

**ABSTRACT.** Important legislative achievements of the 89th Congress in behalf of the mentally retarded reaffirm the Federal Government's determination to pursue the fight against mental retardation. Four major laws affecting millions of Americans who **are mentally retarded** were signed by President Johnson in 1965. This new legislation provides the mentally retarded many needed medical, educational, social and vocational opportunities. The implications of the legislation for the retarded and those concerned with their welfare are discussed here.

## IMPLICATIONS OF 1965 FEDERAL LEGISLATION FOR MENTAL RETARDATION

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The cost of mental retardation in human suffering and waste is inestimable. In economic terms, the figures indicate only some of the price of retardation. Over \$293 million of federal funds alone have been obligated for fiscal year 1966 toward special education, welfare, rehabilitation, health and other benefits and services for the mentally retarded. This does not include State and private moneys nor the cost to individual families of the retarded. It is nearly impossible to estimate the indirect hidden costs of retardation resulting from absence of earning capacity and inability to contribute to the national economy.

Institutional care for an untrained retarded child costs the public about \$2,000 per year—perhaps as much as \$100,000 for the lifetime of one person. Yet that same child can, in many cases, be trained to maintain himself for considerably less. Indeed our moral obligation to offset the emotional cost of mental retardation to retardates and their families is inescapable. But if this consideration can be put aside even momentarily, in terms of dollars

and cents we can only gain by providing them with every possible service.

We know today that many individuals diagnosed as retarded have the potential to become productive members of society, earning rather than costing money, contributing to instead of draining society. However, the extent of our success in preventing retardation and in helping the retarded become participating members of our society depends in large measure on the medical, social, educational and rehabilitative opportunities the community offers.

Important new legislative advances in 1965 go far to provide the retarded such opportunities. Four major laws with far-reaching implications for the mentally retarded have already been signed by President Johnson: P.L. 89-10 "Elementary and Secondary Education Act of 1965"; P.L. 89-97 "Social Security Amendments of 1965"; P.L. 89-105 "Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965"; and P.L. 89-333 "Vocational Rehabilitation

Amendments of 1965". The particular relevance of these laws for the mentally retarded and those who render them services is discussed here.

### P.L. 89-10 "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965"

#### *Education of Children in Low-Income Families (Title I)*

The interrelationships between poverty and lack of educational achievement are apparent—more than half the children with IQs from 70 to perhaps 80 come from low-income, culturally deprived families. Unless these children are given special opportunities to develop their intellectual capacity, many are doomed to live out their lives as functional retardates. At the heart of P.L. 89-10 is a new three-year program of federal grants for allocation to school districts to improve the education, through special programs, of some five million educationally deprived children from low-income families. Congress has authorized \$1.06 billion for fiscal year 1966; for the remain-

ing two years of the program, the basic grant formula is to be established.

*School library resources, textbooks and other instructional materials (Title II)*

To encourage the widest possible use of latent sensory and mental capacities in the retarded, supplementary teaching materials are especially important. P.L. 89-10 authorizes a five-year program of grants to States for the purchase of a variety of such materials. In addition to textbooks, these include picture books, movies, recordings, microfilms, slide films, videotapes, magnetic tapes, charts, maps and pictures, all potentially of enormous value to the retarded. Congress has authorized \$100 million for the first fiscal year, with appropriations for the succeeding four years to be determined.

*Supplementary Educational Centers and Services (Title III)*

Of the more than 1.1 million retarded school-age children in this country, only one out of four receives any special instruction whatever. The rest are frequently left to shift for themselves, too often wasting away their days in classrooms, learning nothing until they join the vanguard of early dropouts. Yet it has been demonstrated time and again that the mentally retarded can indeed benefit from intelligently conceived programs of special education. P.L. 89-10 authorizes a five-year program to establish supplementary educational centers and services for disadvantaged children, including the mentally retarded.

Services are to include those not available in sufficient quantity and quality in schools, and many have particular relevance to the retarded: comprehensive guidance and counseling, remedial instruction and after-school and summer programs. Model educational programs are to be developed for regular schools, and special personnel, equipment and other costly materials not normally available are to be provided. Centers will also be used to test and evaluate new methods and materials as well as for inservice training of desperately needed teachers. Congress has authorized \$100 million for the first year, and will determine appropriations for the remaining four.

*Educational Research and Training (Title IV)*

In further support of research to improve the quality of education, including special education, P.L. 89-10 expands and broadens P.L. 83-531 "Cooperative Research Act." For the first time, funds will be made available under the program for construction of research facilities and purchase of research equipment, as well as for the establishment of a series of national and regional educational laboratories. Eligibility for research funds has also been extended to private non-university research and professional organizations. For this program, \$100 million is authorized over a five-year period beginning with fiscal year 1966.

*Grants to Strengthen the State Departments of Education (Title V)*

The cost of even mediocre education is high; good education is expensive indeed. Already a big item in many State budgets, educational matters still do not receive the attention they demand if highest standards are to be achieved. For example, some States do not have a single full-time person responsible for developing special education for the handicapped. Many States will be unable to carry out the programs provided under other titles of P.L. 89-10 unless the administrative, leadership, planning and coordination capabilities of their educational agencies are improved. To stimulate and assist States in strengthening these agencies, P.L. 89-10 authorizes a five-year grant program. Funds totaling \$25 million are earmarked for the first year, with appropriations for the four succeeding years to be determined by Congress.

All titles of P.L. 89-10 are administered by the Office of Education.

**P.L. 89-97 "SOCIAL SECURITY AMENDMENTS OF 1965"**

*Training of Professional Personnel for the Care of Crippled Children*

Although the number of clinics receiving funds from the maternal and child health and crippled children's programs has increased and more children are served each year, only a fraction needing help receive it. Yet desperately needed program expansion is seriously thwarted by the dire shortage of trained professional personnel to staff clinics. To train more professional personnel for health and

related care of crippled children, particularly mentally retarded children and children with multiple handicaps. P.L. 89-97 authorizes grants to institutions of higher learning and to mental retardation university-affiliated facilities for assistance in staffing.

An appropriation of \$5 million is authorized for fiscal year 1967, \$10 million for fiscal 1968 and \$17.5 million for each succeeding fiscal year. This program is administered by the Children's Bureau, Welfare Administration.

*Special Project Grants for Health of School and Preschool Children*

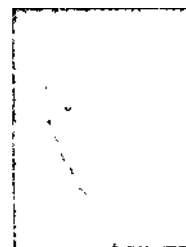
The high incidence of mental retardation among economically and socially deprived children suggests the presence of certain conditions hazardous to health which are associated with their socio-economic status. Special project grants have been authorized in a five-year program to provide comprehensive health care and services for preschool and school-age children, particularly in areas with concentrations of low-income families.

Grants will be made to state health agencies, schools of medicine (with appropriate participation by schools of dentistry) and affiliated teaching

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hospitals, to provide up to 75 percent of the costs of comprehensive medical and dental services. Medical and dental projects must provide screening, diagnosis, preventive treatment and corrective services as well as after-care to children of low-income families. Projects initiated with these funds must be coordinated with other State or local health, welfare and education programs.

An appropriation of \$15 million is authorized for fiscal year 1966; \$35 million for fiscal 1967; \$40 million for fiscal 1968; \$45 million for fiscal 1969; and \$50 million for fiscal 1970. The program will be administered by the Children's Bureau, Welfare Administration.

#### *Implementation of Mental Retardation Planning*

Under a program first authorized by P.L. 88-156 "Maternal and Child Health and Mental Retardation Planning Amendments of 1963," the States have been making great strides in developing comprehensive mental retardation plans. Such planning must, of necessity, be followed by action, and most States' are now preparing to establish ongoing interdepartmental bodies to coordinate and implement their planning. The integration of local and State, and in some cases State and private agencies, activities must also get under way. Staff will be needed to interpret these activities, negotiate agreements and assure support on the community level, where most services for the mentally retarded are rendered. For implementing such planning, P.L. 89-97 authorizes grants totaling \$2.75 million for each of fiscal years 1966 and 1967. Further information is available from the Mental Retardation Branch, Public Health Service.

#### *Assistance for the Medically Needy*

The exclusion was removed from Federal matching in old-age assistance and medical assistance in relation to aged mentally retarded who are institutionalized. To qualify for Federal participation, States must insure these aged the best possible care and provide periodic review of possible alternatives to institutionalization. States must also show satisfactory progress in developing their comprehensive mental health programs, including community mental health centers. Federal funds will be available only

to the extent that States increase mental health expenditures under public health or welfare programs.

#### **P.L. 89-105 "MENTAL RETARDATION FACILITIES AND COMMUNITY MENTAL HEALTH CENTERS CONSTRUCTION ACT AMENDMENTS OF 1965"**

##### *Teacher Training*

The need for teachers of retarded children for the 1965-66 school year is estimated at almost 86,000. By 1970, as the school-age population of retardates increases, the figure is expected to reach over 91,000. Yet today there are only about 20,000 teachers of the retarded, many of them only partially trained. Training programs for teachers of mentally retarded and other handicapped children is extended by P.L. 89-105 for an additional three years beyond the former cut-off date of June 30, 1966. Appropriations authorized for fiscal year 1966 are \$19.5 million; fiscal year 1967, \$29.5 million; fiscal 1968, \$34 million; and fiscal 1969, \$37.5 million.

##### *Research and Demonstration*

The intellectual, emotional, social

and physical needs of the mentally retarded can be met only if effective methods and techniques to help them are found, tested and translated into practical program application. Better remedial techniques, classroom procedures, methods of instruction, special materials and more appropriate curriculums are some of the goals of the research and demonstration program extended by P.L. 89-105 for three years beyond the current cut-off date of June 30, 1966. Authorized are the following appropriations: fiscal year 1966, \$6 million; fiscal 1967, \$9 million; fiscal 1968, \$12 million; and fiscal 1969, \$14 million.

##### *Construction of Research Facility*

P.L. 89-105 authorizes the Commissioner of Education to grant funds to an institution of higher learning to construct, equip and operate a research and demonstration facility in education of handicapped children. The facility is to include four components: experimental classrooms, research equipment centers and laboratories, instructional materials, pro-



*I. Ignacy Goldberg, president of the AAMD, received one of the pens used by President Johnson to sign the "Community Mental Health Centers Act Amendments of 1965" into law. The act is described in the article above.*

duction center and repository and a clearinghouse for dissemination of findings and materials.

Programs discussed above are administered by the Office of Education.

#### **P.L. 89-333 "VOCATIONAL REHABILITATION AMENDMENTS OF 1965"**

The importance of this legislation to the mentally retarded is underlined by the following statement incorporated in the main title ". . . [the purpose of this legislation is] to assist in the expansion and improvement of services and facilities . . . particularly for the mentally retarded and other groups presenting special vocational rehabilitation problems . . ."

#### *Special Programs and Comprehensive Planning to Expand Vocational Rehabilitation Services*

The law provides for a five-year expansion grant program to States and non-profit groups to initiate or expand vocational rehabilitation for disabled people, including the retarded, who have up to now received little help. Grants are also available for planning comprehensive vocational rehabilitation programs in each State with a view to developing both public and private vocational rehabilitation services and for making such services available to all handicapped.

#### *Grants for Construction of Rehabilitation Facilities and Workshops*

This program can be as meaningful to rehabilitation centers and workshops as the Hill-Burton construction program is to hospital rehabilitation clinics. Basic to serving the severely disabled are modern vocational rehabilitation facilities and workshops, where work potential can be properly evaluated and job training given. Under this program, workshops for the retarded may include residential accommodations, an imaginative, logical and necessary innovation. Authorized is a five-year grant program to States to plan, build, or renovate, equip and initially staff such facilities. Existing buildings may be acquired under this authority also.

#### *Grants to States for Innovation of Vocational Rehabilitation Services*

This provision makes funds available to States to provide new or expanded vocational rehabilitation serv-

ices especially designed for the handicapped with disabilities which are catastrophic or particularly severe.

#### *Services to Determine Rehabilitation Potential of Recipient*

At present State-Federal vocational rehabilitation services can be provided only to disabled persons with reasonably good rehabilitation potential. Under the new program, Federal funds will be used toward vocational rehabilitation for six months of selected persons whose prognosis is not clearly favorable at the outset. In the case of the mentally retarded and others with designated disabilities, the period could be extended to 18 months. This allows for a more realistic evaluation of capacity and determination of eligibility for further preparation for employment.

#### *Workshop Improvement*

Under this section, the Secretary of Health, Education and Welfare is able to help improve workshops as resources for the vocational rehabilitation of retarded and other disabled people. A representative National Policy and Performance Council will be established to advise on policies and programs involving the training services projects and other helps to workshops. The Secretary will also provide for technical assistance to workshops.

In addition, a special five-year program will support projects to analyze, improve and increase professional services to the handicapped and aid in the business management of workshops. Grants will be made to States to provide training services to the handicapped in certain workshops and rehabilitation centers, in occupational skills and related services, including work evaluation, testing, provision of equipment, job tryouts and payment of weekly allowances to trainees.

#### *Waiver of Statewide Requirements for Locally Financed Activity*

Federal matching funds will be permitted to States for communities which make available financial resources they have not heretofore used for vocational rehabilitation. These will include local public funds from such sources as school, hospital and welfare departments. This program is expected to help expand vocational rehabilitation resources, improve ex-

isting services and increase the number of disabled served.

#### *Research and Information*

Research and demonstrations are authorized to determine the most effective means of developing the abilities, aptitudes, capacities, potentialities and employability of the handicapped. New information services will be established to make available information on vocational rehabilitation resources and research results. The maximum period for individual training grants is also extended; this includes personnel from many specialized fields contributing to vocational rehabilitation.

The programs authorized by this legislation will be administered by the Vocational Rehabilitation Administration.

This cursory review of legislative achievements of 1965 as they effect the mentally retarded leaves little doubt that Congress and the Nation have recognized the need for a concerted attack on mental retardation. Certainly if the retarded are to share in President Johnson's Great Society program, our efforts on their behalf must be equal to the scope of the problem. No single legislative program can, of course, provide the means for finding every solution. However, there is every indication that Congress is taking to heart the promise made by the President on June 15, 1964, when he said of mental retardation: "We have made progress. But our efforts have only begun. We will continue until we find all the answers we have been seeking, until we find a place for all those who suffer with the problem."

#### **REFERENCES**

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