

POLICY ON THE RESPONSIBILITY OF THE PUBLIC SCHOOLS  
IN THE EDUCATION OF TRAINABLE RETARDED CHILDREN  
Adopted by State Board of Education  
May 17, 1965

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"In 1915 the Minnesota Legislature; .enacted a bill which provided for the establishment of state aided classes for 'mental subnormal children' on a permissive basis. However, this early provision, did not include trainable children per se. As a consequence, only a small number of school programs for this group were developed by individual action of local school districts.

"In 1951 a committee appointed by the Commissioner of Education undertook a survey of the status of classes for trainable in Minnesota. This report summarized existing plans for educating severely retarded children, described classes in operation, and reviewed follow-up studies of trainable retardates. In August of 1951, the State Department of Education established procedures and standards for the organization of public school classes for trainable mentally retarded children. By the end of the 1956-57 school year, 21 public school classes for this group had been established in 14 school districts."

"In 1957 the Minnesota Legislature enacted new laws relating to the education of handicapped children. Chapter 867 of these laws requires school districts to provide special instruction and services for mentally retarded children of school age who are educable as determined by the standards of the State Board of Education. The local school board is responsible for carrying out such programs in compliance with State Board of Education regulations and directives."2

"The 1957 Legislature enacted a bill relating specifically to school programs for trainable retarded children of school age chapter 803 Minnesota Law 1957)\* Although this law is permissive in character, it nevertheless opens the way for a much more extensive participation by the public schools in the education of this group of children. Present programs and standards are based on this law." 3

This 1957 law established that school districts could legally provide classes for trainable retarded children, that reimbursement would be paid to school districts operating approved classes to help offset the excess cost of the programs, that additional state aid would be available to any school district for special transportation or board and lodging of a trainable child, and that a pupil enrolled in an approved program qualified for foundation aid. In addition to these provisions, the 1957 special education law created an Advisory Board on Handicapped, Gifted and Exceptional Children which was charged with the responsibility to "aid in formulating policies and encouraging programs for exceptional children" and "continuously study the needs of exceptional children"(M.S. 1957 Chapter 867, Sec. 121.34).

In 1958 this Advisory Board on Handicapped, Gifted and Exceptional Children transmitted to the Governor of Minnesota, the Commissioners of Education and Welfare, and the Executive Secretary of the State Board of Health a statement of recommended policies and programs for trainable retarded children in Minnesota. 4 One of the major recommendations of this Advisory Board report was that county inter-agency committees on mental retardation composed of representatives of health, education, and welfare be developed at the community (or county) level to assist in the development and operation of school programs for the retarded.

1. State of Minnesota, Department of Education, Directives Relating to Public School Programs for Trainable Mentally Retarded Children, October 1961, p.1..
2. State of Minnesota, Department of Education, Directives Relating to Special Education for Educable Mentally Retarded Children, October 1963, p.1.
3. State of Minnesota, Department of Education, October 1961, op. cit., p.1.
4. The Trainable Retarded Child in Minnesota: A Report of the Advisory Board on Handicapped, Gifted and Exceptional Children, June 1958.

In 1960 the Commissioner of Education sent a letter to one superintendent in each county asking him to participate in a state-wide project under the sponsorship of the State Inter-Agency Committee on Mental Retardation. The purpose of the project was described as being to "assist in the development and operation of special education programs for trainable children". Similar letters were sent by the Commissioner of Welfare and the Executive Secretary of the Department of Health to encourage participation of people in these departments.

The Commissioner of Education's letter states, "As you know, general responsibility for all trainable retarded children is charged to the Department of Welfare. However, during the period of time the child is in school he is the responsibility of his local school district and all specifications as to class size, entrance requirements, curriculum and other considerations is the responsibility of the Department Of Education."

As indicated, the 1957 statute did not require that school districts provide services for trainable retarded children. The question of whether school districts were or were not to provide instructional service for these children was left to local school board discretion. As a result, there is no uniformity of policy among school districts of the state and there is marked unequivalence of educational opportunity for the, trainable retarded throughout Minnesota.

By the 1962-63 school year, the number of special classes for trainable retarded children provided by Minnesota's public schools had increased from the 1957 figure of twenty-one to forty-nine. While this degree of growth in publicly supported service for these children is encouraging, the gain is minimal in relation to need. Minnesota has almost double the national rate of institutionalization of the retarded.

It is a guiding principle behind recent federal legislation (P.L. 88-164) and an explicitly stated principle in the long-range planning of service extensions by Minnesota's Department of Public Welfare that more services for retarded children should be developed in the community. The large centralized institution is not viewed as either the necessary or the most suitable resource for the majority of trainable retarded children, particularly within the school-age period.

The 1961 Minnesota legislature provided matching funds on a pilot basis to help support day activity programs in the community for those retarded individuals not eligible for public school programs. In 1963, the legislature acted to extend the financial support given to this program and remove it from its experimental status, thus making it an on-going feature of the total continuum of publicly supported services for the retarded. Policies governing implementation of this program and appropriations for its support assume that community education services for school-age, trainable retarded" children will be provided by the public schools. The legislature continued its established practice of allocating special state funds to school districts to aid in support of local special education programs for this group.

Throughout its history, Minnesota has indicated by many legal and social actions that it acknowledges its moral responsibility to its handicapped and dependent people. Minnesotans cannot proceed in orderly execution of their accepted obligation if there is not state-wide-consistency with regard to which public agency is to assume responsibility for service to this relatively small group of handicapped children. The question is not whether service should be provided for trainable retarded children but how and by whom. Whichever public agency provides the service the cost must be met through public tax support. In the last analysis, the public's question resolves to which agency can provide what services most efficiently, effectively, and economically.

The State Board of Education wishes to record its considered opinion that the conduct of educational service for trainable retarded children is a justifiable function of the public schools. The Board urges the school districts of Minnesota to move ahead as rapidly as possible in providing educational services for these children. In so doing there is need for collaboration with other service agencies in the community which provide health, welfare and other essential services for retarded persons and their families. Only if each agency assumes its proper share of responsibility can the total spectrum of service needs be met for this group.

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