

THE LISTENING POST

Legislation for the Handicapped in the Public Schools of California

THE U. S. OFFICE OF EDUCATION reports that forty-one states, the District of Columbia, and the Territory of Hawaii now have laws authorizing or requiring local school districts to make provisions for the special education of exceptional children. These laws apply to one or more of the following: blind, partially seeing, deaf, hard of hearing, crippled, cardioaortic, tuberculous, speech defective, epileptic, mentally retarded, emotionally and socially maladjusted, and others who have serious handicaps demanding special educational facilities. More than \$15,000,000 was spent in 1948 by the several states to pay for excess costs involved in educating these children. In addition, some twenty-five states have set up supervisory and consultive services to assist with a state-wide program.

California is representative of a few states which have been very active in the field. A Bureau of Special Education has been established, in the State Department of Education, with the primary responsibility of working with the public schools in implementing programs for the handicapped child. This Bureau works in close cooperation with the Division of Special Schools and Services of the State Department, which is in charge of the residential schools for handicapped children.

Present legislation makes it permissible for local school districts to establish special classes for physically handicapped persons under twenty-one years of age. The term "physically handicapped" is defined broadly and includes the orthopedically handicapped, the cerebral palsied, the blind, the partially sighted, the deaf, the hard of hearing, the speech defective, and children with lowered vitality such as the tuberculous. Local districts establishing classes for the physically handicapped receive excess cost payments not to exceed \$400 per child, in addition to the minimum of \$120 per pupil which is paid for each child in average daily attendance.

No excess cost funds may be used for purposes of capital outlay, except in the case of the cerebral palsied where the state may provide funds for housing and equipment. Such funds cannot exceed half the cost incurred and all such buildings must be approved by the State Department of Education. Two diagnostic centers and two twenty-four hour residential schools for cerebral palsied children have been established and form an integral part of the over-all state program. Mandatory legislation has also been enacted requiring hearing and vision tests for all public school children.

Recent legislation has made mandatory the establishment of special schools and classes for mentally retarded minors. Counties or districts which have fifteen or more of such children are required to set up these facilities and are reimbursed by the state for part of the excess cost incurred. At the present writing, the state will reimburse for three-fourths of the excess cost up to a maximum of \$100. Children selected for these classes must be individually examined and approved by a state-certified psychologist, and parent conferences are required before placement is made.

Special credentials are issued for the teachers working with the speech defective, blind, partially sighted, deaf, hard of hearing, and the mentally retarded. At present there are no special credentials in the field of the orthopedically handicapped or cerebral palsied.

To date, California has made no special legislative provision for the establishment of special programs for gifted children or emotionally disturbed children in the public schools. There is considerable interest in these two areas, and pertinent legislation would have the possibility of helping the schools solve two important and pressing problems.—*Leo Cain, professor of education, San Francisco State College.*

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