

SENATE No. 393

Bill accompanying the Report of the Special Recess Commission on Education (Senate, No. 330). Printed by order of the Senate.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Nineteen.

AN ACT

Relative to Attendance at Schools in Places other than Residence.

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

1 Chapter forty-four of the Revised Laws, as amended in
2 section four by chapter three hundred and seventy-five of the
3 acts of the year nineteen hundred and five, and by section
4 two of chapter two hundred and sixty-eight of the acts of the
5 year nineteen hundred and eleven, and by section four of
6 chapter seven hundred and seventy-nine of the acts of the
7 year nineteen hundred and thirteen, and by chapter seventy-
8 eight of the acts of the year nineteen hundred and fifteen,
9 is hereby further amended by striking out said section four
10 and inserting in place thereof the following: — *Section 4. (a)*
11 It shall be the duty of the school committee of each city or
12 town to provide for the attendance of all children of compul-

13 sory school age actually residing therein, and to enforce the
14 same under the provisions of section one of this chapter; but
15 if a child resides temporarily in a city or town other than that
16 of the legal residence of his parent or guardian for the especial
17 purpose of attending school there in preference to the place of
18 such legal residence, the said city or town may, for the tuition
19 of such child during the period of such attendance, recover
20 from the parent or guardian, whether he resides within or
21 without the commonwealth, a sum computed at the regular
22 rate of tuition established by the school committee for non-
23 resident pupils, but in no case to exceed the average expense
24 per pupil of such school for that period unless, under the pro-
25 visions of chapter one hundred and ninety-eight of the acts of
26 nineteen hundred and eighteen, or of section five of chapter
27 forty-four of the Revised Laws, such tuition is recoverable
28 from the city or town in which the parent or guardian resides.

29 (b) For the tuition in the public schools in any city or town
30 of any child over five years of age who shall be placed else-
31 where than in his own home by the state board of charity or
32 by the trustees of the Massachusetts training schools, or kept
33 under the control of either of said boards in such city or town,
34 the commonwealth shall pay to said city or town, and for such
35 tuition of any such child so placed by the trustees for chil-
36 dren of the city of Boston, or so kept under control of said
37 trustees, the city of Boston, from its appropriation for school
38 purposes, shall pay to said city or town seventy-five cents for
39 each week of five days, or major part thereof, of attendance
40 of every such child in the public elementary schools; and for
41 every such child attending a public junior or senior high school
42 the commonwealth or the city of Boston, as the case may be,
43 shall pay tuition at the regular rate established by the school
44 committee for non-resident pupils and filed as may be re-
45 quired by the board of education for the approval of high
46 schools for tuition purposes.

47 (c) For the transportation to and from a public school of
48 any child whose tuition is payable by the commonwealth or

49 by the city of Boston under the provisions of this section, the
50 commonwealth or the city of Boston, as the case may be, shall
51 pay to the city or town furnishing such transportation, for
52 each week of five days or major part thereof, an amount equal
53 to the average amount for each child paid by said city or
54 town per week for the transportation of children to and from
55 school over the route by which such child is conveyed.

56 (d) Any child who shall be placed by the state board of
57 charity or trustees of the Massachusetts training schools, or
58 trustees for children of the city of Boston, in a town which
59 does not maintain a public high school offering four years of
60 instruction, may attend the high school of another city or
61 town under the same conditions that apply to a child whose
62 parent or guardian resides in such town, except that the tui-
63 tion of such child shall be paid as heretofore provided in this
64 act, and that the commonwealth or the city of Boston, as the
65 case may be, may reimburse the town in which such child is
66 placed for the entire cost of his transportation.

67 (e) Settlements of the accounts of the several cities and
68 towns with the commonwealth and with the city of Boston
69 shall be made annually on the first day of April, and the
70 amounts found due shall be paid within three months there-
71 after.

72 (f) For the tuition in the public schools in any town of less
73 than ten thousand inhabitants of any child between the ages
74 of five and fifteen years not theretofore resident in such town,
75 who is an inmate of an institution containing more than six
76 inmates, such town may recover from said institution the ad-
77 ditional school expense incurred, as may be determined jointly
78 by the school committee of said town and the trustees or man-
79 agers of said institution, or, in case of disagreement between
80 said school committee and said trustees or managers, as may
81 be decreed by the probate court; but no demand shall be
82 made upon said trustees or managers without a vote of the
83 town instructing the school committee to that effect.

84 (g) Any child who shall be placed by the state board of

85 charity, or trustees of the Massachusetts training schools, in a
86 city or town in Massachusetts which does not maintain an ap-
87 proved, independent, agricultural or household arts school,
88 offering the type of training which he desires, may attend such
89 a school maintained by another city or town under the same
90 conditions as to admission and the payment of tuition fees
91 that apply to a resident of a city or town not maintaining
92 such school, as provided in chapter four hundred and seventy-
93 one of the acts of nineteen hundred and eleven and amend-
94 ments thereto, except that the commonwealth shall reimburse
95 in full all sums paid by any city or town for the tuition of
96 such child.