

# State Special Education Laws Evolved Over Time

by [Luther Granquist](#) // March 10th, 2015

In March 1915 the Minnesota Legislature passed the state's first special education law. William North, a young man in the brokerage business in Duluth, and Peter H. Konzen, an attorney and former superintendent of schools from Hallock, introduced a bill that allowed school districts to establish special classes for children who were deaf, blind, "mental subnormal" or had speech defects.

Dr. E. A. Meyerding, health officer for the St. Paul Public Schools, championed the bill. Arthur C. Rogers, superintendent of the School for Feeble-minded in Faribault, said Meyerding wanted "subnormal" children who could profit from a well-run day school to remain at home instead of being institutionalized.

The bill required school districts to seek approval from the state superintendent of education for classes and provided each district \$100 annually per student. Although the state schools had opened years before in Faribault, no previous legislation had authorized and funded classes in local school districts. The measure passed readily. The law didn't create a comprehensive special education program. School districts didn't have to participate. Except for children with speech defects, each special class had to have at least five children, a limiting factor in smaller communities. The state superintendent established standards in 1919 for enrollment of children deemed "mental subnormal" that excluded children with an IQ less than 50 because they were considered "too defective for proper care and training in the public schools." Rather than stay at home, these children were to be sent to the state school in Faribault. Children with an IQ between 50 and 75 were to be committed to Faribault upon leaving public school.

The legislature took no side as to whether deaf children should be taught to sign or speak. Rather, it required a combined system using oral, aural, manual and every other method of communication known to the profession. The 1919 legislature applied the state's compulsory education law to blind children younger than age 16 if a class was established by the local school district, unless the child was sent to the School for the Blind. Children with speech defects went to regular classes, but were taken to separate classrooms and then treated as special cases.

For decades, however, school districts didn't have to enroll any children with disabilities. Only in 1957 did the legislature require schools to serve all "educable" children. The 1957 legislature continued to allow school districts to choose whether to educate "trainable" children, those who might be expected "to profit in a social, emotional or physical way from a program of teaching and training."

In 1965, the Minnesota Department of Education still limited eligibility for these classes to children with an IQ above 30, who were continent, who could communicate needs to others, and who had no physical or sensory deficits that would take a "disproportionate" amount of the teacher's time. The legislature didn't require school districts to enroll "trainable" children until 1971, but even then only children who met this limited standard. Only in 1985 did lawmakers eliminate the distinction between "educable" and "trainable" children and require school districts

to enroll all children with disabilities. (Many documents establishing state standards for special education may be found in the special education document section of With an Eye to the Past on the state council website listed below.)

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*Access Press is interested in reader submissions for the monthly History Note column, to complement the articles written by Luther Granquist and other contributors. Submissions must center on events, people and places in the history of Minnesota's disability community. We are interested in history that focuses on all types of disability topics, so long as the history has a tie to Minnesota. We are especially interested in stories from Greater Minnesota. Please submit ideas prior to submitting full stories, as we may have covered the topic before. Contact us at [access@accesspress.org](mailto:access@accesspress.org) or 651-644-2133 if you have questions. The History Note is a monthly column sponsored by the Minnesota Governor's Council on Developmental Disabilities.*