

HOUSE No. 163

Bill accompanying the recommendations of the Board of Education
(House, No. 161). Education. January 7.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eighteen.

AN ACT

To require the Establishment and Maintenance of Continuation Schools and Courses of Instruction for Employed Minors under 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. (1) On and after the first day of Jan-
2 uary, nineteen hundred and nineteen, every city and
3 town in which fifty or more minors under sixteen years
4 of age are employed by authority of employment certi-
5 ficates or home permits described in section one of
6 chapter forty-four of the Revised Laws shall, and any
7 other town may, through its school committee, local
8 board of trustees for vocational education, or both,
9 establish and maintain continuation schools or courses
10 of instruction for the education of minors under sixteen
11 years of age who are regularly employed at home or
12 elsewhere within the city or town. Said schools or

13 courses shall be in session the same number of weeks in
14 each year as the common schools of such city or town.

15 (2) When a city or town shall have established said
16 schools or courses, it shall, subject to the provisions of
17 chapter forty-four of the Revised Laws, and amendments
18 thereof, not inconsistent herewith, require the attendance
19 thereat of every minor under sixteen years of age who is
20 engaged within the confines of said city or town in
21 regular employment or business under the authority of
22 an employment certificate, or in profitable employment
23 at home under the authority of a home permit.

24 (3) The required attendance provided for in this act
25 shall be at the rate of not less than four hours per week
26 for minors regularly employed at home or elsewhere, and
27 at the rate of not less than twenty hours a week for
28 minors who have secured employment certificates and
29 who are temporarily out of regular employment or busi-
30 ness, and shall be between the hours of eight o'clock in
31 the morning and five o'clock in the afternoon of any
32 working day or days except Saturday.

33 (4) In the establishment and conduct of said con-
34 tinuation schools or courses of instruction, any city or
35 town may take advantage of established educational
36 agencies or utilize any suitable quarters which meet the
37 approval of the board of education: *provided, however,*
38 that said schools or courses shall be within reasonable
39 access to the place of employment and, wherever estab-
40 lished, shall be considered a part of the public school
41 system of the municipality wherein the minors attending
42 the same are employed.

43 (5) The time spent by a minor in a continuation school
44 or course of instruction shall be reckoned as a part of the
45 time or number of hours minors are permitted by law to
46 work.

1 SECTION 2. Cities and towns maintaining such con-
2 tinuation schools or courses of instruction as are approved
3 by the board of education as to organization, control,
4 location, equipment, courses of study, qualifications of
5 teachers, methods of instruction, conditions of admission,
6 employment of pupils and expenditures of money, shall
7 annually for a period of five years from September first,
8 nineteen hundred and nineteen, receive reimbursement
9 from the treasury of the commonwealth, to an amount
10 equal to one half the total sum raised by local taxation
11 and expended for the maintenance of such schools or
12 courses of instruction.

1 SECTION 3. (1) Any minor under sixteen years of age
2 who has been regularly employed in a city or town other
3 than that of his residence and who is temporarily un-
4 employed, may be required, under conditions approved
5 by the board of education, to attend such continuation
6 school or courses of instruction in the city or town of
7 his residence.

8 (2) Whenever an employment certificate is issued to
9 a minor under sixteen years of age authorizing employ-
10 ment in a city or town other than that of his residence,
11 a duplicate thereof shall be sent forthwith to the super-
12 intendent of schools of the city or town in which the
13 employment is authorized.

1 SECTION 4. The employer of any minor between
2 fourteen and sixteen years of age who is required to
3 attend a continuation school or courses of instruction as
4 defined in section one of this act, shall cease forthwith to
5 employ such minor when notified in writing by the
6 superintendent of schools or his representative, duly
7 authorized in writing, having jurisdiction over such

8 minor's attendance, of his non-attendance in accordance
9 with the compulsory attendance regulations as defined
10 in section one of this act. Any employer who fails to
11 comply with the provisions of this section shall be
12 punished by a fine of not less than ten nor more than
13 one hundred dollars for each offence.

1 SECTION 5. The superintendent of schools having
2 jurisdiction, or a person authorized by him in writing,
3 may revoke the employment certificate or the home
4 permit of any minor who fails to attend such school or
5 courses of instruction when required by the provisions
6 of this act.

1 SECTION 6. (1) A city or town which refuses or
2 neglects after September, nineteen hundred and nineteen,
3 to raise and appropriate money for the establishment
4 and maintenance of continuation schools or courses of
5 instruction as required by this act shall forfeit from
6 funds due it from the commonwealth a sum equal to
7 twice that estimated by the board of education as
8 necessary properly to establish and maintain such schools
9 or courses.

10 (2) A sum equal to three fifths of such forfeiture shall
11 be paid by the state treasurer to the school committee
12 of the delinquent city or town, and the school committee
13 shall expend the same for the establishment and mainte-
14 nance of continuation schools or courses of instruction
15 therein to the same extent as if it had been regularly
16 appropriated by the city or town for that purpose.