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DIGEST OF LEGISLATION  
FOR EDUCATION OF CRIPPLED  
CHILDREN

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# DIGEST OF LEGISLATION FOR EDUCATION OF CRIPPLED CHILDREN

## Introduction

This study is concerned with legislation for the education of crippled children. Provisions relating to the physical and medical care and treatment of such children are not included. Neither is there an attempt to cover the rehabilitation laws operating in most of the States. Legislation for the education of crippled adults has rapidly increased in recent years. All of the States except Connecticut, Delaware, Kansas, Maryland, Kentucky, Vermont, and Washington are now cooperating with the Federal Government under the terms of the national civilian vocational rehabilitation act. The national rehabilitation act is broad enough in scope to include vocational training for all persons of disability, whether congenital or caused by accident or disease. Under the rehabilitation laws of many of the States numerous crippled persons including both minors and adults receive vocational education.

The earliest attempts to provide care and education for crippled children were prompted by private charity. A few private institutions for this purpose were established in America during the latter half of the nineteenth century. That the State should provide education for crippled children and give them a chance to lead independent lives is a growing conviction, and the history of the education of such children in America shows the gradual transition from private to public responsibility. This transition is not yet complete. Only a few of the States have laws providing special public-school classes for such children. The first public-school classes for cripples in the United States were opened in Chicago in 1899. Similar classes were opened in New York in 1906.<sup>1</sup>

Minnesota was apparently the first State to provide by legislation for public care and treatment of crippled children. Chapter 289 of 1897 Laws of Minnesota authorized the board of regents of the State University of Minnesota to make provisions for the care and treatment, including medical and surgical attention, in some hospital, for indigent crippled children of the State. This law did not expressly provide for the education of such children. Chapter 81 of 1907 Laws of Minnesota expressly authorized that provision be made for their education. In the meantime, however, the Massachusetts Legisla-

<sup>1</sup> Bur. of Educ. Bul., 1918, No. 10, p. 9.  
34658-29.



ture (ch. 446, Laws of 1904) established the Massachusetts School and Home for Crippled and Deformed Children for the purpose of providing education and care for crippled and deformed children of the Commonwealth. Consequently, Massachusetts appears not only to be the first State to have provided public education in general, but also the first to have established at public expense a school for crippled children.

The first legislative enactments on this subject tended to provide for the establishment of a State institution where crippled children could be sent. The tendency of more recent legislation has been to provide education for such children by means of special classes in local districts.

As will be seen from the following table and digest, the laws here reviewed vary in many respects. Some expressly mention "crippled" children; others refer to defective or disabled children. Some require and others authorize special classes. Some require and others authorize State aid, etc. For the purpose of publication the provisions have been arranged in three divisions; namely, local aid, State regulation, and State aid. The first and last divisions are subdivided according as the aid is authorized or required.

*Principal features of laws relating to the education of crippled children<sup>1</sup>*

State	State regulation of education of crippled children	Teachers of special classes must be approved by State for that purpose	State aid required	State aid authorized	Local school board								
					Aid required	Aid authorized	Required to provide special classes	Authorized to provide special classes	Required to provide home instruction	Authorized to provide home instruction	Required to provide transportation	Authorized to provide transportation	
Alabama <sup>1</sup> .....						X			X				
California.....	X		X			X			X				X
Connecticut.....	X		X	X	X			X			X		X
Illinois.....	X	X	X		X			X					X
Indiana <sup>1</sup> .....	X		X			X		X					X
Kentucky.....													X
Louisiana <sup>1</sup> .....	X			X		X		X					X
Maryland <sup>1</sup> .....						X		X					
Massachusetts.....	X		X		X				X				
Michigan.....	X	X	X		X			X					
Minnesota.....	X	X	X			X		X					
Missouri.....	X	X	X	X		X		X					X
New Jersey.....	X		X		X			X			X		X
New York.....	X	X	X		X			X		X			X
Ohio.....	X	X	X	X	X			X			X		X
Oregon.....	X	X	X		X				X				
Pennsylvania.....	X	X	X		X			X		X			
Tennessee.....	X		X	X	X						X		
Washington <sup>1</sup> .....						X							
Wisconsin <sup>1</sup> .....	X	X	X		X			X					
Wyoming <sup>1</sup> .....	X		X	X									
Total.....	17	9	14	6	11	11	7	10	6	2	4	7	

<sup>1</sup> In the District of Columbia, the board of education has ruled that "Any pupil with serious mental or physical defects, may . . . be segregated in special classes after appropriate examination of said pupil." (By-laws and Rules of the board of education of the District of Columbia, page 48.)

<sup>2</sup> "Crippled" children not expressly mentioned in the law.

<sup>3</sup> City school boards.

<sup>4</sup> Boards of education in cities of the first class.

<sup>5</sup> To institution where treatment and education are to be given.

## DIGEST OF LAWS BY STATES

### Alabama

(1919 Laws, art. 8, p. 567)

I. *Local aid.*—*Authorized:* The city board of education is authorized to establish and maintain or aid in establishing and maintaining special schools for defective children (cripples not expressly mentioned).

II. *State regulation.*—None mentioned.

III. *State aid.*—None mentioned.

### California

(1618 P. C. [1921] as amended by ch. 585, 1927 Laws)

I. *Local aid.*—*Authorized:* District school boards are authorized, if any crippled children in district, to provide suitable educational opportunities by special classes or visiting teachers and other methods approved by State department; provided that no child shall be required to take advantage of such special opportunities when the parents show that the child is receiving adequate educational advantages. They may also furnish transportation and necessary services. Upon the approval of the State department of education the district may employ a special teacher-coordinator who shall make a study of employment and educational possibilities and assist in coordinating school work with commercial and industrial pursuits. The department of labor and industrial relations shall through the State employment service cooperate in the placement of physically handicapped children.

*Required:* When special classes are maintained the district school board shall keep a record of attendance or hours of visiting instruction (one hour of visiting instruction to be counted as one day). To report annually to State department special-class attendance and expenditures therefor. To provide for individual counseling and guidance in social and vocational matters for each pupil enrolled.

If any child is unable to walk to class, transportation must be provided.

The county superintendent is required to estimate cost of instruction to handicapped, adding one-half of excess cost per such pupil to average cost of each normal pupil and report amount required to be raised by taxes.

Children of school age must be registered annually by parent or guardian.

II. *State regulation.*—The State superintendent has general supervision of methods and standards of instructing crippled children.

III. *State aid.*—*Required:* Where State-approved special class or instruction is maintained the State is required to pay excess current operating cost for special instruction over and above that for educating equal number of regular pupils in average attendance for like period; but not to exceed \$200 for each elementary pupil and \$100 for each high-school pupil annually.

### Connecticut

(1921 Laws, ch. 355; 1923 Laws, ch. 69)

I. *Local aid.*—*Authorized:* Any town or district having "educationally exceptional children" may provide special instruction. Districts may combine for such purposes and may transport to and from places where medical or surgical attention may be given (1927 Laws, ch. 219). If any indigent crippled child,



sound in mind, be in the district, the probate court may, if it find such child proper subject, upon application by selectmen of town where the child resides, commit child to "Newington Home for Crippled Children" for such time as court may deem proper; provided the said home can care for the child. If the cost of child in said home exceeds \$8 per week, the excess shall be charged to parent, or if parent is a pauper, to the town, but the town shall not pay more than \$2 a week per child.

*Required:* Upon petition approved by State department of parents or guardians of 10 or more "educationally exceptional children" ("all children over 4 and under 16 years of age, who, because of mental or physical handicap, are incapable of receiving proper benefit from ordinary instruction and who, for their own or the social welfare, need special educational provisions") the board of school visitors, town school committee, or board of education shall establish a school for such "educationally exceptional school children" or shall provide instruction in some other way.

The board shall make regulations requiring enumeration and reporting of all "educationally exceptional children." "No educationally handicapped child shall be deprived of school privileges except with the express approval of the secretary of the State board of education, and every child so excluded shall be brought immediately to the attention of proper authorities to insure adequate protection and training for the child."

II. *State regulation.*—No child shall be committed to the "Newington Home for Crippled Children" without the approval of the governor.

III. *State aid.*—*Authorized:* When indigent children are cared for in the "Newington Home for Crippled Children," upon approval of the governor, the State is authorized to pay \$8 a week for support of each child committed to said home.

## Illinois

(Act of June 19, 1923, amended June 30, 1925)

I. *Local aid.*—*Authorized:* Any school district may establish and maintain classes and schools for instruction of resident crippled children between 5 and 21 years of age; may employ a principal and necessary attendants for such schools; and shall prescribe the method of discipline and course of instruction.

*Required:* School districts having crippled children must appropriate annually a sum equal to the total per capita cost of educating a like number of normal children, to be known as the "crippled children's instruction fund," which shall be used wholly for instruction of such children; and to furnish the director of public welfare with account of cost of such classes and instruction and care of such pupils over the average cost of instruction of normal children. The truant officer is required to report and enroll every crippled child annually.

II. *State regulation.*—Teachers must possess the usual qualifications required for public schools and such special training as State superintendent may require as a condition upon which State aid is allowed.

III. *State aid.*—*Required:* When any district reports cost of special instruction exceeding cost of instruction of normal children, the State must pay annually to the board of education maintaining such classes the aggregate excess cost of such instruction over the average cost of instruction of normal children; provided such excess cost shall not exceed \$300 a pupil per annum; and provided that such classes shall be subject to the supervision of the State superintendent.

The act of June 30, 1925, created for two years a "crippled children's commission" of nine members, to inquire into the work being done by public and private agencies in the care, cure, and education of crippled children, and to report to the governor and to the next general assembly its recommendation for the more efficient coordination and improvement of this work.



## Indiana

(1927 Laws, ch. 211)

I. *Local aid.—Authorized:* Any local school corporation having 10 or more children who, "on account of physical disability, can not be taught advantageously in the regular classes" (cripples not expressly mentioned) is authorized to establish and organize special classes for such children; or to do so jointly with another school corporation, prorating the cost on the basis of average daily attendance; provided such classes shall be approved by the State board of education.

School corporations may provide transportation for children who are enrolled in special classes in cases where such children are physically unable to reach the school or where the distance from home to the place of special instruction is greater than that to the regular school. They are also authorized to provide lunches without cost.

Local superintendents may have children physically examined to ascertain suitable types for special classes but "no child shall be obliged to submit to a medical or physical examination whose parent or guardian objects to such an examination." Where there are fewer than 10 children of physical disability local school corporations are authorized to arrange for transfer of such children to another school corporation having a special class and to pay actual cost of instruction in said class.

Annual enumeration of crippled children implied from the regular school-census provision.

II. *State regulation.*—The State board of education shall adopt and promulgate such rules and regulations deemed necessary for the administration of special classes and prescribe forms of reports to be used by school corporations in claiming State reimbursement.

III. *State aid.—Required:* If any district maintains a special class or provides special instruction by transfer to another school corporation the State is required to reimburse such district to an amount equal to three-fourths of the cost of such instruction in excess of the cost of instruction of the same number of children in regular classes, based on average daily attendance; to be paid out of the common-school revenue fund. The State superintendent when making semiannual apportionment, shall reserve from the common-school revenue fund sufficient amount to pay all such claims.

## Kentucky

(Laws Relating to Education; 1928 General Assembly, p. 20)

I. *Local aid.—Authorized:* Boards of education in cities of the first class are authorized to use any funds realized from local taxation in such amount as is reasonably necessary to provide for transportation of crippled children to and from public schools.

II. *State regulation.*—None mentioned.

III. *State aid.*—None mentioned.

## Louisiana

(1920 Laws, Act 74)

I. *Local aid.—Authorized:* Parish school boards are authorized "to organize and maintain special classes or schools for the benefit of \* \* \* physically

deficient children whose needs can not be properly cared for in regular public schools." (Cripples not expressly mentioned.) Children assigned to such classes must attend. The course of study in such classes shall be approved by the State board of education.

Quadrennial enumeration of crippled children implied from regular school-census provision.

II. *State regulation.*—The course of study in special classes shall be approved by the State board of education.

III. *State aid.*—*Authorized:* The State is authorized to aid in the support of special classes or schools out of any available funds at its disposal.

## Maryland

(1914 Laws, ch. 165)

I. *Local aid.*—*Authorized:* Where physical disability tending to prevent receiving full benefit of school work, or requiring modification of school work, or to prevent injury to child, or to secure best educational results, county boards of education are authorized to establish special classes and may employ additional teachers for this purpose. (Crippled children not specifically mentioned.)

Biennial enumeration of such children implied from regular school-census provision.

II. *State regulation.*—None mentioned.

III. *State aid.*—None mentioned.

## Massachusetts

(1904 Laws, ch. 446; 1907 Laws, ch. 226; 1924 Laws, ch. 344)

I. *Local aid.*—*Required:* When "such (crippled) children as have a legal settlement in a town" and who are in the State hospital the town corporation wherein such children reside is required to pay board not exceeding \$6 per week for such children in State hospital.

Annual enumeration of crippled children is implied from regular school-census provision.

II. *State regulation.*—Crippled children are admitted to a State hospital school upon approval of trustees thereof.

III. *State aid.*—*Authorized:* To admit crippled children to State hospital school upon application of any crippled child or parent or guardian.

*Required:* To maintain State hospital school for the education and care of crippled and deformed children.

To furnish tuition and board in said State school when not otherwise provided.

If any town with approval of department pays for high-school instruction of pupil of "physical disability" and unable to attend such school in another town the State is required to reimburse such town therefor under the same conditions and to the same amount as for tuition in such school and for transportation thereto, but not more than \$100 a year in lieu of tuition plus \$1.50 per week of actual instruction in lieu of transportation.

## Michigan

(1923 Laws, Act 313; 1927 Laws, Act 236)

I. *Local aid.*—*Authorized:* District boards of education when not maintaining a special class for crippled children are authorized to pay tuition of any such children to a school maintaining such classes.



*Required:* Upon petition of parents or guardians of five or more crippled children, 6 and 20 years, who can not profitably or safely be educated with other classes, the district board of education shall establish and maintain one or more classes which shall be in rooms properly equipped and shall be maintained as long as five are in actual attendance.

If any crippled children are within any district separate instruction therefor must be provided.

District boards of education when maintaining one or more special classes shall report annually to the State superintendent showing itemized cost of such classes; and to include in annual budget sufficient sum to provide special service to such pupils, maintain said classes, and to pay teachers monthly.

County superintendents, upon receipt of reports from State showing crippled child in county, shall investigate and secure personal history of child, information as to environment and ability of parents or guardians to contribute financially to the cost of child's care, treatment, and education and report thereon to State superintendent.

The enumeration of crippled children under 21 years must be reported to State superintendent who shall forward such information by counties, to Michigan Crippled Children Commission, to the respective county superintendents, and to school superintendents of districts of 3,000 or more population; he may furnish copies to volunteer organizations doing work for crippled children.

II. *State regulation.*—Courses of study, methods of instruction, qualifications of teachers, and condition of their employment and equipment, must comply with State requirements.

Teachers must have special training, including those in hospital schools.

III. *State aid.*—*Required:* Where local district or city maintains separate classes approved by State superintendent such district or city is entitled to State reimbursement for expenditure for necessary special equipment and instruction the difference between the average per capita cost of instruction and equipment for other children in the first eight grades in said district and the average per capita cost of instruction in special classes; but the amount to be paid by the State shall not exceed \$200 a year per pupil.

When it is deemed advisable by the State crippled children commission "hospital schools for academic instruction (including bedside teaching) and vocational training \* \* \* shall be provided by Michigan Crippled Children Commission" in State university hospital and other hospitals of the State receiving such children.

When approved hospital schools are maintained the State is required to reimburse such institutions for necessary expenditures, but not to exceed \$200 per annum for each child.

## Minnesota

(1921 Laws, ch. 141 [G. S. 1923, sec. 2899])

I. *Local aid.*—*Authorized:* District school boards where there are five crippled children of school age and upon permission of the State commissioner of education may establish and maintain one or more special classes providing there shall be five or more in each class.

Annual enumeration of crippled children is implied from the regular school-census provision.

II. *State regulation.*—Courses, instruction, supervision, employment of teachers, and equipment must comply with State requirements. Teachers must have



usual requirements plus such special training as the commissioner of education may require. Nurses in such schools shall be registered and subject only to such additional examination as the commissioner of education may require.

III. *State aid.—Required:* Where any district maintains a special class for crippled children the State shall pay annually \$200 for necessary school expenses, including salary of teachers and nurses, transportation, special supplies and equipment, on account of each child instructed for nine months in such classes; a proportionate amount for less time.

### Missouri

(1921 Laws, H. B. 214; R. S. 1919, secs. 11147 to 11150)

I. *Local aid.—Authorized:* School boards in districts having 10 or more crippled children are authorized to provide appropriate instruction in special classes in elementary grades; to provide transportation to and from school.

Districts having fewer than 10 crippled children, and in which there is no accommodation in appropriate State establishment, may join in forming special classes.

Annual enumeration of crippled children is implied from the regular school-census provision.

II. *State regulation.—*The State superintendent is authorized to inspect and approve special classes; and instruction in such classes must be approved by the State department.

III. *State aid.—Authorized:* Where no special class or instruction is provided for children under 16 who have not completed the eighth grade, the State is authorized to provide instruction through the State board of charities.

*Required:* If any district maintains a State-approved special class or classes, the State must pay \$750 per annum for each teacher employed wholly in such instruction, but not more than two-thirds of the teacher's full salary shall be paid; provided the teacher is especially trained for such work, in accordance with requirements established by the State superintendent.

### New Jersey

(1921 Laws, ch. 239; 1918 Laws, ch. 31 and 32; 1928 Laws, ch. 53 and 54)

I. *Local aid.—Authorized:* Board of education, with the approval of the commissioner of education, may establish special classes in hospitals, convalescent homes, and other institutions, when eight or more physically handicapped children shall be available for such instruction. County and State moneys shall be available for such classes also in the same manner as provided by law for those special classes in the regular-public schools. \* \* \*

Districts having any crippled children are authorized to provide transportation to and from school.

*Required:* The board of education of every school district \* \* \* shall provide special equipment and facilities adapted to the accommodation, care, physical restoration, and instruction of children of school age who are physically crippled to such an extent, or who possess such bodily deformities that they can not, in the opinion of an orthopedic surgeon of recognized standing, or of the director of medical inspection, or of the medical inspector \* \* \* be properly accommodated and instructed in the classrooms regularly or usually provided; such special facilities for crippled \* \* \* shall include, when recommended or approved by the commissioner of education, (a) home-teaching,



bedside instruction, and transportation; (b) the payment of tuition in and transportation to a special class for crippled children, or maintenance while being away from home to attend a special class in another district; and (c) scholarships in vocational and technical schools: *Provided*, That not less than five hours of individual home or bedside teaching shall be given each week and be considered equal to one school week's work in special classes or the regular school classes; and, if there are eight or more such crippled children in any district, the board of education thereof shall establish a special class or classes for their proper and adequate accommodation and instruction; provided that no class shall contain more pupils than shall be approved by the commissioner of education; *And provided further*, That the board of education \* \* \* may, by arrangement with \* \* \* another school district in this State provide for the accommodation and instruction of such crippled children in the special class or classes of such other district.

It is the duty of boards of education to make a register of "physically handicapped children from birth to 21 years" and forward a list of such annually to the commissioner of education.

Whenever any school district establishes a special class for crippled children the superintendent of county in which said district is situated shall, in his annual apportionment of school moneys, apportion to said district \$500 for each teacher of such class.

Whenever a home teacher for physically handicapped pupils is furnished as provided by law, the county superintendent shall apportion in same manner for such teacher an amount to be approved by the commissioner of education.

If any crippled child attends special class in nonresident district with approval of district in which child is resident, the superintendent of county shall apportion to the latter district \$25 for every such child.

II. *State regulation*.—The commissioner of education is authorized to recommend and approve equipment facilities and method of instruction employed in instructing crippled children. Compliance with State minimum standard requirements is necessary for State aid.

III. *State aid*.—*Authorized*: None mentioned.

*Required*: Whenever the cost of educating crippled children exceeds that of educating same number of normal children, the district shall be entitled to State reimbursement for one-half of such excess cost; provided that the commissioner of education shall order State money withheld from any district failing to comply with law and State minimum standards.

## New York

(1917 Laws, ch. 559, Amended by 1925 Laws, ch. 227)

I. *Local aid*.—*Authorized*: Any city or district board of education is authorized to contract with incorporated schools (incorporated under State laws) or with another board of education for the education of crippled children in special classes.

If there are fewer than 10 crippled children in any city or district school corporation, the said corporation may furnish suitable educational facilities by means of home teaching or transportation to school. Individual needs shall determine which service shall be rendered.

*Required*: Any city or district school corporation having 10 or more crippled children is required to establish special classes necessary to provide instruction adapted to the mental attainments and physical conditions; unless there exists, or may hereafter be established in the district, a suitable incorporated school adequate to provide special instruction.



Annual enumeration of crippled children is implied from the regular school-census provision.

II. *State regulation*.—Teachers must be qualified to teach special classes. Certification to teach such classes or qualification prescribed by the commissioner of education is a condition upon which State aid is granted.

III. *State aid*.—*Required*: If any school board establishes one or more special classes and employs one or more teachers approved by the State for that purpose the commissioner of education shall apportion in the same manner as teachers quotas, amount equal to one-half the salary paid to each said teacher but not to exceed \$1,000 per teacher.

## Ohio

(1925 Laws, H. B. 119 [sec. 7755 to 7761 of G. C.])

I. *Local aid*.—*Authorized*: When any resident crippled child attends special class or instruction in another district the district of which the child is a resident may pay tuition to the district in which the class is located equal to that for a child of normal needs of the same school grade; also transportation.

*Required*: Upon direction of the director of education school districts are required (1) to pay transportation and tuition of crippled child attending special instruction outside of district; (2) to arrange for home teaching of any crippled child not able with the help of transportation to be assembled in school, counting five hours of such teaching equal to attendance of one child five days at school.

Upon petition of parents or guardians of eight crippled children over 5 years the school district shall apply to the director of education for permission to establish a special class, and if such is granted, shall establish such class by beginning of the next school year. If the district board fails to perform its duty, the county board of education may do so.

Where any child is unable to walk to school transportation shall be provided. In case of a dispute whether any child is unable to walk to school, the district health commissioner shall be the judge.

II. *State regulation*.—The director of education shall select some competent person or persons to inspect all special classes once a year and to report conditions; prescribe standard requirements of classes or instruction entitled to State reimbursement, including conditions, methods of instruction, supervision, qualification of teacher, special equipment, etc.

III. *State aid*.—*Required*: Upon receipt by and approval of the director of education of financial statement from district maintaining special classes and instruction, the State shall pay to such district the cost of said classes and instruction, minus the cost of instruction of the same number of normal children but not to exceed \$300 per pupil for nine months, and a proportionate amount for less time.

## Oregon

(1923 Laws, ch. 88)

I. *Local aid*.—*Authorized*: If there is reported one or more crippled children in any school district, the school board thereof shall set aside, in the annual budget, a crippled children's fund equal to the per capita cost of educating said crippled children, to be used to promote education, civic and vocational intelligence.<sup>1</sup>

<sup>1</sup> The school board is authorized to make such arrangements for the instruction of crippled children as it may deem to their best advantage, and the law does not restrict them to the place where such instruction may be given. (Opinion of the attorney general, Nov. 30, 1924.)



and to employ sufficient and qualified persons, "visiting teachers" or hourly teachers; and to establish rates and regulations subject to the approval of the superintendent governing the time and method of such instruction.

*Required:* Parent or guardian shall cause crippled children between 6 and 18 who have not acquired the branches of learning taught in the first eight grades, to be registered annually. Penalty for failure to comply.

II. *State regulation.*—*Authorized:* The State is authorized to provide for observation, inspection, and supervision of the work of "hourly" teachers.

*Required:* It is the duty of the State to cooperate with districts and to certify as to qualifications of teachers.

A certificate from the State certifying competency to give special instruction is required.

III. *State aid.*—No State funds provided.

## Pennsylvania

(1925 Laws, chs. 70 and 76)

I. *Local aid.*—*Required:* Any district school board having within its jurisdiction a child of exceptional physical condition, not properly educated, must secure information thereon and report to medical inspector and to county superintendent. The medical inspector shall examine and report to superintendent of district in all first, second, and third class districts, whether such child is a proper subject for special education and training. In all other districts he shall report to the secretary of health, who shall report to the county superintendent. When children are duly reported as fit subjects for special education, the respective district or county superintendents are required to submit to school boards plans for establishing and maintaining special classes.

Districts wherein such children are reported are required to provide and maintain (or to do so jointly with neighboring districts) special classes; provided, if not feasible to form class with 10 in any district, or to provide such education in district, unless approved education is provided by parents, the director shall secure training in outside institutions or in the child's home.

District school boards providing special instruction must report to the State thereon.

Parents or guardians in control of any child between 6 and 16 who is so crippled as to make it impracticable for such child to be educated in public school in district, shall allow such child to be sent to some school where proper provision is made, or shall provide for tuition of such child by a legally certified public tutor.

Annual enumeration is required of children from 4 to 16 who "because of physical handicap" (crippled not specifically mentioned) are incapable of receiving proper benefit from ordinary instruction and who, for their own or the social welfare, need special educational provisions.

II. *State regulation.*—The State superintendent is required to superintend the organization of special classes and other arrangements and to enforce the provision for crippled children. The location, constitution, and sizes of classes, conditions of admission and discharge of pupils, equipment, courses of study, methods of instruction, and qualifications of teachers must be approved by the State council of education, as a condition upon which State reimbursement is allowed.

III. *State aid.*—*Required:* Districts which provide special classes of instruction approved by the State council of education shall be aided by the State



## Tennessee

(4436a36-40 Annotated Code, Supplement, 1926 [1925 ch. 102])

I. *Local aid.—Required:* If the judge or chairman of any county court is of the opinion that any crippled child, for whom application is made for treatment and education, is in need of "treatment and education" and finds that the parent or guardian fails or is financially unable to provide it, he shall make a finding to that effect and forward a copy of the said decree and a statement of the facts to the State commissioner of institutions.

Upon receipt of notice from the department of institutions that the said child may be accepted for treatment and education, the said judge or chairman shall commit the child to the department of institutions and shall arrange for its conveyance.

The necessary expense of treatment, education, and conveyance shall be borne by the parent or guardian, if financially able, or by the county, as the judge or chairman of the county court may direct.

*Authorized:* County courts are authorized to make appropriations from the county funds to carry out the foregoing provisions; the said funds to be paid to the department of institutions.

II. *State regulation.—*The department of institutions shall exercise close supervision over such crippled children, while under its care, and may at any time terminate any contract for their care, treatment, and education when in its judgment such action should be taken. (See Local aid and State aid.)

III. *State aid.—Required:* The department of institutions when able to do so and when facilities and funds become available, shall notify the judge or chairman of the county court from which aid is applied for, that the child may be accepted for treatment and education. It shall arrange for the treatment and education of crippled children committed to it by the county courts at such crippled children's homes, orthopedic hospitals, or other institutions approved by said department.

*Authorized:* The department of institutions is authorized to receive, treat, and educate crippled children whose parents or guardians fail or are unable to provide for such. As funds are available it is authorized to reimburse counties for expenditures incurred in complying with the foregoing provisions.

## Washington

(Sec. 661, 1923 Code of Public Instruction)

I. *Local aid.—Authorized:* The board of directors of a school district of the first class is authorized to establish and maintain schools for the education and training of any class or classes of defective youth (cripples not expressly mentioned), as it, in the judgment of the board, best promotes the interests of education in that district.

II. *State regulation.—*None mentioned.

III. *State aid.—*None mentioned.

## Wisconsin

(1927 Laws, ch. 488)

I. *Local aid.—Authorized:* Upon application by any school board the State superintendent may authorize said board to establish and maintain one or more day schools for the instruction of "physically disabled" children, or a special



class for "exceptional persons of school age." (Crippled children not specifically mentioned.)

*Required.*—The board of any school or class shall admit (whenever facilities warrant) any disabled child, resident or nonresident, who desires to enter. If district wherein disabled child resides maintains no suitable class, it shall pay tuition of such pupil not to exceed \$2 per week; if suitable class is provided in district where child resides, the said tuition shall be paid by the parent.

Annual enumeration of crippled children is implied from the regular school-census provision.

Physically-disabled children from 8 to 18 years of age (to 16 if completed the eighth grade or regularly employed) must attend public, private, or State school eight months each year.

II. *State regulation.*—Upon application of any board of education, the State superintendent may authorize such board to establish and maintain a special school or class. Courses, qualification of teachers, organization, and maintenance of such schools or classes must comply with such requirements as may be outlined by the State superintendent, who shall appoint persons of suitable training and experience to supervise such classes, examine, test, and classify pupils applying for admission to special classes.

III. *State aid.*—*Required:* When any school board has maintained a special class or classes taught by qualified teachers and in accordance with State requirements, the State shall pay a sum equal to an amount expended by said board for teachers' salaries, board and transportation of pupils, special books and equipment, and such other expenses as shall be approved by the State superintendent in excess of \$70 per child; provided that it shall not exceed \$300 for each disabled resident child, \$400 for each nonresident child, or \$150 for transportation of each disabled pupil who is suitably served in a regular school; provided that for less than nine months attendance the amount shall be proportionately less.

## Wyoming

(Wyoming Compiled Statutes, 1920, sec. 2364)

I. *Local aid.*—None mentioned.

II. *State regulation.*—Annual enumeration of crippled children is implied from the regular school-census provision.

III. *State aid.*—The State may place children physically unfitted for attendance in public school in a special school or institution in the State or elsewhere, or provide special classes in local schools of any city or district. (Cripples not expressly mentioned.)

Where no adequate provision is made for such children and upon approval of the board of education where such children reside, the State must provide education and training and, when necessary, support and maintenance. It may secure expert assistance and advice to ascertain what children are suitable for special care and education. If parent is unable to bear the expense of necessary care and training, it will be paid by the State out of funds appropriated therefor.

