

# 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)

*Maine*  
REVISED STATUTES  
1964

*Prepared Under the Supervision  
of the  
Committee on Revision of Statutes*

Being the Tenth Revision of the  
Revised Statutes of the State  
of Maine, 1964

Volume 3  
Titles 14 to 20



**Boston, Mass.**  
Boston Law Book Co.

**Orford, N. H.**  
Equity Publishing Corporation

**St. Paul, Minn.**  
West Publishing Co.

Text of Revised Statutes  
Copyright © 1964  
by  
State of Maine

This is a historical version of the Maine Revised Statutes that may not reflect the current state of the law. For the most current version, go to:

<http://legislature.maine.gov/legis/statutes/>

## CHAPTER 15

## SUPERINTENDING SCHOOL COMMITTEE

Sec.

- 471. Election of members.
- 472. Terms; vacancies; restrictions.
- 473. Duties.
- 474. Service without pay.
- 475. Neglect to choose committee.
- 476. Applicability of provisions to certain cities.

**§ 471. Election of members**

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 section 472 and shall fill vacancies arising therein at each subsequent annual meeting. Notwithstanding the foregoing, a town may vote at its annual meeting to have 5 members of the superintending school committee and may choose by ballot 3 additional superintending school committee members to serve with the 2 members whose terms have not expired and shall fill vacancies arising therein at each subsequent annual town meeting. The 3 members thus chosen shall designate by lot one member to serve 2 years and 2 members to serve 3 years, and they shall certify such designation to the town clerk to be by him recorded, and thereafter the members shall be chosen by ballot at the annual meeting to hold office for 3 years. Said committee may fill vacancies occurring between annual meetings, and the term of office of any member of the committee so chosen shall expire at the next annual meeting. In such cases the superintending school committee shall designate 3 of its members to serve on the joint committee of the school union and they shall be empowered to designate any one member of the 3 so designated to act for the entire committee. The total vote or votes cast by such member or members at any meeting of the joint union committee shall not exceed 3. If any town has accepted Title 30, section 2061, relative to secret ballot, it may, at least 30 days before the annual town meeting, hold a special town meeting to vote to have 5 members of the superintending school committee.

R.S.1954, c. 41, § 45; 1957, c. 364, § 22-A; 1961, c. 263.

**§ 472. Terms; vacancies; restrictions**

School committees first chosen shall designate by lot a member or members to hold office for one, 2 and 3 years respectively, in manner as follows: One for one year, one for 2 years and one for 3 years, and they shall certify such designation to the town clerk to be by him recorded. Thereafterwards one member shall be chosen by ballot at the annual meeting of the town, to hold office for 3 years. Said committee may fill vacancies occurring between annual meetings, and the term of office of any member of the committee so chosen shall expire at the next annual meeting. 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. In case any member of the superintending school committee shall remove from the town or be absent for more than 90 days, a vacancy shall be declared to exist and the remaining members shall within 30 days thereafter choose another member as provided. Whenever the remaining members fail to appoint a person to fill a vacancy, the same may be filled by election at a town meeting called for the purpose.

R.S.1954, c. 41, § 46; 1957, c. 364, § 23.

**§ 473. Duties**

Superintending school committees and school directors shall perform the following duties:

**1. Management of schools.** The management of the schools and the custody and care, including repairs and insurance on school buildings, of all school property in their administrative units;

1957, c. 364, § 26.

**2. General course of instruction; textbooks.** 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;

1957, c. 364, § 26.

**3. Physiology and hygiene.** 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 ref-

erence to the effects of alcoholic drinks, stimulants and narcotics upon the human system;

**4. Teachers dismissed.** After investigation, due notice of hearing, and hearing thereon, 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. Such dismissal shall not deprive the teacher of compensation for previous services;

1963, c. 403, § 4.

**5. Scholars expelled.** 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;

**6. Persons not vaccinated excluded.** 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;

**7. Attendance of those resident on territory ceded to United States.** 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 administrative unit, may attend school in the administrative unit;

1957, c. 364, § 26.

**8. Determine those to attend each school.** 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;

**9. Leaves of absence.** For the purpose of increasing the efficiency of the public schools of the State, superintending school committees, 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;

1957, c. 364, § 26.

**10. Salaries of persons absent because of illness.** 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. This subsection and subsection 9 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.

R.S.1954, c. 41, § 54; 1957, c. 364, § 26; 1963, c. 403, § 4.

**§ 474. Service without pay**

Superintendent school committees shall serve without pay unless otherwise voted by the town under section 3721, subsection 2.

R.S.1954, c. 41, § 49; 1957, c. 364, § 24.

**§ 475. Neglect to choose committee**

A town failing to elect members of the superintending school committee as required by law forfeits not less than \$30 nor more than \$200.

R.S.1954, c. 41, § 48.

**§ 476. Applicability of provisions to certain cities**

Sections 471 and 472 shall not apply to cities whose charters specify the methods of election and term of office of a superintending school committee or board of education; nor to towns, cities and incorporated districts authorized by private and special laws to choose school committees other than those herein provided for.

R.S.1954, c. 41, § 47.