

Accompanying the first recommendation of the Commissioner of Education (House, No. 102). Education. Dec. 3, 1925.

---

---

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Twenty-Six.

---

An Act relative to Half Time Attendance at School of Minors between Fourteen and Sixteen Years of Age.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section one of chapter seventy-six of  
2 the General Laws, as amended by chapter four hun-  
3 dred and sixty-three of the acts of nineteen hundred  
4 and twenty-one, is hereby further amended by striking  
5 out, in line five, the words "an employment" and in-  
6 serting in place thereof the word:— a, — and by  
7 striking out, in lines six, seven, and eight, the words  
8 "and employed in some regular employment or busi-  
9 ness for at least six hours per day, and except a child"  
10 and inserting in place thereof the word:— or, — and  
11 inserting after the word "home" in line ten the words:  
12 — who attend a half time continuation school or class  
13 of a type as defined by the commissioner of education  
14 not less than twenty weeks in any school year, — so  
15 as to read as follows:— *Section 1.* Every child be-  
16 tween seven and fourteen, every child under sixteen  
17 who does not meet the requirements for the com-  
18 pletion of the sixth grade of the public schools of the  
19 town where he resides, and every child under sixteen

20 except a child at work and holding a certificate as  
21 provided in chapter one hundred and forty-nine or  
22 having the written permission of the superintendent of  
23 schools of the town where he resides to engage in  
24 profitable employment at home, and who attends a  
25 half time continuation school or class of a type as  
26 defined by the commissioner of education for not less  
27 than twenty weeks of actual attendance at school in  
28 any school year or the proportionate part of an in-  
29 complete school year if he leaves school during such  
30 school year shall subject to section fifteen attend a  
31 public day school in said town or some other day  
32 school approved by the school committee, during the  
33 entire time the public schools are in session, unless the  
34 child attends school in another town, during the entire  
35 time the same is in session, under sections six to twelve,  
36 inclusive, or under chapter seventy-one; but such at-  
37 tendance shall not be required of a child whose physical  
38 or mental condition is such as to render attendance  
39 inexpedient or impracticable, or who is being otherwise  
40 instructed in a manner approved in advance by the  
41 superintendent or the school committee. The super-  
42 intendent, or teachers in so far as authorized by him  
43 or by the school committee, may excuse cases of neces-  
44 sary absence for other causes not exceeding seven day  
45 sessions or fourteen half day sessions in any period of  
46 six months. For the purposes of this section, school  
47 committees shall approve a private school only when  
48 the instruction in all the studies required by law is  
49 in English, and when satisfied that such instruction  
50 equals in thoroughness and efficiency, and in the  
51 progress made therein, that in the public schools in  
52 the same town; but they shall not withhold such  
53 approval on account of religious teaching.

54 The school committee of each town shall provide for  
55 and enforce the school attendance of all children  
56 actually residing therein in accordance herewith.

1 SECTION 2. Chapter seventy-one is hereby amended  
2 by striking out sections twenty-one, as amended by  
3 chapter four hundred and one of the acts of nineteen  
4 hundred and twenty-two, twenty-two, twenty-three,  
5 twenty-four, as amended by chapter four hundred and  
6 thirteen of the acts of nineteen hundred and twenty-  
7 two, twenty-five and twenty-six, and inserting in place  
8 thereof the following: —

9 *Section 21.* Unless specifically exempted by the de-  
10 partment, every town in which, in any year, minors  
11 under sixteen are engaged, while the public schools are  
12 in session, in gainful work however authorized not less  
13 than six hours per day, exclusive of minors employed  
14 only during vacations, shall, through its school com-  
15 mittee, and under conditions defined by the department  
16 establish and maintain half time continuation schools  
17 or classes of instruction of a type as defined by the  
18 commissioner and specifically organized to offer suit-  
19 able educational opportunity for the education of such  
20 minors, and for such others as may attend, or may be  
21 required to attend under section twenty-two. The  
22 said schools or classes shall be organized in connection  
23 with the full time schools or as special schools and  
24 shall be in session for a sufficient length of time to  
25 offer educational opportunities to said minors for not  
26 less than twenty weeks in any one school year, and  
27 the sessions shall open not earlier than eight in the  
28 morning and close not later than five in the afternoon  
29 of any working days except Saturday.

30 *Section 22.* Every minor described in the preceding  
31 section, unless he has pursued his education four full

32 years beyond the first eight grades shall, under condi-  
33 tions defined and approved by the department and  
34 subject to the laws relating to public schools, attend  
35 a half time continuation school or class of a type as  
36 defined by the commissioner of education for not less  
37 than twenty weeks of actual attendance at school in  
38 any school year or the proportionate part of an in-  
39 complete school year if he leaves school during such  
40 school year, but the attendance of minors who have  
41 been required to attend half time continuation schools,  
42 and are temporarily out of employment or business,  
43 shall be for the entire time the public schools are in  
44 session during such period of unemployment. Under  
45 the provisions of this section, the minor, subject to the  
46 approval of the school committee of the town of his  
47 residence, and upon the issuance of a certificate of  
48 attendance by said committee, may attend such half  
49 time continuation schools or classes of instruction in a  
50 town designated by the committee. Upon the failure  
51 of the committee to issue the aforesaid certificate, said  
52 minor may appeal to the department, which may  
53 issue such certificate. Instruction in the full time day  
54 schools may, and upon application of the parent or  
55 guardian, shall be accepted as equivalent to that re-  
56 quired by this section and section twenty-six.

57 *Section 23.* In the establishment and conduct of said  
58 schools or classes, a town may take advantage of es-  
59 tablished educational agencies, and may utilize any  
60 suitable quarters approved by the department; but,  
61 when established, the said schools or classes shall be a  
62 part of the public school system of the town.

63 *Section 24.* Towns maintaining half time continu-  
64 ation schools or classes of instruction, non-vocational  
65 in character, of a type as defined and approved by the

66 department, shall receive for teachers in such half time  
67 schools or classes of instruction the part reimbursement  
68 for salaries paid to teachers provided under chapter  
69 seventy.

70 *Section 25.* Towns maintaining vocational half time  
71 schools or classes of instruction of a type as defined,  
72 and approved by the department, as to organization,  
73 control, situation, equipment, courses of study, quali-  
74 fications of teachers, methods of instruction, conditions  
75 of admission, employment of pupils and expenditures  
76 of money, shall be reimbursed by the commonwealth  
77 for one half the sum raised by local taxation and  
78 expended for their maintenance.

79 *Section 26.* Any minor between fourteen and sixteen  
80 years of age residing in a town exempted from main-  
81 taining half time continuation schools or classes and  
82 required by section twenty-two to attend such schools  
83 shall be required by the school committee, with the  
84 approval of the department, to attend half time con-  
85 tinuation schools or classes in some other town. Any  
86 minor over sixteen years of age, residing in a town  
87 which does not offer the type of part time education  
88 he desires, may upon the issuance of a certificate as  
89 provided in section twenty-two attend a school in some  
90 other town. The town of residence of any minor at-  
91 tending a half time continuation school or class, as  
92 required in this section and section twenty-two, in  
93 some other town shall pay the tuition at a rate ap-  
94 proved by the department. The commonwealth shall  
95 reimburse a town paying claims for tuition of pupils  
96 in vocational half time continuation schools or classes  
97 one half the sums so expended.

98 Transportation shall be provided to half time con-  
99 tinuation schools and classes within and outside the

100 town of residence on the same basis as to full time  
101 schools as provided in section sixty-eight of chapter  
102 seventy-one. The town of residence of minors attend-  
103 ing half time vocational continuation schools in other  
104 towns shall be entitled to state reimbursement as is  
105 provided in sections six and seven of chapter seventy-  
106 one in the case of a pupil attending a public high  
107 school in a town other than that of his residence.

108 *Section 27.* A town required by section twenty-one  
109 to establish and to maintain half time continuation  
110 schools or classes which refuses or neglects to ap-  
111 propriate money necessary therefor, shall forfeit from  
112 funds due it from the commonwealth, a sum equal to  
113 twice that estimated by the department as necessary  
114 properly to provide for the same. A sum equal to  
115 three fifths of such forfeiture shall be paid by the  
116 state treasurer to the school committee of the de-  
117 linquent town, and the committee shall expend the  
118 same for such establishment and maintenance to the  
119 same extent as if it had been regularly appropriated  
120 by the town therefor.

1 SECTION 3. Section six of chapter seventy of the  
2 General Laws, as amended by chapter one hundred  
3 and ninety of the acts of nineteen hundred and twenty-  
4 two, is hereby further amended by striking out, in lines  
5 three and four, the words "continuation schools" so  
6 as to read as follows:—*Section 6.* No town shall be  
7 entitled to reimbursement under Part I of this chapter  
8 on account of salaries paid to teachers whose employ-  
9 ment in state aided vocational schools or departments,  
10 or Americanization classes entitle the town to state  
11 reimbursement. For every teacher in a practice school  
12 connected with a state normal school, a part of whose

13 salary is paid or reimbursed by the commonwealth  
14 the town's reimbursement under this chapter shall be  
15 based on that part of the salary paid by the town, but  
16 shall otherwise be in accordance with this chapter.

1 SECTION 4. This act shall take effect September  
2 one, nineteen hundred and twenty-seven.

