall have the same duties, powers and responsibilities with respect to said school or schools and the Board or Boards of School Directors as are prescribed by law for public school superintendents. In addition to other duties assigned him, he shall serve as secretary and treasurer of the school administrative district or districts.

**Sec. III-O. Additions to and withdrawals from school administrative districts.** The inhabitants of and territory within any municipality not originally in an administrative district may be included upon vote of all the municipalities concerned in a manner similar to that prescribed for the establishing of the school administrative district under such terms and arrangements as may be recommended by the school directors, approved by the School District Commission and approved by such vote; provided the cost to the inhabitants and territory so applying shall be based on a fair valuation as determined by the State Board of Equalization.

When the inhabitants of a participating municipality have indicated their desire to withdraw from a school administrative district by a 2/3 vote of the legal voters in said municipality present and voting at a special meeting, called and held in the manner provided by law for the calling and holding of town meetings, such withdrawal may be authorized by special act of the Legislature upon such terms as shall be contained in such special act. No such withdrawal shall be permitted while such school administrative district shall have outstanding indebtedness.

**Sec. III-P. Regulations.** Subject to the provisions of sections 237-A to 237-H, inclusive, and sections III-A to III-O, inclusive, the school district commission during its life and thereafter the State Department of Education may make such reasonable regulations as it may find necessary for carrying out the purposes, provisions and intent of these sections.'

**Sec. 2. R. S., c. 41, § 11, sub-§ VIII, amended.** Subsection VIII of section 11 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'VIII. To furnish to the school officers of each ~~town~~ administrative unit, proper blank books in which shall be kept complete and itemized records of all matters relating to moneys appropriated, received and expended for schools, which said books shall remain the property of the State;'

**Sec. 3. R. S., c. 41, § 11, sub-§ XII, amended.** Subsection XII of section 11 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'XII.** To cause an inspection to be made under the direction of the ~~State Board of Education~~ and to report to the school committee and to the ~~State Board of Education~~ his findings and recommendations when petitioned by 60% of the parents of the children of any one school or whenever the superintending school committee, **school directors** or the superintendent of schools of any ~~town~~ **administrative unit**, or 20% of the legal voters, shall petition him or the ~~State Board of Education~~ to make an inspection of the schools ~~of in~~ said ~~town~~ **unit**; and to prepare a list of standards of buildings, equipment, organization and instruction, and to give such ratings upon such lists of standards to any schools that are inspected under the provisions of this subsection as their general condition, equipment and grade of efficiency may entitle them. Whenever such a petition is received by the Commissioner or the ~~State Board of Education~~, the Board may determine the extent and conditions under which an inspection shall be made;'

**Sec. 4. R. S., c. 41, § 12, amended.** Section 12 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 12. Blanks for school returns.** The Commissioner shall prepare and print blank forms for all returns required by law or deemed by him necessary, and shall, on the 1st day of each March, forward to the superintendents of schools of the several ~~towns~~ **administrative units** blanks for the annual school return as provided in section 71, and shall, on the 1st day of each May, forward to said superintendents blanks for the returns required by section 72.'

**Sec. 5. R. S., c. 41, § 14, amended.** The 1st paragraph of section 14 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'The location of any school, legally established prior to the 17th day of March, 1893, continues unchanged, notwithstanding the district is abolished; but **any school administrative districts directors** or any town at its annual meeting, or at a meeting called for the purpose, may determine the number and location of its schools and may discontinue them or change their location. ~~+~~ **In municipalities** such discontinuance or change of location shall be made only on the written recommendation of the superintending school committee and on conditions proper to preserve the just rights and privileges of the inhabitants for whose benefit such schools were established. ~~+~~ **provided, however, that in In** case any school shall hereafter have too few scholars for its profitable maintenance, the superintending school committee may suspend the operation of such school for not more than one year, but shall not close such school for a longer period nor again thereafter suspend operation of such school unless so instructed by the town, but any public school failing to maintain an average attendance for any school year of at least 8 pupils shall be and is suspended, unless the town in which said school is located shall, by vote at the annual meeting or at a meeting called for that purpose, after the said committee shall have made a written recommendation to that effect, instruct its superintending school committee to maintain said school. The superintendent of schools in each ~~town~~ **administrative unit** shall procure the conveyance of all elementary school pupils residing in his ~~town~~ **jurisdic-**

tion, a part or the whole of the distance, to and from the nearest suitable school, for the number of weeks for which schools are maintained in each year, when such pupils reside at such a distance from the said school as in the judgment of the superintending school committee or school directors shall render such conveyance necessary. In all cases, conveyance so provided shall conserve the comfort, safety and welfare of the children conveyed and shall be in charge of a responsible driver who shall have control over the conduct of the children conveyed. Contracts for said conveyance may be made for a period not to exceed 3 years. ~~Provided, however, that the~~ The superintending school committee or school directors may authorize the superintendent of schools to pay the board of any pupil or pupils at a suitable place near any established school instead of providing conveyance for said pupil or pupils, when in their judgment it may be done at an equal or less expense than by conveyance.'

**Sec. 6. R. S., c. 41, § 15, amended.** Section 15 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 15. Schoolhouse lots by condemnation; damages; reversion to owner.** When a location for the erection or removal of a schoolhouse and requisite buildings has been legally designated by vote of the town at any town meeting called for that purpose or by the school directors of a school administrative district, and the owner thereof refuses to sell, or, in the opinion of the municipal officers, asks an unreasonable price for it, or resides without the State and has no authorized agent or attorney therein, they may lay out a schoolhouse lot and playgrounds, not exceeding 25 acres for any one project, and appraise the damages as is provided for laying out town ways, and on payment or tender of such damages, or if such owner does not reside in the State, upon depositing such damages in the treasury of such town for his use, the ~~town~~ administrative unit designating it may take such lot to be held and used for the purposes aforesaid. ~~and when~~ When such schoolhouse lot has ceased to be used by the town for school purposes for 2 successive years, said lot reverts to the owner, his heirs or assigns, on demand by him or them in writing made to the municipal officers of the town or school directors of the school administrative district, subject to the right of the town or school directors to enter upon said lot and remove said schoolhouse at any time within 6 months after said demand. Any ~~town or city~~ administrative unit may take real estate for the enlargement or extension of any location designed for the erection or removal of a schoolhouse and requisite buildings and playgrounds, ~~as herein provided; and all~~ All schoolhouse lots and playgrounds that require fencing shall be fenced by the town, ~~or~~ city or administrative district.'

**Sec. 7. R. S., c. 41, § 17, amended.** Section 17 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 17. Schoolhouse lots, erroneous location.** If any ~~town~~ administrative unit, by its officers or by a committee, has designated, located and described a lot upon which to erect, move or repair a schoolhouse, and from mistake or omission has failed to comply with the law, whereby such location has been rendered invalid, 3 legal voters and taxpayers thereof may apply in writing to the selectmen of said ~~town~~ administrative unit and have the lot, so designated or described, reappraised by them.'



**Sec. 8. R. S., c. 41, § 18, amended.** Section 18 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 18. Notice of appraisement and hearing.** The selectmen of any town ~~or the school directors of any school administrative district~~ to whom such application as provided for in ~~the preceding~~ section 17 has been made shall forthwith give not less than 7 nor more than 20 days' notice to the clerk of said town ~~or towns~~ and to the owner of such real estate, or to the persons having the same in charge, of the time and place by them fixed for such hearing and shall, after examination and hearing of all interested, appraise the lot as set out and affix a fair value thereon, exclusive of improvements made by said town ~~administrative unit~~ either by buildings or otherwise; and shall, as soon as practicable, notify the town clerk ~~or clerks~~ and the persons interested in said estate who had been notified ~~as hereinbefore provided~~ of the sum at which said lot has been appraised.'

**Sec. 9. R. S., c. 41, § 21, amended.** Section 21 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 21. Appeal by either party.** If the ~~town~~ ~~administrative unit~~ or persons owning or having charge of the land on which such location is made are dissatisfied with such appraisal, either party may within 10 days appeal to the county commissioners of the county in which the land lies, by filing a copy of the proceedings and a claim of appeal with said commissioners, and the determination of a majority of said commissioners not residents of said ~~town~~ ~~administrative unit~~ shall be final.'

**Sec. 10. R. S., c. 41, § 22, amended.** Section 22 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 22. Improvements inure to administrative units.** When any ~~town~~ ~~administrative unit~~ has erected or moved a building upon such lot or in any way improved the same, such improvement shall inure to the benefit of such ~~town~~ ~~administrative unit~~ and the same may be as completely occupied and controlled by such ~~town~~ ~~administrative unit~~ as it would have been if such location had been in strict conformity to law.'

**Sec. 11. R. S., c. 41, § 26, amended.** Section 26 of chapter 41 of the Revised Statutes, as amended by chapter 49 of the public laws of 1955, is hereby further amended to read as follows:

**'Sec. 26. Heating, lighting and ventilating; readiness for occupancy and specifications; inspection and alterations; liability of administrative unit.** Where the plans and specifications prepared by the Commissioner are not used, all superintending school committees, school building committees, ~~school directors~~ or school district trustees where new schoolhouses are to be erected shall make suitable provision for the heating, lighting, ventilating and hygienic conditions of such buildings, and all plans and specifications for any such proposed school building and plans for the reconstruction or remodeling of any school building, the expense for which shall exceed \$500, shall be submitted to and approved by the Commissioner and the Bureau of Health before the same shall be accepted by the superintending school committee, school building committee, ~~school directors~~ or school district trustees of the ~~town~~ ~~administrative unit~~ in which it is

proposed to erect, reconstruct or remodel such building. The superintending school committee, school building committee, **school directors** or school district trustees, in charge of the erection of a new school building or of the reconstruction or remodeling of any school building as provided for by this section, shall seasonably notify the Commissioner of its readiness for occupancy and shall report to the Commissioner, on blanks furnished by said Commissioner, such facts relative to the arrangement, construction or reconstruction of said building as shall indicate whether or not the proposals in the plans and specifications previously approved have been met. Whenever it shall appear to the Commissioner that such approved plans in their provisions for heating, lighting, ventilating and hygienic conditions have not been carried out, he may cause an inspection of said building to be made and shall notify said committee, **school directors** or school district trustees of changes required to be made to comply with the conditions previously approved, and it shall be the duty of said committee, **school directors** or school district trustees promptly to rectify said conditions and failure to do so shall render the ~~town~~ **administrative unit** liable to the provisions of section 31.

**Sec. 12. R. S., c. 41, § 28, amended.** Section 28 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

#### ‘Duties of Administrative Units.

**Sec. 28. Administrative units to raise money for schools; expenditure. An administrative unit as referred to in this chapter shall include all municipal or quasi-municipal corporations responsible for operating public schools.**

Every ~~town~~ **administrative unit** shall raise and expend, annually, for the support of public schools therein, exclusive of the income of any corporate school fund, or of any grant from the revenue or fund from the State, or of any voluntary donation, devise or bequest, or of any forfeiture accruing to the use of schools, not less than 80c for each inhabitant, according to the census by which Representatives to the Legislature were last apportioned, under penalty of forfeiting not less than twice nor more than 4 times the amount of its deficiency. ~~and all~~ **All moneys provided by towns or other administrative units** or apportioned by the State for the support of public schools shall be expended for the maintenance of public schools established and controlled by the ~~towns~~ **administrative units** by which said moneys are provided or to which said moneys are apportioned. ~~but nothing~~ **Nothing** in this section shall be so construed as to annul or render void the provisions made in section 33 for the establishment and maintenance of union schools by adjoining towns.’

**Sec. 13. R. S., c. 41, § 31, amended.** Section 31 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**‘Sec. 31. School funds withheld from delinquent towns or school administrative districts.** When the Governor and Council have reason to believe that a town or districts has neglected to raise and expend the school money required by law, or to employ teachers certified as required by law, or to have instruction given in the subjects prescribed by law, or to provide suitable textbooks in the subjects prescribed by law, or faithfully to expend the school money received from the State or in any way to comply with the law prescribing the duties of

~~towns administrative units~~ in relation to public schools, they shall direct the Treasurer of State to withhold from the apportionment of state school funds made to that ~~town administrative unit~~ such amount as they may deem expedient. ~~and the~~ The amount so withheld shall not be paid until such ~~town administrative unit~~ shall satisfy said Governor and Council that it has expended the full amount of school money as required by law and that it has complied in all ways with the law prescribing the duties of ~~towns administrative units~~ in relation to public schools. ~~and whenever~~ Whenever such ~~town administrative unit~~ shall fail, within the year for which the apportionment is made, so to satisfy the Governor and Council, the said amount withheld shall be forfeited and shall be added to the general fund of the State.'

**Sec. 13-A. R. S., c. 41, § 32, amended.** Section 32 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 32. Equal school privileges for all pupils.** The school moneys of every ~~town administrative unit~~ shall be so expended as to give as nearly as practicable the same aggregate annual length of terms in all its schools, and every ~~town administrative unit~~ shall make provision for the maintenance of all its schools for not less than 36 weeks annually. Any ~~town administrative unit~~ failing to maintain its schools as provided in this section shall be debarred from drawing its state school moneys until it shall have made suitable provisions for so maintaining them thereafter.

Five days constitutes the school week and 4 weeks a school month.'

**Sec. 14. R. S., c. 41, § 33, amended.** The last paragraph of section 33 of chapter 41 of the Revised Statutes is hereby repealed as follows:

~~'Two or more towns cooperatively may acquire property and construct, extend, enlarge, repair and maintain school projects on a common site when the plan for locating, owning, operating, administering and financing said project has been approved by each participating town and by the State Board of Education.'~~

**Sec. 15. R. S., c. 41, § 34, amended.** Section 34 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 34. Certain facilities provided; schoolbooks.** ~~Towns Administrative units~~ shall provide schoolbooks, apparatus and appliances for the use of pupils in the public schools, including all free high schools, at the expense of said ~~town administrative unit~~ as provided in section 240. ~~provided, however, that any~~ Any parent or guardian of any pupil in the public schools may at his own expense procure for the separate and exclusive use of such pupil the textbooks required to be used in such schools. ~~and no~~ No second-hand books shall be purchased for the use of any school, ~~Whoever and whoever~~ violates this provision shall forfeit not exceeding \$500, to be recovered in an action of debt by any school officer or person aggrieved.

~~Towns Administrative units~~ shall also pay for the necessary repairs of school buildings and the improvement and maintenance of school yards and playgrounds out of a sum or sums of money raised and appropriated for that purpose, which shall be assessed like other money and shall be in addition to and

independent of the amount which ~~towns~~ **administrative units** are required by law to raise, assess and expend for the support of schools as provided in section 240.'

**Sec. 16. R. S., c. 41, § 36, amended.** Section 36 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 36. Liability for injuring books or appliances.** When a pupil in the public schools loses, destroys or unnecessarily injures any schoolbook furnished under the provisions of ~~the preceding~~ section 35 or appliance furnished such pupil at the expense of said ~~town~~ **administrative unit**, his parent or guardian shall be notified, and if the loss or damage is not made good to the satisfaction of the school committee **or school directors** within a reasonable time, they shall report the case to the assessors **of the town in which he resides**, who shall include in the next town tax of the delinquent parent or guardian the value of the book or appliance so lost, destroyed or injured, to be assessed and collected as other town taxes.'

**Sec. 17. R. S., c. 41, § 37, amended.** Section 37 of chapter 41 of the Revised Statutes, as amended by section 1 of chapter 455 of the public laws of 1955, is hereby further amended to read as follows:

'**Sec. 37. Money raised for evening schools, day schools, classes and educational activities for adults.** Any ~~city or town~~ **administrative unit** may, in addition to the sum raised for the support of the public schools, raise and appropriate money for the support of evening schools, day schools, classes and educational activities, which shall admit persons over 16 years of age, who are not in attendance at another public school, and shall be under the direction and supervision of the superintending school committee **or school directors**.'

**Sec. 18. R. S., c. 41, § 38, amended.** Section 38 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 38. Industrial or mechanical drawing.** Any ~~city or town~~ **administrative unit** may annually make provision for free instruction in industrial or mechanical drawing to persons over 15 years of age, either in day or evening schools, under direction of the superintending school committee **or school directors**.'

**Sec. 19. R. S., c. 41, § 39, amended.** Section 39 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 39. Manual training schools.** Any ~~city or town~~ **administrative unit** may, in addition to the sum raised for the support of the public schools, raise and appropriate money for the support of manual training schools and may receive gifts and bequests for the use, maintenance and support of such schools.'

**Sec. 20. R. S., c. 41, § 40, amended.** Section 40 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 40. Schools under direction of committee; rules and regulations.** The schools referred to in sections 37 to 39, inclusive, shall be under the control, direction and supervision of the superintending school committee **or school directors** and shall admit such persons between the ages of 6 and 21 years and

shall give such courses of instruction as said committee may determine. Pupils in such schools shall be subject to the same conditions, rules and regulations as are provided for public schools.'

**Sec. 20-A. R. S., c. 41, § 41, amended.** Section 41 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 41. Scholars at light stations.** Persons between the ages of 5 and 21 years living at any light station, fog warning station or lifesaving station shall be admitted to any public school in the State without paying tuition. ; ~~such~~ **Such** scholars shall be entitled to all privileges and benefits and be subject to the same conditions, rules and regulations as scholars residing in the ~~town~~ **administrative unit** in which they attend school.'

**Sec. 21. R. S., c. 41, § 42, amended.** Section 42 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 42. Schooling for children of parents with temporary residence; jurisdiction.** In order to facilitate the education of children whose parents find it necessary, in the pursuit of their occupations, to move from place to place and whose children reside with them in such temporary residence, it is provided that the children of such person or persons shall be under the jurisdiction of the ~~towns and plantations~~ **administrative units**, or the Commissioner if domicile is in unorganized territory, in which the parent has temporary residence and shall be subject to the school attendance laws and to the rules and regulations of the ~~towns and plantations~~ **administrative units** or the Commissioner in which they with the parent have temporary residence. ~~;~~ ~~provided further, that this~~ **This** does not interfere with the free school privileges of such children in the ~~towns and plantations~~ **administrative units** of the permanent residence of the parent.'

**Sec. 22. R. S., c. 41, § 43, amended.** Section 43 of chapter 41 of the Revised Statutes, as amended by chapter 69 of the public laws of 1955, is hereby further amended to read as follows:

'**Sec. 43. Transportation or board of children in temporary residences or on state owned property; payment.** Where the distance from the place of temporary residence to the school is more than 2 miles and transportation is deemed advisable by the superintending school committee **or school directors**, the superintendent of schools shall report the same to the Commissioner with such other information as may be required and if so directed by the Commissioner shall procure transportation for such child or children or, if transportation is inadvisable, board in lieu thereof. ~~;~~ ~~provided that when~~ **When** there shall be reported to the Commissioner in connection with the annual report a bill of expenses incurred in connection with such transportation or board, the Commissioner is authorized to reimburse such ~~towns and plantations~~ **administrative units** for such expenses, the same to be paid annually in December from the department appropriation for the purpose. The Commissioner is ~~further~~ authorized to make similar provisions for the transportation of any children who reside with a parent on state owned property located in towns of less than 100 inhabitants and in which conveyance for no other pupils is being provided by the ~~town~~ **administrative unit**.'

**Sec. 23. R. S., c. 41, § 44, amended.** Section 44 of chapter 41 of the Revised

Statutes, as repealed and replaced by section 1 of chapter 365 of the public laws of 1955, is hereby amended to read as follows:

**'Sec. 44. School age; kindergartens.** In the public schools of the State only those children who are or will become 6 years of age on or before October 15th of the school year shall be admitted to grade one.

In schools which offer a one-year childhood education program prior to grade one, only those children who will be 5 years of age on or before October 15th of the school year shall be admitted.

In schools which offer a 2-year childhood education program prior to grade one, only those children who will be 4 years of age on or before October 15th of the school year shall be admitted. All children who have been enrolled in one or more years of childhood education programs prior to grade one ~~before the effective date of this act~~ **July 1, 1956** shall be allowed to continue regular advancement notwithstanding the provisions of this ~~act~~ **section**.

Subject to the ~~foregoing~~ provisions of **this section** and ~~further~~ subject to such reasonable regulations as the superintending school committee **or school directors** 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~~ **administrative unit** in which his parent or guardian has residence. Residence as used in this section shall mean the ~~city or town~~ **administrative unit** where the father maintains a home for his family. If the parents of the child are separated, residency shall be considered to be the ~~town~~ **administrative unit** where the person having custody of the child maintains his or her home.'

**Sec. 23-A. R. S., c. 41, § 45, amended.** Section 45 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 45. Superintending school committee.** Every town **not included in a school administrative district** shall choose by ballot at its annual meeting a superintending school committee of 3, to hold office as provided in ~~the following~~ section 46, and shall fill vacancies arising therein at each subsequent annual meeting.'

**Sec. 24. R. S., c. 41, § 46, amended.** The 3rd sentence of section 46 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'No member of the superintending school committee of any **such** town shall be employed as a teacher in any public school or contract high school or academy located within a supervisory union of which he is a member of the joint committee.'

**Sec. 25. R. S., c. 41, § 49, amended.** Section 49 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 49. Committee to serve without pay.** Superintending school committees shall serve without pay unless otherwise voted by the town ~~under the provisions of section 240~~ **under the provisions of subsection II of section 237-C.**'

**Sec. 26. R. S., c. 41, § 50, amended.** Section 50 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**Sec. 50. Clean and sanitary toilets.** In order to safeguard the health and morals of the children of the State, ~~towns~~ **administrative units** shall from their regular appropriations for schoolhouse repairs or from special appropriations for the purpose of sections 50 to 53, inclusive, provide and maintain sanitary, protected and clean toilets free from all obscene markings in all school buildings or in other buildings rented or used for school purposes.'

**Sec. 27. R. S., c. 41, § 54, amended.** Section 54 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**Sec. 54. Duties.** Superintending school committees and school directors shall perform the following duties:

**I.** The management of the schools and the custody and care, including repairs and insurance on school buildings, of all school property in their ~~towns~~ **administrative units**.

**II.** Direct the general course of instruction and approve a uniform system of textbooks, and perform such other functions as may be specified by law. No textbook thus approved shall be changed for 3 years unless by vote of the committee or directors.

**III.** They shall make provisions for the instruction of all pupils in schools supported by public money or under state control, in physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system.

**IV.** After due notice and investigation, they shall dismiss any teacher, although having the requisite certificate, who proves unfit to teach or whose services they deem unprofitable to the school; and give to said teacher a certificate of dismissal and of the reasons therefor, a copy of which they shall retain, and such dismissal shall not deprive the teacher of compensation for previous services.

**V.** Expel any obstinately disobedient and disorderly scholar, after a proper investigation of his behavior, if found necessary for the peace and usefulness of the school; and restore him on satisfactory evidence of his repentance and amendment.

**VI.** Exclude, if they deem it expedient, any person not vaccinated, although otherwise entitled to admission, unless a parent or guardian of such person shall present a signed statement that such parent or guardian is opposed to vaccination, in which event such person may only be excluded in the event of an epidemic of smallpox.

**VII.** Prescribe the sum on payment of which persons of the required age, resident in territory the jurisdiction of which has been ceded to the United States, included in or surrounded by the ~~town~~ **administrative unit**, may attend school in the ~~town~~ **administrative unit**.

**VIII.** Determine what description of scholars shall attend each school, classify them and transfer them from school to school where more than one school is kept at the same time.

**IX.** For the purpose of increasing the efficiency of the public schools of the State, superintending school committees, ~~and~~ boards of education **and school directors** shall have authority to grant to any teacher, principal or other person regularly employed by them a leave of absence for a period of not to exceed one year and on not more than half pay; such leave of absence to be granted only after 7 years of service and under such conditions and with such regulations as may be determined by the governing board, and for the purpose of permitting said teacher, principal or other person to pursue a further course of study or to travel, to the end that he or she may be better fitted by education and culture for his or her position in the schools.

**X.** They shall have authority to adjust the salaries of teachers, principals and other persons legally employed by them who are compelled to be absent from their school duties on account of illness. The provisions of this and the preceding subsection shall apply only in cases of persons who are employed on yearly contracts or on tenure of service and who hold the legal qualifications necessary for such positions.'

**Sec. 27-A. R. S., c. 41, § 55, amended.** The 1st sentence of section 55 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'On or before December 1st, biennially, except that for those persons in whom the disease is arrested the examination shall be annually, all superintendents of schools, supervisors, teachers, school nurses, janitors, school bus drivers and persons employed in the preparation of school lunches shall file with the superintending school committee **or school directors** a certificate that such employee has had a chest X-ray performed and interpreted as showing no significant evidence of tuberculosis by persons recognized as skilled and experienced in such performance and interpretation.'

**Sec. 28. R. S., c. 41, § 56, amended.** Section 56 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 56. Secret societies.** No pupil of any public, elementary or secondary school shall participate in or be a member of any secret fraternity or secret society whatsoever that is in any degree a school organization. Superintending school committees **and school directors** shall enforce the provisions of this section and may expel or otherwise discipline any pupil for failure or refusal to comply with its provisions.'

**Sec. 29. R. S., c. 41, § 57, amended.** Section 57 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 57. School physicians.** The superintending school committee **or school directors** of every ~~city and town~~ **administrative unit** shall appoint one or more school physicians, and shall assign one to the medical inspection of not over 1,000 pupils of the public schools within its ~~city or town~~ **administrative unit**, and shall provide them with all proper facilities for the performance of their duties as prescribed in sections 57 to 65, inclusive, provided ~~however, that in the case of cities or towns~~ the said committee has been so authorized by vote of the town at a regular town meeting or at a special town meeting called for that purpose.'

**Sec. 30. R. S., c. 41, § 60, amended.** Section 60 of chapter 41 of the Revised Statutes is hereby amended to read as follows:



**'Sec. 60. Examination of pupils after absence on account of sickness.** The superintending school committee **or school directors** shall cause to be referred to a school physician for examination and diagnosis every child returning to a school without a certificate from the local health officer or family physician after absence on account of illness or whenever in the judgment of the teacher the circumstances of the absence were such as to require such a certificate, and every child in the schools under its jurisdiction who shows signs of being in ill health or of suffering from infectious or contagious disease, unless he is at once excluded from school by the teacher; except that in case of schools in remote and isolated situations, the school committee **or school directors** may make such other arrangements as may best carry out the purposes of sections 57 to 64, inclusive.'

**Sec. 31. R. S., c. 41, § 61, amended.** The 1st sentence of section 61 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'The superintending school committee **or school directors** shall cause notice of disease or defects, if any, from which any child is found to be suffering, to be sent to his parents or guardians.'

**Sec. 32. R. S., c. 41, § 62, amended.** Section 62 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 62. Examination of sight and hearing; notice of defect or disability to parent or guardian.** The superintending school committee **or school directors** of ~~every city or town~~ **administrative units** shall cause every child in the public schools to be separately and carefully tested and examined at least once in every school year to ascertain whether he is suffering from defective sight or hearing, or from any other disability or defect tending to prevent his receiving the full benefit of his school work, or requiring a modification of the school work in order to prevent injury to the child or to secure the best educational results. Tests of sight and hearing shall be made by the teachers or by the school physicians. The committee **or school directors** shall cause notice of any defect or disability requiring treatment to be sent to the parent or guardian of the child, and shall require a physical record of each child to be kept in such form as the Commissioner shall prescribe after consultation with the Department of Health and Welfare.'

**Sec. 33. R. S., c. 41, § 63, amended.** Section 63 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 63. Directions for tests prescribed.** The Commissioner shall prescribe, after consultation with the Department of Health and Welfare, the directions for tests of sight and hearing, and shall prescribe and furnish to the school committees **and school directors** suitable rules of instruction, test cards, blanks, record books and other useful appliances for carrying out the purposes of ~~the 6 preceding~~ **sections 57 to 62, inclusive.'**

**Sec. 34. R. S., c. 41, § 66, amended.** Section 66 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 66. School register.** Every teacher of a public school shall keep a register thereof, containing the names of all scholars who enter the school,

their ages, the dates of each scholar's entering and leaving, the number of days during which each attended, the length of the school year, the teacher's wages, a list of textbooks used and all other facts required by the blank forms furnished him. Such register shall at all times be open to the inspection of the superintending school committee **or school directors** and be returned to them at the close of the school. Teachers may be paid for their services at the close of each school month or at such shorter intervals as the committee **or directors** may determine, but no teacher shall receive final payment for services for any term until the register ~~herein described~~, properly filled, completed and signed, is deposited with the school committee **or school directors** or with the person designated by **either of** them to receive it.'

**Sec. 35. R. S., c. 41, § 71, amended.** Section 71 of chapter 41 of the Revised Statutes is hereby amended to read as follows :

'**Sec. 71. Return to Commissioner.** Each superintendent of schools shall annually on April 1st make returns to the Commissioner of the number of residents of the State enrolled in elementary and secondary schools in the ~~towns~~ **administrative unit or units** under his jurisdiction.'

**Sec. 36. R. S., c. 41, § 72, amended.** Section 72 of chapter 41 of the Revised Statutes is hereby amended to read as follows :

'**Sec. 72. Annual return of statistics.** Each superintendent shall, on or before the 1st day of August, annually make under oath a full and complete return of all educational statistics for the year ending the 1st day of July next preceding, and any ~~town~~ **administrative unit** that shall fail through its school officers to make the return required by this section shall be liable to the provisions of section 31.'

**Sec. 37. R. S., c. 41, § 73, amended.** The 2nd sentence of section 73 of chapter 41 of the Revised Statutes is hereby amended to read as follows :

'They shall report annually to the towns **or school directors** the amount necessary to furnish the public schools with suitable flags and flagstuffs, and ~~towns~~ **all administrative units** shall annually appropriate, under the provisions of ~~section 40~~ **subsection II of section 237-C**, a sufficient amount to defray the necessary cost of the display of the flag.'

**Sec. 38. R. S., c. 41, § 77, repealed and replaced.** Section 77 of chapter 41 of the Revised Statutes is hereby repealed and the following enacted in place thereof :

#### 'School Supervisory Units.

**Sec. 77. Unions for supervision.** It shall be the duty of the Commissioner and State Board of Education to adjust the grouping of school administrative units within the State in accordance with the following :

I. Existing supervisory unions employing over 35 teachers and paying the superintendent of schools an annual salary of over \$4,500 shall not be re-grouped unless the proposed regrouping shall have first been approved by a

majority of the school committee members in the administrative units involved.

II. Supervisory unions shall include not less than 35 nor more than 75 teachers unless the Commissioner shall find upon representation of any school committee that owing to geographical situation or other reasons it is to the advantage of the State and of said towns that a union shall include fewer than 35 or more than 75 teachers.

III. On presentation of a written plan of organization which has been approved by the superintending school committees of the towns involved, the Commissioner and the State Board of Education are authorized to combine 2 or more school unions, or parts thereof, into a larger supervisory unit administered by a superintendent of schools and staff assistants, who may be employed by the joint committee as provided in section 79, and the Commissioner shall have authority to adjust disbursements for supervision so that there will be no loss in state support because of the reorganization.

IV. Where school administrative districts or community school districts exist and they employ less than 35 teachers the Commissioner and State Board of Education may order the combination of any type of administrative units to form a supervisory unit if such combination as is proposed is approved by the school committees, community school committees and school directors involved.'

Sec. 39. R. S., c. 41, § 78, repealed and replaced. Section 78 of chapter 41 of the Revised Statutes is hereby repealed and the following enacted in place thereof:

'Sec. 78. Supervision in school administrative districts. The school directors of a school administrative district, upon notification by the Commissioner shall meet annually during the month of December, of the year preceding the expiration date of the superintendents contract, at a day and place determined by the chairman. At said meeting or as soon thereafter as possible, and whenever a vacancy shall occur the school directors shall subject to the conditions hereinafter provided, choose by ballot a superintendent of schools for a term of not more than 5 years. The term for which a superintendent of schools is elected shall, in all cases, end on the 30th day of June of the year in which the contract expires. In case the school directors shall fail to legally elect a superintendent of schools by the 30th day of June in any year, a competent and qualified agent may, with the advice and consent of the Commissioner serve in said capacity until such time as his successor shall be legally elected.

Said directors, by a majority vote of their full membership, after due notice and investigation, may, for cause, discharge a superintendent of schools before the expiration of the term for which he was elected, and after such discharge the salary of said superintendent shall cease; provided further, that such superintendent of schools may appeal from the decision of such directors to the Commissioner for a public hearing.

No person shall be eligible to the office of superintendent of schools under the provisions of this section, unless he shall hold a state certificate of superin-

tendence grade; and no person shall be eligible to said office if he is a member of the board of school directors which elects said superintendent.'

**Sec. 40. R. S., c. 41, § 79, amended.** The last sentence of section 79 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'This section, so far as it relates to the manner of the election or employment of superintendents of schools, shall not apply to ~~cities, nor to towns~~ any administrative units authorized by other or special laws to employ or choose superintendents in manner otherwise than is herein provided.'

**Sec. 41. R. S., c. 41, § 80, amended.** Section 80 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 80. Annual return; appropriation; expenses.** The chairman and secretary of the joint committee ~~or school directors of the school administrative district~~, provided for in ~~the preceding other section sections~~, shall, upon the election of a superintendent of schools as provided by the preceding ~~section sections~~, certify under oath to the Commissioner, upon the forms prescribed by him, all facts relative to said union ~~or district~~ and employment of a superintendent. Annually, and whenever a new superintendent is chosen, said chairman and secretary shall make return of a similar certificate. Upon approval of said certificate, the superintendent so employed shall, on presentation of proper vouchers, receive monthly out of the sum appropriated for superintendence of towns comprising school unions a sum equal to the aggregate sum paid by the towns comprising the union, ~~provided that the~~ The amount so paid for the benefit of a single union of towns shall not exceed \$1,350 in one year nor shall any school union receive less than \$1,150 per year. The Commissioner annually shall cause an investigation to be made of the conditions of supervision in unions of towns, including the relative financial support for supervision by ~~towns the~~ **several supervisory units**, the relative distances required to be traveled, and the relative amounts of expenses to be paid by superintendents of schools directly in connection with the supervision and administration of schools in ~~unions of towns supervisory units~~. When it appears to the Commissioner that the efficiency of supervision in any ~~union supervisory unit~~ is or may be lessened because of the financial burden to ~~towns administrative units~~, expenses for travel and other purposes required to be paid by the superintendent of such ~~union supervisory unit~~ because of the number and location of schools, geographical or other conditions, said Commissioner, annually in August, shall issue to the Governor and Council a recommendation relative thereto and on the approval of said recommendation, the State Controller upon the approval of the Governor and Council may draw a warrant for payment out of the sum appropriated for superintendence ~~of towns comprising school unions~~ in favor of the superintendent or superintendents of schools employed in said ~~union supervisory unit~~ within the school year ending June 30th immediately preceding; ~~provided, however, that the~~ The amount so paid for the benefit of a single ~~union supervisory unit~~ shall not exceed \$350 annually and shall be in addition to other payments made to said superintendent as provided in this section, and ~~provided further, that~~ the amount so available for the equalization of such expenses shall not exceed 1/5 of the appropriation for superintendence ~~of towns comprising school unions~~.'

**Sec. 42. R. S., c. 41, § 81, amended.** Section 81 of chapter 41 of the Revised Statutes, as amended by chapter 210 of the public laws of 1955, is hereby further amended to read as follows:

**'Sec. 81. Towns and cities having 75 teachers need not unite; report.** The superintending school committee of a city or town having under its care and custody an aggregate of more than 75 teachers may employ a superintendent of schools without uniting with other ~~cities or towns~~ **administrative units** for the purpose. Said superintendent of schools shall be chosen in the same manner and for the same term, his salary shall be fixed and he may be discharged under the same conditions as superintendents employed under the provisions of section 79. Annually, in the month of June or whenever a superintendent of schools is chosen, the chairman and secretary pro tempore of the committee or Board of Education shall certify to the Commissioner, upon forms prescribed by him, all facts relative to the employment of a superintendent including the amount of the salary to be paid ~~thereon~~. **Upon** the approval of said certificate by the Commissioner, the superintendent so employed shall, on presentation of proper vouchers, receive monthly out of the sum appropriated for superintendence of towns comprising school unions a sum equal to the amount paid by the town provided ~~that~~ the amount so paid shall not exceed \$1,350 for one year for the superintendent of any one town.'

**Sec. 43. R. S., c. 41, § 84, amended.** Section 84 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 84. Appropriation for salary of superintendent.** ~~Towns Administrative units~~ shall appropriate for the salary of the superintendent of schools their proportion of the sum paid said superintendent to the amount certified by the joint committee to the town treasurer, and said proportion to be paid by any town shall be paid out of the appropriation made for the support or maintenance of public schools or high schools as provided under section 240.'

**Sec. 44. R. S., c. 41, § 85, amended.** Section 85 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 85. Conference of instruction held.** The Commissioner shall annually hold a conference for the instruction of superintendents serving under the provisions of the ~~§ preceding~~ **sections 77 to 84, inclusive.** ~~He~~ **He** may expend out of the appropriation for ~~the superintendence of towns comprising school unions,~~ an amount sufficient to defray the mileage expenses of such superintendents, but no superintendent shall be entitled to any part of such expenses unless he shall regularly attend all sessions of such conference.'

**Sec. 45. R. S., c. 41, § 86, amended.** Section 86 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 86. Regulations under which certificates issued.** Persons employed to serve as superintendents of schools ~~under sections 79 to 81~~ shall hold state certificates of superintendence grade which shall be issued under such regulations as may be prescribed by the Commissioner.'

**Sec. 46. R. S., c. 41, § 87, amended.** Section 87 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**Sec. 87. Powers and duties of superintendents.** A superintendent of schools ~~employed under the provisions of sections 79 to 81, inclusive~~ shall have the following powers and duties:

**I. Secretary ex officio.** He shall be, ex officio, secretary of the superintending school committee **or board of school directors** and of any school building committee chosen by the ~~town~~ **administrative unit** and shall perform such duties not ~~herein~~ enumerated as said committees **or board** shall direct.

**II. Auditor; vouchers to be approved.** He shall keep a permanent record of all its votes, orders and proceedings; he shall place all orders for materials and supplies purchased by vote of the committee **or directors** and shall be its agent in keeping all financial records and accounts. He shall issue vouchers showing the correctness of bills contracted on account of school appropriations, but such bills shall not be allowed for payment by the municipal officers of towns unless they shall have been approved by a majority of the members of the superintending school committee **or in school administrative districts unless they shall have been approved by a majority of the school directors or a finance committee of that board selected by them.**

**III. Shall visit the schools; annual report.** He shall examine the schools and inquire into the regulations and the discipline thereof and the proficiency of the pupils, for which purposes he shall visit each school at least the minimum number of times each term which the joint committee may designate. ~~At the annual town meeting, he~~ **He** shall make a written report **annually** of the condition of the schools for the past year, with a statement of the condition of school buildings, the proficiency made by the pupils and the success attending the modes of instruction and government thereof, and transmit a copy to the Commissioner.

**IV. Shall keep account of finances and report once a term to committee of respective towns.** He shall keep a faithful and accurate account of school finances, and he shall report at least once a term in writing to each of the several committees ~~of the supervisory union~~ **or directors**, including in such report a statement of the condition of the schools, a financial statement and a statement of the condition of school buildings and outbuildings in the matter of repair, cleanliness and sanitary arrangements.

**V. Shall nominate teachers; election to be approved by committee; probationary period; teachers may be elected under contract.** He shall nominate all teachers subject to such regulations governing salaries and the qualifications of teachers as the superintending school committee **or school directors** shall make, and upon the approval of nominations by said committee **or directors**, he may employ teachers so nominated and approved for such terms as he may deem proper, subject to the approval of the school committee **or school directors**. Except that after a probationary period of not to exceed 3 years, subsequent contracts of duly certified teachers shall be for not less than 2 years, and ~~furthermore, that~~ unless a duly certified teacher receives written notice to the contrary at least 6 months before the terminal date of the contract, the contract shall be extended automatically for one year and similarly in subsequent years, although the right to an extension for a longer period of

time through a new contract is specifically reserved to the contracting parties. The right to terminate a contract, after due notice of 90 days, is reserved to the superintending school committee **or school directors** when changes in local conditions warrant the elimination of the teaching position for which the contract was made. ~~Provided, in~~ **In** case the superintendent of schools and the superintending school committee **or school directors** fail to legally elect a teacher, the Commissioner shall have authority to appoint a substitute teacher who shall serve until such election is made.

**VI. Shall supervise work of teachers.** He shall direct and supervise the work of all teachers.

**VII. Shall select and purchase textbooks on approval of committee.** He shall select textbooks, supplies and apparatus subject to the approval of the superintending school committee **or school directors** and shall make all purchases of the same under such regulations as the superintending school committee **or school directors** shall adopt.

**VIII. Shall distribute and account for supplies.** He shall see to it that all necessary apparatus and supplies are seasonably distributed to each school and accurately accounted for and economically used.

**IX. Shall enforce rules of committee.** He shall enforce or cause to be enforced all regulations of the superintending school committee **or school directors**.

**X. Shall devote entire time to superintendence.** He shall devote his entire time to superintendence in the towns comprising the union **or district**. ~~provided, however, that he~~ **He** may, without violation of the provisions of this section, perform such educational service outside of the towns of his union **or district** as may be performed with the approval of the Commissioner and with the consent of the committee **or directors** employing him.'

**Sec. 47. R. S., c. 41, § 88, amended.** Section 88 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 88. Appropriation of amount required for public school purposes; forfeiture for violation.** If any part of the money raised by the ~~towns~~ **administrative unit** or union of towns, or paid to them by the State for superintendence, is expended for any other purposes than those provided for in sections 80 and 81, then each person so misappropriating said money shall forfeit double the sum so misapplied, to be recovered in an action of debt in the name and to the use of the town by any inhabitant thereof. ~~and no~~ **No town administrative unit** or union of towns shall receive further aid under said sections until the amount so misapplied has been raised and expended for superintendence by such ~~town~~ **administrative unit** or union of towns.'

**Sec. 48. R. S., c. 41, § 89, amended.** Section 89 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 89. By-laws concerning truants; approval.** ~~Towns~~ **Administrative units** may make such by-laws, not repugnant to law, concerning habitual truants

and children between 6 and 17 years of age not attending school, without any regular and lawful occupation and growing up in ignorance, as are most conducive to their welfare and the good order of society; and may annex a suitable penalty, not exceeding \$20, for any breach thereof; ~~but such~~ **Such** by-laws must be first approved by a Justice of the Superior Court.'

**Sec. 49. R. S., c. 41, § 92, amended.** Section 92 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 92. Compulsory education; neglect; subnormal child.** Every child between the 7th and 15th anniversaries of his birth and every child between the 15th and 17th anniversaries who cannot read at sight and write legibly simple sentences in the English language and every child between the 15th and 16th anniversaries who has not completed the grades of the elementary school shall attend some public day school during the time such school is in session, and an absence therefrom of  $\frac{1}{2}$  day or more shall be deemed a violation of this requirement. ~~provided that necessary~~ **Necessary** absence may be excused by the superintending school committee, **school directors** or superintendent of schools or teachers acting by the direction of either. ~~provided also, that such~~ **Such** attendance shall not be required if the child obtains equivalent instruction, for a like period of time, in a private school in which the course of study and methods of instruction have been approved by the Commissioner, or in any other manner arranged for by the superintending school committee **or the school directors** with the approval of the Commissioner. ~~provided further, that children~~ **Children** shall not be credited with attendance at a private school until a certificate showing their names, residence and attendance at such school, signed by the person or persons having such school in charge, shall be filed with the school officials of the ~~town~~ **administrative unit** in which said children reside. ~~and provided further, that the~~ **The** superintending school committee **or school directors** may exclude from the public schools any child whose physical or mental condition makes it inexpedient for him to attend. All persons having children under their control shall cause them to attend school as provided in this section, and for every neglect of such duty shall be punished by a fine of not more than \$25 or by imprisonment for not more than 30 days. ~~provided further, that a~~ **A** child between the ages of 15 and 16 who, because of subnormal mental capacity, is unable to successfully pass the tests necessary to allow a regular work permit to be issued, may under conditions deemed proper receive a work permit issued jointly by the Commissioner and the Commissioner of Labor, such persons to be employed in nonhazardous occupations.'

**Sec. 50. R. S., c. 41, § 93, amended.** Section 93 of chapter 41 of the Revised Statutes, as amended by chapter 62 of the public laws of 1955, is hereby further amended to read as follows:

'**Sec. 93. Children to attend school in adjoining town; tuition.** Children living remote from any public school in ~~the town~~ **an administrative unit** in which they reside may be allowed to attend the public schools, other than a high school approved as provided in section 107, in an adjoining ~~town~~ **administrative unit**, under such regulations and on such terms as the school committees **or**



school directors of said ~~towns~~ administrative units agree upon and prescribe, and the school committee or school directors of the ~~town~~ administrative unit in which such children reside shall pay the sum agreed upon out of the appropriations of money raised in said ~~town~~ administrative unit for school purposes. Except as above provided, a child may attend a public elementary school in ~~a town~~ an administrative unit other than the ~~town~~ administrative unit where he lives with his parent as defined in section 44, after having obtained the consent of the superintending school committee or school directors of such ~~town~~ administrative unit, and the parent or guardian shall pay as tuition a sum equal to the average expense of each scholar in such school.'

**Sec. 51. R. S., c. 41, § 94, amended.** Section 94 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 94. Attendance officers; authority and duties; vacancies; neglect of duty.** The superintending school committee or school directors of every ~~city and town~~ administrative unit shall annually elect one or more persons, to be designated attendance officers, who shall inquire into all cases of neglect of the duties prescribed in section 92 and ascertain the reasons therefor and shall promptly report the same to the superintending school committee or school directors. ~~and such~~ Such attendance officers or any of them shall, when so directed by the school committee, school directors or superintendent in writing, prosecute in the name of the State any person neglecting to perform the duties prescribed in said section, by promptly entering a complaint before a magistrate. ~~and said~~ Said officer shall, when notified by any teacher that any pupil is irregular in attendance, arrest and take such pupil to school when found truant. ~~and such~~ Such officers shall enforce the provisions of sections 232 to 234, inclusive. Attendance officers, when so directed in writing by the superintendent of schools or the superintending school committee or the school directors of their respective ~~towns~~ administrative units, may visit the manufacturing, mechanical, mercantile and other business establishments in their several ~~cities and towns~~ administrative units during the hours in which the public schools of such ~~city or town~~ administrative unit are in session, and ascertain whether any minors under the age of 14 years are employed therein, and shall report in writing any cases of such employment to the superintendent of schools or the superintending school committee or school directors of their ~~city or town~~ administrative unit. ~~and if~~ If any minors are employed ~~therein~~ contrary to the provisions of chapter 30, they shall also report in writing such illegal employment to the Commissioner of Labor and Industry. The owner, superintendent, overseer or agent of all manufacturing, mechanical, mercantile or other business establishments, upon request, shall produce for the inspection of such attendance officers all work permits and vacation permits required to be kept on file in such establishments under the provisions of chapter 30. Superintending school committees or school directors shall elect attendance officers at their first meeting after the annual meeting of the town; they shall fill any vacancies occurring during the year and they may fix the compensation of said officers, and said compensations shall be paid from the appropriation made for the salaries of attendance officers under section 240. Any attendance officer neglecting any duty required of him under the provisions of this chapter shall be punished by a fine of not less than \$10 nor more than \$50; and any ~~town~~ administrative unit failing through its

superintending school committee or school directors to meet said provisions shall be liable to the provisions of section 31.'

**Sec. 52. R. S., c. 41, § 95, amended.** Section 95 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 95. Habitual truant; complaint.** If a child without sufficient excuse is habitually and willfully absent from school or fails without such excuse to attend school for 5 day sessions or for 10 half-day sessions within any period of 6 months, he shall be deemed an habitual truant; and the superintendent of schools ~~or~~, the superintending school committee or the school directors shall notify him and any person under whose control he may be that, unless he conforms to section 92, the provisions of ~~the 2 following~~ sections 96 and 97 will be enforced against them ~~and if~~. If thereafter such child continues irregular in attendance, the attendance officers or any of them shall, when so directed by the superintending school committee, the school directors or superintendent, in writing, enforce said provisions by complaint.'

**Sec. 53. R. S., c. 41, § 97, amended.** Section 97 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 97. Habitual truants committed to state institutions; warrants.** On complaint of the attendance officer, an habitual truant, if a boy, may be committed to the State School for Boys, or if a girl, to the State School for Girls, or to any truant school that may hereafter be established. Municipal courts and trial justices shall have jurisdiction of such complaint and of the offenses described in sections 92, 94 and 96. All warrants issued by said courts or trial justices upon such complaint, or for an offense committed under said sections, and all legal processes issued by said courts or trial justices for the purpose of carrying into effect the provisions of this section and of said sections 92, 94 and 96, may be directed to and executed by the attendance officer or either of the attendance officers of the ~~town~~ administrative unit where the offense is committed. All fines collected under ~~said 2 last named~~ sections 94 and 96 shall be paid to the treasurer of the ~~city or town~~ administrative unit in which the offense is committed, for the support of the public schools therein.'

**Sec. 54. R. S., c. 41, § 98, amended.** Section 98 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

#### Free High Schools.

'**Sec. 98. Classification of high schools.** No school shall be regarded as a high school within the meaning of any of the provisions of this chapter unless such school shall be included in one of the following classes:

**Class A.** This class shall include such schools as maintain at least one approved course of study through 4 years of 36 weeks each and of standard grade, together with approved laboratory equipment, and shall employ at least 2 teachers; provided the ~~town or union~~ administrative unit maintaining such school shall appropriate and expend for instruction therein at least \$850 annually exclusive of all tuition received.

**Class B.** This class shall include such schools as maintain one approved

course of study through at least 2 years of 36 weeks and of standard grade, together with approved equipment; provided the ~~town or union~~ **administrative unit** maintaining such school shall appropriate and expend for instruction therein at least \$500 annually exclusive of all tuition received.

**Junior High School.** This class shall include such schools as maintain a diversified program of studies approved by the Commissioner, for such grades or years as he shall prescribe, throughout a school year of at least 36 weeks; ~~provided that the.~~ The last 2 years of the elementary schools and not more than 2 grades or years of the high school may be included in such a school ~~and provided that the.~~ The cost of maintenance may be taken from high school funds, or from high school funds and elementary school funds combined, in proportion to the cost of maintenance of the several grades. A school of this class may be maintained in connection with or as a part of a class A high school as defined in this section.'

**Sec. 55. R. S., c. 41, § 99, amended.** Section 99 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 99. Administrative units not obliged to pay tuition; exception.** ~~A town or union~~ An **administrative unit** maintaining a class A high school as defined in section 98 shall not be required to pay tuition except as provided by section 107. ~~A town or union~~ An **administrative unit** maintaining a class B or junior high school as defined in section 98 shall not be required to pay tuition for any pupil until he has completed that part of the course or the equivalent thereof of said school approved by the Commissioner except as provided by section 107.'

**Sec. 56. R. S., c. 41, § 101, amended.** Section 101 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 101. Free high schools; conveyance or board; gifts, bequests and funds surrendered by academies; state aid; misapplication of money.** Any ~~town~~ **administrative unit** except school **administrative districts** may establish and maintain not exceeding 2 free high schools, and in such case shall receive the same state aid as if the expenditure for both schools had been made for one. Two or more adjoining ~~towns~~ **administrative units** may unite in establishing and maintaining a free high school and both shall receive the same state aid as if such school had been maintained by one town. Any ~~town~~ **administrative unit** may, in addition to the sums raised for the support of high and public schools, raise and appropriate a sum for the payment of conveyance or board of pupils attending secondary schools, said sum to be expended under the direction of the superintending school committee. ~~Provided that in~~ In cases of pupils who reside on islands within ~~towns and cities~~ **administrative units** and on which there is no secondary school and from which regular transportation lines are established and in operation, said ~~towns and cities~~ **administrative units** shall pay transportation charges of said children. ~~and provided, however, that such~~ Such transportation shall be over regular lines, at not to exceed regular fares and no subsidy. ~~and provided also that transportation~~ **Transportation** lines shall have the privilege of establishing such school fares, not to exceed the regular fare, as may be agreed upon by the officials of said transportation lines and the school ~~board~~ **directors** or school committee of the

~~town or city administrative unit~~ of which said islands are a part. ~~Towns Administrative units~~ shall receive in trust and faithfully expend gifts and bequests made to aid in the maintenance of free high schools, and shall receive aid in such cases to the same extent and on the same conditions as if such schools had been established and maintained by taxation. ~~and any~~ **Any town administrative unit** shall receive such state aid on any expenditure for a free high school or schools, made from the funds or proceeds of the real estate of an academy or incorporated institution of learning, surrendered or transferred to such ~~town administrative unit~~ for educational purposes; but if any part of the money so paid by the State is expended for any other purpose than the support of such free high schools, ~~as provided by this section~~, then each person so misapplying said money forfeits double the sum so misapplied, to be recovered in an action of debt, in the name and to the use of the ~~town administrative unit~~ by any inhabitant thereof. ~~and no~~ **No town administrative unit** shall receive further support from the State for any free high school until the amount so received but misapplied has been raised and expended for such free high school by such ~~town administrative unit~~.

**Sec. 57. R. S., c. 41, § 102, amended.** Section 102 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 102. Course of study; schools free to youth in any town or union of towns; admission of pupils from without towns.** The course of study in the free high schools shall embrace the ordinary English academic studies which are taught in secondary schools, especially the natural sciences in their application to mechanics, manufactures and agriculture; but the ancient or modern languages and music shall not be taught therein except by direction of the superintending school committees **or school directors** having supervision thereof. Such schools, when established by any ~~town or union of towns administrative unit~~, shall be free to all the youth in such ~~town or towns administrative units~~ who have such scholastic attainments as will fit them to attend such schools with profit, and the superintendent, ~~or~~ superintending school committee **or school directors** having supervision thereof shall make such examination of candidates for admission to said schools as they consider necessary.

Whenever in the judgment of the superintending school committees **or school directors** having the supervision of any free high school or schools, the number of pupils in the same may be increased without detriment, scholars from without the towns directly interested in such school or schools may be admitted to the same on passing the required examination and paying such tuition, as may be fixed by such committee **or directors**, to the treasurer of the ~~town administrative unit~~ in which the school is kept, ~~when the school is maintained by a town or union of towns located.~~

**Sec. 58. R. S., c. 41, § 103, amended.** Section 103 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 103. Free high schools subject to school laws; management and supervision.** Free high schools, established and maintained under the provisions of sections 98 to 102, inclusive, are subject to the laws relating to public schools, so far as applicable, except as otherwise provided. When established **and maintained by a town an administrative unit**, they shall be under the supervision

and entire management of the superintending school committee **or school directors** of such ~~town~~ **administrative unit**. When established and maintained by a union of towns, such school shall be under the supervision and **entire management** of the school committees of such towns, who constitute a joint **board** for that purpose.'

**Sec. 59. R. S., c. 41, § 104, amended.** Section 104 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 104. Free high schools maintained by administrative units. Towns** **Administrative units** may raise money for establishing and maintaining free high schools, and erecting buildings and providing equipment for the same, in the same manner as for supporting public schools and erecting schoolhouses.'

**Sec. 60. R. S., c. 41, § 105, amended.** Section 105 of chapter 41 of the Revised Statutes, as amended by section 1 of chapter 233 of the public laws of 1955, is hereby further amended to read as follows:

'**Sec. 105. Pupils in administrative units having no free high schools.** Any ~~town~~ **administrative unit** which does not maintain a free high school of standard grade may authorize its superintending school committee to contract for one to 5 years with and pay the superintending school committee **or school directors** of any nearby ~~town or towns~~ **administrative unit**, or the trustees of any academy located within such town or in any nearby town or towns, for the schooling of pupils within said ~~town~~ **administrative unit** in the studies contemplated by section 98. **The school directors of any school administrative district may enter into similar contracts.** When such a contract exists, a joint committee may be formed, if approved by a majority vote of both the trustees and the superintending school committee **or school directors**. Such joint committee shall consist of the superintending school committee **or school directors** of said ~~town~~ **administrative unit** and an equal number of the trustees of the academy. Said joint committee shall be empowered to select and employ the teachers for the academy, to fix salaries, to arrange the course of study, to supervise the instruction and to formulate and enforce proper regulations pertaining to other educational activities of the school. The superintendent of schools of the contracting ~~town~~ **administrative unit** in which the academy is located shall be secretary ex officio of the joint committee and shall be assigned such supervisory duties in connection with the school as the joint committee shall determine. When ~~a town~~ **an administrative unit** 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 1st, 1907, the tuition liability of said ~~town~~ **administrative unit** shall be the same as if a free high school were maintained in accordance with section 98, and the expenditure of any ~~town~~ **administrative unit** for schooling of pupils as provided in this section shall be subject to the conditions of sections 107 and 108 for the purposes of state subsidy to the ~~municipality or community school district~~ **administrative unit** under the provisions of section 237.'

**Sec. 61. R. S., c. 41, § 106, amended.** Section 106 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 106. State aid.** No ~~town~~ **administrative unit** shall receive state aid

under the provisions of section 105 if a free high school of standard grade is maintained in such ~~town~~ administrative unit.'

**Sec. 62. R. S., c. 41, § 107, amended.** Section 107 of chapter 41 of the Revised Statutes, as amended by chapter 252 of the public laws of 1955, is hereby further amended to read as follows:

'**Sec. 107. A youth residing in an administrative unit not supporting a secondary school may attend such school elsewhere; occupational courses; tuition; board.** Any youth who resides with a parent or guardian in any ~~town~~ administrative unit which does not support and maintain a standard secondary school may attend any approved secondary school to which he may gain entrance by permission of those having charge thereof, provided the said youth shall attend a school or schools whose courses are approved by the Commissioner. When ~~a town and administrative unit~~ not maintaining a secondary school has authorized its superintending school committee to contract, **or the school directors have decided to contract** as provided for in section 105, with the trustees, ~~or~~ superintending school committees **or school directors** of 2 schools, and when the officials of one of these schools refuses to enter a contract, then the superintending school committee **or school directors** may authorize pupils residing within said ~~town~~ administrative unit to attend that noncontracting school and may pay the trustees, ~~or~~ superintending school committee **or school directors** of the receiving school the legal tuition charge thereof. Any youth who resides with a parent or guardian in ~~a town~~ an administrative unit that maintains, or contracts for school privileges in, an approved secondary school which offers less than 2 approved occupational courses of study, and whose qualifications for such training are approved by the superintending school committee **or school directors** of the ~~town~~ administrative unit, may elect to attend some other approved secondary school to which he may gain admission for the purpose of studying an occupational course not offered or contracted for by the ~~town~~ administrative unit of his legal residence.

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 high school, the annual tuition shall not exceed 115% of the average cost per pupil in all secondary schools of the State for the preceding fiscal 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 the average cost per pupil in all secondary schools of the State for the preceding fiscal year. Said tuition shall be paid by the ~~town~~ administrative unit in which said youth resides ~~as aforesaid~~ and said tuition shall be payable for the fall term of school on January 1st; for the winter term of school on April 1st; and for the ~~spring~~ term of school on July 1st. Said tuition so paid shall be made a part of the secondary school fund of the ~~town~~ administrative unit or academy receiving the same. ~~Towns~~ Administrative units shall raise annually, as other school moneys are raised, a sum sufficient to pay such tuition charges. ~~Provided, however, that no~~ **No** youth shall be entitled to free tuition under the provisions of this section unless he shall have satisfactorily passed an examination in elementary school branches, said examination having been given under

the direction of the superintendent of schools of the ~~town~~ **administrative unit** wherein such youth resides on papers procured from the Commissioner, or unless such youth shall have satisfactorily completed a standard elementary school course of study which has been approved by the Commissioner; except that any youth who has satisfactorily completed the course of a class B or junior high school, as provided by section 98, shall be entitled to his free tuition, ~~as hereinbefore provided~~ for the completion of the 4 years of a standard secondary course without the examination ~~herein~~ prescribed; ~~Provided further, that such~~ **Such** free tuition privilege shall continue only so long as said youth shall maintain a satisfactory standard of department and scholarship. Any youth who otherwise meets the requirements of this section with reference to admission to secondary schools shall be entitled to the payment of his tuition ~~as herein provided~~ in any high school of the B class or junior high school for such part of the course of such high school as may be approved as equivalent in grade to the corresponding years of a standard secondary course. Superintendents of schools shall issue certificates of free tuition privilege to persons who may be entitled to free tuition under the provisions of this section. Any school receiving tuition pupils under the provisions of this section shall provide, without additional charge, all textbooks, apparatus and appliances used by said pupils, subject to the provisions of sections 34 to 36, inclusive.

~~It is further provided that in~~ **In** the case of any youth qualified for attendance at secondary school in accordance with the preceding paragraph, who resides with his parents, legal guardian or person acting in loco parentis, on a Maine coast island without highway connection with the mainland in any ~~town~~ **administrative unit** not maintaining a standard grade high school, so located that in the judgment of the Commissioner attendance at secondary school necessitates boarding away from home and the arrangement is approved by him in advance upon a form provided for the purpose, the ~~town~~ **administrative unit** wherein said pupil resides shall pay an amount for this purpose toward his board not to exceed \$180 for the school year or a prorated amount for any fraction thereof. Payment for said board shall be made, upon receipt of a satisfactory attendance record, at the end of periods not longer than one school month and shall be charged to the same account as that of secondary school tuition.

Notwithstanding the foregoing, the town of Cumberland may pay the tuition, and in addition, conveyance or board subject to the regulations of the superintending school committee, of any student whose parent or guardian resides on Chebeague Island, for attendance at any approved secondary school. These expenditures shall be subject to state subsidy under section 237.'

**Sec. 63. R. S., c. 41, § 108, amended.** Section 108 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 108. Reimbursement to administrative units for tuition and board for pupils attending secondary schools.** When any ~~town~~ **administrative unit** shall have been required to pay and has paid tuition for pupils attending secondary schools, as provided by section 107, the superintendent of schools of such ~~town~~ **administrative unit** 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~~ **administrative unit** for each and the name and location of the school which each has attended. Tuition charges for each pupil may be paid by ~~towns~~ **administrative units** to an amount not exceeding the receiving school's average cost per pupil for the fiscal 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~~ **administrative unit**, but such payment by ~~a town~~ **an administrative unit** for any pupil for any one year shall be subject to the limitations of section 107. ~~Provided further, that the~~ **The** average cost per pupil shall be determined as follows: (1) Add the amounts paid for certified or licensed teachers' salaries, fuel, janitor service, textbooks, supplies, utility services, premiums paid on insurance and 6% of the insured value of the school buildings and equipment (2) divide the total by the average daily membership of all regularly enrolled students. ~~Provided further, that any town~~ **Any administrative unit** not maintaining a high school may pay tuition for any student who with parents or guardian resides in said ~~town~~ **administrative unit** and who attends an approved school of secondary grade in ~~a town~~ **an administrative unit** adjacent to the State of Maine in another state, when distance and transportation facilities make attendance in a Maine high school or academy inexpedient; or who attends an approved school of 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.

~~Provided, however, that when~~ **When** pupils are sent from one ~~city, town or plantation~~ **administrative unit** to an approved secondary school in another, if any accounts for tuition of such pupils are not paid on or before the 1st day of September of that year, the Commissioner shall pay such accounts, or so much thereof as he shall find to be rightly due, to the treasurer of the receiving ~~city, town, plantation~~ **administrative unit**, academy, institute or seminary at the next regular annual apportionment, together with interest on such accounts at the rate of 6% annually, computed from said 1st day of September, and the Commissioner shall charge any such payment against the apportioned fund of the sending ~~city, town or plantation~~ **administrative unit**.

When any ~~town~~ **administrative unit** shall have been required to pay and has paid board for a youth or youths attending secondary school in accordance with the provisions of section 107, the superintendent of schools of such ~~town~~ **administrative unit** shall make a return under oath to the Commissioner on a form provided for the purpose before the 1st day of September, annually, for the preceding school year, stating the name and exact residence of each youth for whom board has been paid, the amount paid by the ~~town~~ **administrative unit** for each and the name and location of the school which each has attended. Upon the approval of said return, the Commissioner shall apportion to such ~~town~~ **administrative unit** a sum equal to  $\frac{1}{2}$  the amount thus paid by such ~~town~~ **administrative unit** but not to exceed \$700 annually for this purpose.'

**Sec. 64. R. S., c. 41, § 109, amended.** Section 109 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 109. Tuition for state wards.** ~~Towns~~ **Administrative units** which do not



maintain or support a secondary school shall be reimbursed by the Department of Health and Welfare for the amounts expended by them for secondary tuition of state wards residing in such ~~towns~~ **administrative units.**'

**Sec. 65. R. S., c. 41, § 110, amended.** Section 110 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 110. Returns to Commissioner of expenditure for free high schools; amounts certified; appeal.** Superintendents shall, annually, before the 1st day of July, make returns under oath to the Commissioner on blanks prepared and sent out by him, of the amount appropriated and the amount expended by each ~~town~~ **administrative unit** for instruction in such free high schools during the current year; ~~also of~~ the amount appropriated and the amount expended for elementary school purposes by each ~~town~~ **administrative unit** maintaining the same; the number of weeks during which such schools have been taught; the wages paid each teacher; the number of pupils registered, the average attendance, and the number of pupils in each branch of study pursued, and the amount received for tuition. If the Commissioner is satisfied that the provisions of sections 98 to 105, inclusive, have been complied with, he shall certify to the Governor and Council the sum which each ~~town~~ **administrative unit** is entitled to receive from the State ~~provided that in~~. **In** case any ~~town~~ **administrative unit** has failed to comply with any of said provisions by reason of circumstances beyond its control, he may after proper investigation certify such part of the high school aid as circumstances may justify. Any ~~town~~ **administrative unit** dissatisfied with his decision may appeal to the Governor and Council, and the Governor and Council shall issue a certificate to the treasurer of the ~~town~~ **administrative unit** for such amount as they adjudge such ~~town~~ **administrative unit** entitled to receive from the State Treasury.'

**Sec. 66. R. S., c. 41, § 122, amended.** Section 122 of chapter 41 of the Revised Statutes, as amended by section 1 of chapter 162 of the public laws of 1955, is hereby further amended to read as follows:

'**Sec. 122. Trustees of academies, etc., may surrender property to establish free high schools.** The trustees of any academy or other corporation formed for educational purposes may, by a majority vote of such of said trustees as reside in the State, surrender the whole or any part of the property belonging thereto to the municipal officers of any town, **the school directors of any school administrative district** or the trustees of any school fund in any town in which said academy or corporation is situated, or to any community school district organized under the general law or by special law which includes the town where the said academy or corporation is situated, for turning the same into a free high school ~~as hereinafter provided~~, and said municipal officers or trustees, for the time being, or said community school district **or school directors** shall be a board of trustees or trustee to take and hold said property for maintaining a free high school; and upon receiving said property, they or it shall use proper diligence to make the same produce income for the support of said free high school.'

**Sec. 67. R. S., c. 41, § 123, amended.** Section 123 of chapter 41 of the Revised Statutes, as amended by section 2 of chapter 162 of the public laws of 1955, is hereby further amended to read as follows:

**'Sec. 123. Property conveyed.** When the vote described in section 122 is passed, the trustees mentioned in section 122 shall convey, assign and deliver to the municipal officers of said town, or the trustees of the said school fund, or to the said community school district **or school administrative district**, all property belonging to such academy or corporation for the purposes indicated by ~~the preceding~~ section 122.'

**Sec. 68. R. S., c. 41, § 124, amended.** Section 124 of chapter 41 of the Revised Statutes, as amended by section 3 of chapter 162 of the public laws of 1955, is hereby further amended to read as follows:

**'Sec. 124. Income of property; qualifications of pupils; tuition by nonresidents.** The town or community school district **or school administrative district** accepting the property in trust, as named in section 122, shall apply the income thereof towards the support of a free high school to serve the town where the said academy or corporation has been situated, within the requirements of the laws relating to the establishment and maintenance of free high schools, and provide suitable accommodations for the same.; ~~the~~ **The** superintending school committee in the said town, or the community school committee if a community school district **or school directors if a school administrative district**, shall determine the qualifications necessary to entitle any applicant to enter or attend said free high school, and no one shall attend it without certificate of said officers to that effect.

All scholars residing within the said town, ~~or~~ community school district **or school administrative district**, having such certificate, may attend said school without tuition fee, and all scholars not residents of said town, ~~or~~ community school district **or school administrative district**, may attend said school upon such terms and conditions as said superintending school committee, ~~or said~~ community school committee **or school directors** may impose.'

**Sec. 69. R. S., c. 41, § 127, amended.** Section 127 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 127. Certain academies to have audit.** Every academy, eligible to receive tuition payments from municipalities which are eligible for ~~general purpose state subsidy~~ aid under the provisions of section 237, shall on or before September 1st of each year furnish to the State Auditor satisfactory proof that the books, accounts, financial documents and reports to the Commissioner of said institution for the fiscal year preceding have been examined and found to be in a satisfactory and accurate condition with proper vouchers on file, said audit to be made by the State Department of Audit or by individuals or firms recognized as competent auditors by training and experience or by qualified public accountants.'

**Sec. 70. R. S., c. 41, § 146, amended.** Section 146 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 146. Moral instruction.** The school committee **or school directors** of each ~~city or town~~ **administrative unit** is authorized and empowered to provide for the moral instruction of pupils subject to the jurisdiction of such committee in the manner provided for in sections 146 to 152, inclusive.'

**Sec. 71. R. S., c. 41, § 147, amended.** Section 147 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 147. Survey of religious affiliation.** The school committee **or school directors** of ~~each city or town~~ **each administrative unit** may authorize and complete a survey of the religious affiliations of all pupils attending the public schools within such ~~city or town~~ **administrative unit**, and ascertain those pupils who desire and have the consent of parent or guardian for moral instruction. On a day in each week, to be fixed by the ~~board~~ **school committee**, it may excuse such pupils for at least one hour for the purpose of attending their respective places of worship, or some other suitable place, there to receive moral instruction in accordance with the religious faith of said pupils.'

**Sec. 72. R. S., c. 41, § 148, amended.** Section 148 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 148. Rules and regulations.** Each school committee **or Board of School Directors** is authorized to adopt rules and regulations for carrying into effect the provisions of sections 146 to 152, inclusive, and to make such arrangement with the respective persons in charge of the several denominations for the giving of the aforesaid moral instruction.'

**Sec. 73. R. S., c. 41, § 151, amended.** Section 151 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 151. Expense.** The aforesaid moral instruction shall be given without expense to any ~~city or town~~ **administrative unit**, the pupils of which receive such instruction, and no ~~city or town~~ **administrative unit**, or the school committee **or school directors** thereof, shall incur any expense for such instruction beyond the cost of the original survey ~~hereinbefore mentioned.~~'

**Sec. 74. R. S., c. 41, § 153, amended.** The 2nd paragraph of section 153 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'It shall be the duty of the Commissioner to prepare suitable material for the observance of Temperance Day. It shall be the duty of all school officials in the several ~~towns~~ **administrative units** of the State and all public school teachers within the State to comply with the provisions of this section.'

**Sec. 75. R. S., c. 41, § 154, amended.** The 4th and 6th sentences of section 154 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'In addition to the foregoing, New Year's Day, January 1st; Washington's Birthday, February 22nd; Columbus Day, October 12th, shall, upon vote of the superintending school committee **or school directors** of any ~~town~~ **administrative unit**, be observed by teachers and pupils of the public schools of said ~~town~~ **administrative unit** by an exercise appropriate thereto, such exercise to be held during such part of the school session as the teacher of each school may designate.'

'In the absence of any vote of the superintending school committee **or school directors**, said days shall be observed as legal school holidays with the closing of schools.'

**Sec. 76. R. S., c. 41, § 157, repealed.** Section 157 of chapter 41 of the Revised Statutes is hereby repealed.

**Sec. 77. R. S., c. 41, § 158, repealed.** Section 158 of chapter 41 of the Revised Statutes is hereby repealed.

**Sec. 78. R. S., c. 41, § 186, amended.** Section 186 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 186. State certificate necessary for employment.** No persons shall be employed to teach in any school under the supervision and control of any school ~~board officials~~ of any ~~city, town or plantation~~ administrative unit of this State who do not hold a state certificate as provided for in this chapter. ~~Provided further, that all~~ All state certificates granted before July 12, 1913 shall continue in force in accordance with the terms stated therein. The Commissioner is authorized to formulate all rules and regulations necessary for the carrying out of the provisions of this section and of ~~the e preceding~~ sections 184 and 185.'

**Sec. 79. R. S., c. 41, § 187, amended.** Section 187 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 187. Teaching without certificate.** Whoever teaches a public school without first obtaining a state teachers' certificate, as provided in this chapter, is barred from receiving pay therefor and shall forfeit to the ~~town~~ administrative unit in which he so taught such amounts as he shall have received for wages for such illegal teaching.'

**Sec. 80. R. S., c. 41, § 188, amended.** Section 188 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 188. Registration; lists furnished; fee.** Any person holding a state teachers' certificate, or eligible to receive such may, upon the payment of \$3 and upon application to the Commissioner in such manner as may be prescribed by him, register as a candidate for employment as a teacher in the public schools within the State. It shall be the duty of the said Commissioner to furnish to superintending school committees, **school directors** or superintendents of schools, upon request, information relative to persons registered ~~as hereinbefore provided~~ and to furnish persons thus registered information relative to vacancies in positions in public schools within the State; ~~but neither.~~ **Neither** the said Commissioner nor any person employed under his direction shall be held responsible for, nor be understood to vouch for, the fitness or success of any teacher who may secure a position in a public school through the operation of this section, nor shall the acceptance of this enrollment and the payment of the required fee be construed as a guarantee for securing employment as a teacher. The payment of the above fee shall entitle the person registering to the benefit of such registration for a period of 3 years.'

**Sec. 81. R. S., c. 41, § 192, amended.** Section 192 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 192. State aid for agriculture, industrial arts and home economics instruction.** Whenever the superintendent of schools of any ~~municipality or community school~~ administrative unit 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:

**I.** For municipal programs, the reimbursement payable in accordance with the provisions of section 237;

**II.** For academy programs, the tuition reimbursement to the sending municipality as provided in sections 107, 108 and 237.'

**Sec. 82. R. S., c. 41, §193, amended.** Section 193 of chapter 41 of the Revised Statutes, as amended by section 2 of chapter 455 of the public laws of 1955, is hereby further amended to read as follows:

'**Sec. 193. State aid for evening schools, day schools, classes and educational activities for adults.** Whenever the superintending school committee **or school directors** of any ~~town~~ **administrative unit** shall have maintained during the school year evening schools, day schools, classes and educational activities for adults as provided by section 37, said ~~town~~ **administrative unit** shall be reimbursed by the State a sum equal to  $\frac{1}{2}$  the amount paid for instruction and activities contributing to learning in such classes. Such schools shall meet the approval of the Commissioner in regard to the qualifications of instructors, length of term, class attendance and subjects offered.

The superintending school committee **or school directors** may establish and furnish facilities for day and evening educational and recreational activities for adults not supported by public school funds and not reimbursed by the State. Such courses and activities may be financed by tuition fees, by funds voted by the ~~town~~ **administrative unit** or by funds from other proper sources or by any combination of these.'

**Sec. 83. R. S., c. 41, § 194, amended.** Section 194 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 194. State aid for general industrial schools.** The superintending school committee of any town, when authorized by vote of the town, shall **and the school directors of a school administrative district may** establish and maintain as a part of the public school system of such ~~town~~ **administrative unit** a general industrial school for the teaching of agriculture, household science, the mechanic arts and the trades. Such general industrial schools shall be open to pupils who have completed the elementary school course or who have attained the age of 15 years. The authority and duties of the superintending school committee **or school directors** and of the superintendent of schools in relation to such industrial schools shall be the same as in the case of the elementary and secondary schools, but the support of such schools shall be derived from funds raised in addition to any sums appropriated for the support of elementary and secondary schools. Whenever it shall be made to appear to the Governor and Council that any ~~town~~ **administrative unit** has provided instruction in the trades and industries in a general industrial school maintained therein for a period of 36 weeks during the school year, and employing at least one teacher whose work is devoted exclusively to such instruction and having an average attendance of

at least 20 pupils, the Governor and Council shall direct the Treasurer of State to pay to the treasurer of such ~~town~~ **administrative unit** a sum equal to  $\frac{2}{3}$  the total amount spent for instruction in said school, provided that not more than \$2,000 shall be paid by the State to any one ~~town~~ **administrative unit** in any year.'

**Sec. 84. R. S., c. 41, § 207-B, amended.** Section 207-B of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 467 of the public laws of 1955, is hereby amended to read as follows:

**'Sec. 207-B. Definitions.** The term "handicapped or exceptional child" shall mean any educable child under 21 years of age whose parents, guardian or person acting in loco parentis resides within the State, and whose educational needs cannot be adequately provided for through the usual facilities and services of the public schools ~~and community school districts~~, because of the physical or mental deviations of such child.

"Special services" shall be transportation; tutoring; corrective teaching, such as speech reading, speech correction, sight conservation and similar forms of instruction; and provision of special seats, books and teaching supplies and equipment required for the instruction of handicapped or exceptional children.'

**Sec. 85. R. S., c. 41, § 207-E, amended.** Section 207-E of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 467 of the public laws of 1955, is hereby amended to read as follows:

**'Sec. 207-E. Appropriation.** Appropriations made under the provisions of sections ~~208 to 216~~ **207-A to 207-I**, inclusive, and subsequent appropriations made for this service are to be used to pay ~~cities, towns, plantations, community school districts~~ **administrative units** or institutions designated by the Commissioner, for the cost of such special education over and above the average per capita cost for the preceding fiscal year of educating normal children in the respective ~~cities, towns, plantations or community school districts~~ **administrative units**. This subsidy shall be paid according to regulations formulated by the Commissioner to permit adequate instruction and to prevent unnecessary use of state funds. These appropriations may also be used for administrative costs, to conduct centers for study and guidance of children and for counseling with their parents and teachers, to engage specialists, to train teachers and for any other purposes approved by the State Board of Education as being necessary to carry out the purpose of sections 207-A to 207-I, inclusive.'

**Sec. 86. R. S., c. 41, § 207-F, amended.** Section 207-F of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 467 of the public laws of 1955, is hereby amended to read as follows:

**'Sec. 207-F. Responsibility of administrative units.** Every ~~municipality~~ **administrative unit** is responsible for appropriating sufficient funds to provide at least the same per capita expenditure for the education of handicapped or exceptional children as is provided for the education of normal children. This appropriation is to be expended for programs of special education at either the elementary or secondary level under the supervision of the superintending school

committee or school directors or for other programs approved by the Commissioner.'

**Sec. 87. R. S., c. 41, § 207-G, amended.** Section 207-G of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 467 of the public laws of 1955, is hereby amended to read as follows:

**'Sec. 207-G. Procedures.** A class for 8 or more handicapped or exceptional children may be established in any public school, or under any other plan, provided it is approved as to requirements for admission, teacher preparation, plan of instruction, necessary facilities and supervision. In ~~municipalities administrative units~~ where there are too few handicapped or exceptional children to make the organization of a special class feasible, such children may be entered in a special class in another ~~municipality administrative unit~~. Other programs consistent with the purpose of sections 207-A to 207-I, inclusive, may be developed with the approval of the Commissioner.'

**Sec. 88. R. S., c. 41, § 217, amended.** Section 217 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 217. Health, safety and physical education; rules; reports.** In order more thoroughly to prepare the youth of the State for the duties and obligations of citizenship and to provide for their future well-being and comfort, it shall be the duty of the superintending school committees or school directors of the several ~~towns of the~~ administrative units of the State to make provision for the organization and development of adequate programs of health, safety and physical education and to require the teaching of these courses to all pupils in the public elementary and secondary schools of the State in accordance with a course of study and plans of lessons and instruction prepared by the Commissioner, who shall prescribe such rules and regulations as may be necessary to carry out in successful manner said program of health, safety and physical education, and he may require such reports from superintendents as he may deem necessary.'

**Sec. 89. R. S., c. 41, § 218, amended.** The 1st sentence of section 218 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'~~Towns~~ Administrative units** may employ supervisors and directors of physical education who shall meet such standards of preparation and certification as the Commissioner may determine.'

**Sec. 90. R. S., c. 41, § 218-A, amended.** Section 218-A of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 475 of the public laws of 1955, is hereby amended to read as follows:

**'Sec. 218-A. Purpose.** The purpose of sections 218-A and 218-B is to develop the knowledge, attitudes, habits and skills necessary for the safe operation of motor vehicles, through classroom instruction and behind the wheel driving and observation in a dual control automobile, by encouraging superintending school committees or school directors of the several ~~municipalities administrative units~~ of the State to make provision for this instruction in all the public secondary schools and academies under joint board or contract with the town.'

**Sec. 91. R. S., c. 41, § 218-B, amended.** Section 218-B of chapter 41 of the

Revised Statutes, as enacted by section 1 of chapter 475 of the public laws of 1955, is hereby amended to read as follows:

**'Sec. 218-B. Educational aid.** The Commissioner of Education, with the approval of the State Board of Education, shall employ necessary personnel, subject to the terms of the Personnel Law, and establish rules and regulations to carry out the provisions of sections 218-A and 218-B, including the following:

I. Salaries and traveling expenses for a State Director of Driver Education, clerical assistance and supplementary teaching aids essential to the program;

II. Special subsidies shall be paid in September to the ~~cities, towns, plantations and community school districts~~ **administrative units** for all courses in driver education according to the following plan: \$10 for each pupil satisfactorily completing the driver education course during the school year 1955-56, and thereafter \$10 for each pupil satisfactorily completing the driver education course for the first year it is instituted in a given school. The subsidy for these continuing courses shall be with and in addition to general purpose aid and shall be computed on the annual salary of the driver education teacher by adding 25 percentage points to the maximum percentage used in computing subsidy under section 237. Such driver education course shall meet the approval of the Commissioner in regard to teacher qualifications, limitations as to the number of pupils and the course of study offered.'

**Sec. 92. R. S., c. 41, § 221, amended.** Section 221 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 221. Administration.** The superintending school committee **or school directors** of any ~~town~~ **administrative unit** may establish, maintain, operate and expand a school-lunch program for the pupils in any school building under its jurisdiction, may make all contracts necessary to provide material, personnel and equipment necessary to carry out the provisions of the act, and may use therefor funds disbursed to them under the provisions of sections 219 to 222, inclusive, gifts and other moneys received from sale of school lunches under this program. The Commissioner may give technical advice and assistance to any school committee **or Board of School Directors** in connection with the establishment and operation of any school-lunch program and may assist in training personnel engaged in the operation of such program.'

**Sec. 93. R. S., c. 41, § 222, amended.** Section 222 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 222. Accounts, records, reports and operation.** The Commissioner shall prescribe regulations for the keeping of accounts and records and the making of reports by the superintending school committees **or school directors**. Such accounts and records shall at all times be available for inspection and audit by authorized officials and shall be preserved for such period of time, not in excess of 5 years, as the Commissioner may prescribe.'

**Sec. 94. R. S., c. 41, § 231, amended.** Section 231 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 231. Forfeitures; expenditure.** Forfeitures under the provisions of this chapter, not otherwise provided for, may be recovered by indictment and



shall be paid into the treasury of the ~~town~~ **administrative unit** where they occurred for the support of schools therein, in addition to the amount required by law to be raised; but the cost of prosecution shall be paid into the county treasury; ~~any town.~~ **Any administrative unit** neglecting for one year so to expend such money forfeits an equal sum to any person suing therefor in an action of debt.'

**Sec. 95. R. S., c. 41, § 233, amended.** Section 233 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 233. Injuries by minor; damages.** If a minor injures or aids in injuring any schoolhouse, outbuildings, utensils or appurtenances belonging thereto; defaces the walls, benches, seats or other parts of said buildings by marks, cuts or otherwise; or injures or destroys any school property belonging to ~~a town an~~ **administrative unit**, such ~~town~~ **administrative unit** by an attendance officer thereof may recover of his parent or guardian in an action of debt double the damage occasioned thereby.'

**Sec. 96. R. S., c. 41, § 235, amended.** The 1st paragraph of section 235 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

'The Treasurer of State shall keep a separate account of all moneys received from sales of lands appropriated for the support of schools or from notes taken therefor and of any other moneys appropriated for the same purpose; ~~and such.~~ **Such** sum shall constitute a permanent school fund, which may be put at interest. Such interest shall accrue to a fund to be allocated to ~~towns~~ **administrative units** by the Commissioner for the purpose of surveying school systems and developing school plans. Said allocation shall not in any case exceed  $\frac{1}{2}$  of the cost of such surveys or plans.'

**Sec. 97. R. S., c. 41, § 236, amended.** Section 236 of chapter 41 of the Revised Statutes is hereby amended by inserting before the 5th paragraph from the end a new paragraph to read as follows:

**'The term "administrative unit" shall include all municipal or quasi-municipal corporations responsible for operating public schools.'**

**Sec. 98. R. S., c. 41, § 240, repealed and replaced.** Section 240 of chapter 41 of the Revised Statutes is hereby repealed and the following enacted in place thereof:

**'Sec. 240. Unexpended balances.** The unexpended balance of all moneys raised by administrative units or received from the State for general-purpose aid shall be forwarded and credited to the same school resources for the ensuing year.'

**Sec. 99. R. S., c. 41, § 241, amended.** Section 241 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 241. When returns not filed.** Whenever the information required for the purposes of section 108 and sections 235 to 240, inclusive, is not available because of the failure of the ~~town~~ **administrative unit**, through its officers, to make the returns required by law, or because of the loss or destruction of the

school records of ~~a town~~ **an administrative unit**, the Commissioner may use as a basis for apportionment numbers on which the apportionment for said ~~town~~ **administrative unit** was made for the preceding year less 10%. But no apportionment as provided by said sections shall be paid to any ~~town~~ **administrative unit** by the Treasurer of State until returns required by law have been filed with the said Commissioner.'

**Sec. 100. R. S., c. 41, § 242, amended.** Section 242 of chapter 41 of the Revised Statutes, as amended by chapter 65 of the public laws of 1955, is hereby further amended to read as follows:

**'Sec. 242. Apportionments.** All apportionments to ~~cities, towns, plantations, community school districts~~ **administrative units**, academies and institutes under the provisions of this chapter, unless specifically directed by statute, shall be made annually in December, except that whenever the Commissioner is satisfied that a financial need exists, and with the approval of the Treasurer of State, an amount not to exceed  $\frac{2}{3}$  of the estimated subsidy may be paid on or after September 15; ~~provided further that in.~~ In the case of ~~cities, towns, plantations or community school districts~~ **administrative units** that are obligated to make payments to the Maine School Building Authority prior to December 1st of each year, only such subsidy apportionments may be made in advance as will leave an amount sufficient to meet their obligation to the Authority under their respective lease agreements.'

**Sec. 101. R. S., c. 41, § 244, amended.** Section 244 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 244. Purpose.** A general diffusion of the advantages of education being essential to the preservation of the rights and liberties of the people; to aid in the provision of public school buildings in the State, the "Maine School Building Authority," as heretofore created, is authorized and empowered to construct, acquire, alter or improve public school buildings and to issue revenue bonds of the Authority, payable from rentals to finance such buildings and when paid for by said rentals to convey them to the lessee towns **or other administrative units.**'

**Sec. 102. R. S., c. 41, § 248, sub-§§ V and XIII, amended.** Subsections V and XIII of section 248 of chapter 41 of the Revised Statutes are hereby amended to read as follows:

**'V.** To construct or acquire, extend, enlarge, repair or improve school projects at such locations within the State as may be determined by the Authority, when the superintending school committee of any town or the community school committee of a community school district **or the school directors of any school administrative district** has certified the need therefor to the municipal officers of such town or the trustees of such community school district **or to the Authority** together with their recommendation for the procurement of new, additional or different public school buildings, and such recommendation has been approved by such municipal officers or trustees ~~and~~ **or by the Board;**'

**'XIII.** To accept from any authorized agency of the Federal Government loans or grants for the planning, construction or acquisition of any project and to enter into agreements with such agency respecting any such loans or

grants, and to receive and accept aid and contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purpose for which such loans, grants or contributions may be made. Whenever any such funds are available for general distribution for school construction, including projects not financed by the Authority, the Authority or the agency designated by the Commissioner is authorized to receive such funds, and if not inconsistent with the grant of said funds, to disburse the moneys thus received according to the following: disburse them in accordance with the provisions of the act which made them available. Funds allocated under the provisions of section 237-H are to be considered as state matching funds where federal legislation requires such state matching of federal grants. The total potential allocation for any approved school project in any city, town, unorganized unit or school district shall be from 15% to 50% of the approved cost of such project and determined by computing  $\frac{1}{4}$  of the approved cost of the project multiplied by the state valuation per pupil in the State divided by the valuation per resident pupil as reported in the latest annual report required under the provisions of section 71.

The total potential allocation for any approved school project in any community school district shall be from 15% to 50% of the approved cost of such project and determined by computing  $\frac{1}{3}$  of the approved cost of the project multiplied by the state valuation per pupil in the State divided by the valuation per resident pupil in participating towns comprising such district. Approved cost as used above shall mean the cost of the project as estimated by the Authority.

The Authority is empowered to make an additional grant to municipalities, school districts and community school districts administrative units extending school opportunities to children living in unorganized territory by adding to the grant as determined above the percentage thereof ascertained by dividing the number of pupils enrolled from unorganized territory on April 1st preceding by the total enrollment reported in the latest annual report required under the provisions of section 71. The Authority shall certify, not later than June 30th of each year, to the Controller, and the Treasurer of State shall pay to the several cities, towns, school districts and community school districts administrative units, that percentage of the total allocations previously established, which will distribute equitably and with due regard to local financing exigencies the funds available.

Sec. 103. R. S., c. 41, § 248, sub-§ XIII-A, amended. Subsection XIII-A of section 248 of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 474 of the public laws of 1955, is hereby amended to read as follows:

'XIII-A. As funds may be made available for the purpose, to supplement, on a grant basis, lease agreements with those towns administrative units where the maximum loan agreement that the Authority will approve is not sufficient to finance the minimum classroom facilities needed. Determination as to eligibility shall be under such rules and regulations as the Authority shall make and its determination shall be final upon approval of the Governor and Council.

It is the intent of the Legislature that grants of funds to ~~towns~~ **administrative units** under this subsection shall be made only as supplementary financial aid to those ~~towns~~ **administrative units** which cannot finance minimum needed classroom facilities within the maximum loan limit policy of the Authority. Aid granted hereunder is not to be considered as establishing a precedent for granting general capital outlay funds for school construction.'

**Sec. 104. R. S., c. 41, § 249, amended.** Section 249 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**'Sec. 249. Contracts with administrative units.** The Authority may authorize any ~~town or community school district~~ **administrative unit**, subject to the supervision and approval of the Authority, to design and construct any project and to acquire necessary land, furnishings and equipment therefor. Any ~~town or community school district~~ **administrative unit** is authorized to convey to the Authority property, rights, easements and any other interests, which may be necessary or convenient for the construction and operation of any project and upon such terms as may be agreed upon between the Authority and ~~town~~ **administrative unit or community school district**. Any ~~town~~ **administrative unit**, notwithstanding the prior creation of a school district coterminous with said ~~town, or community school district~~ **administrative unit** may contract with the Authority for the lease or use of any project financed under the provisions of sections 243 to 259, inclusive, for such period and for such consideration and on such terms and conditions as such ~~town or community school district~~ **administrative unit** and the Authority shall determine to be in the public interest, and all rentals or other charges provided by any such contract to be paid for the lease or use of such project shall be deemed to be current operating expenses of the ~~town or the community school district~~ **administrative unit**, but shall be excluded in the computation for state school subsidy. If ~~a town or community school district~~ **an administrative unit** shall be delinquent in its payments to the Authority, the Department shall make payment to the Authority in lieu of such ~~town or community school district~~ **administrative unit** from any amounts properly payable to such ~~town or community school district~~ **administrative unit** by such Department, not exceeding the amount then presently due to the Authority from such ~~town or community school district~~ **administrative unit**; ~~provided, however, that if~~ **If** the amounts properly payable to such ~~community school district~~ **administrative unit** shall be less than the amount then presently due to the Authority from such community school district, the Department shall make payment of the balance to the Authority from the amounts properly payable to the participating towns in such community school district, the amount to be withheld from each of said towns to be such portion of the balance as that town's state valuation bears to the total state valuation of all the participating towns.

No contract, lease or agreement between ~~a town or community school district~~ **an administrative unit** and the Authority shall be valid unless first approved by the vote of a majority of the inhabitants of such town or of each town involved in the case of a community school district ~~or school administrative district~~ **voting** on this question. Notwithstanding the provisions of any other law, any delay in the actual completion of a project beyond the date as estimated by the

Authority for such completion or any damage to or destruction of the whole or any portion of any project shall not operate to relieve the ~~town or community school district administrative unit~~ of its obligation to pay the rentals and other charges as provided in such contract, lease or agreement. Any such contract, lease or agreement heretofore entered into in accordance with the provisions of this section is ratified and confirmed.'

**Sec. 105. R. S., c. 41, § 254, amended.** Section 254 of chapter 41 of the Revised Statutes is hereby amended to read as follows:

**Sec. 254. Transfer to towns.** When the bonds issued under the provisions of sections 243 to 259, inclusive, in connection with any project and the interest thereon shall have been paid or a sufficient amount for the payment of such bonds and the interest thereon to the maturity thereof shall have been set aside in trust for the benefit of the bondholders, such project shall be conveyed by the Authority to the lessee ~~town or community school district administrative unit.~~

**Sec. 106. Appropriation.** There is hereby appropriated from the general fund the sum of \$30,000 for the fiscal year ending June 30, 1958 and \$30,000 for the fiscal year ending June 30, 1959 to carry out the purposes of section 1-B.

**Sec. 107. Appropriation.** There is hereby appropriated from the general fund the sum of \$1,150,000 for the fiscal year ending June 30, 1958 and \$1,086,000 for the fiscal year ending June 30, 1959 to carry out the purposes of section 1.

**Sec. 108. Appropriation.** There is hereby appropriated from the general fund the sum of \$70,000 for the fiscal year ending June 30, 1958 and the sum of \$85,000 for the fiscal year ending June 30, 1959 to further encourage the formation of school administrative districts, by paying in December 1957 and in December 1958, directly to such districts, if such districts are established prior to November 1st of that year, the subsidy to which the participating municipalities would have been entitled and an additional 10% of that amount.

**Sec. 109. Appropriation.** There is hereby appropriated from the general fund the sum of \$100,000 for the fiscal year ending June 30, 1958 and the sum of \$150,000 for the fiscal year ending June 30, 1959 to carry out the purposes of section 237-H of chapter 41 of the Revised Statutes, as amended.