

Office of Special Education and Rehabilitative Services

List of Guidance Documents Rescinded (Outdated, Unnecessary, or Ineffective)

October 2017

#	Program	Title	Date Issued	Reason for Rescinding
1	Rehab. Act	Transition Programs & Services: High School/High Tech & Vocational Rehabilitation. IM 07-08	7/23/2007	Unnecessary. The High School/High Tech program is no longer in existence.
2	Rehab. Act	Factors State Vocational Rehabilitation Agencies Should Consider When Determining Whether a Job Position Within a Community Rehabilitation Program is Deemed to be in an Integrated Setting for Purposes of the Vocational Rehabilitation Program. (TAC-06-01) TAC 06-01	11/21/2005	Outdated. Changes in law, regulations, or reporting requirements resulting from the amendments to the Rehabilitation Act of 1973 made by WIOA.
3	Rehab. Act	Whether Centers that do not Receive Title VII, Part C Grants are Included as Centers for Independent Living Under the Rehabilitation Act of 1973, as amended and the Implications for SILC Composition, Network of Centers, and Part B and Part C Funding. (PD 03-06) https://www2.ed.gov/policy/speced/guid/rsa/pd-03-06.pdf	8/8/2003	Outdated. Changes in law, regulations, or reporting requirements resulting from the amendments to the Rehabilitation Act of 1973 made by WIOA.
4	Rehab. Act	Satellite Centers for Independent Living. https://www2.ed.gov/policy/speced/guid/rsa/pd-02-03.pdf	7/3/2002	Outdated. Changes in law, regulations, or reporting requirements resulting from the amendments to the Rehabilitation Act of 1973 made by WIOA.
5	Rehab. Act	Retirement of Certain Policy Issuances. IM 00-30	6/30/2000	Unnecessary.
6	Rehab. Act	Information on the Provision of Vocational Rehabilitation Services to Individuals with Hearing Loss (Deaf and Hard of Hearing). IM 00-21	3/28/2000	Outdated data and information.

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7	Rehab. Act	Employment Goal for an Individual with a Disability. (PD 97-04) https://www2.ed.gov/offices/OSEERS/RSA/guidance/PD-97-04.pdf	8/19/1997	Outdated. Changes in law, regulations, or reporting requirements resulting from the amendments to the Rehabilitation Act of 1973 made by WIOA.
8	Rehab. Act	What a Designated Client Assistance Program Agency Must Do to Satisfy the Mediation Procedures Requirement. (TAC 97-01) https://www2.ed.gov/policy/speeed/guid/rsa/tac-97-01.pdf	2/24/1997	Outdated. Changes in law, regulations, or reporting requirements resulting from the amendments to the Rehabilitation Act of 1973 made by WIOA.
9	Rehab. Act	Retirement of Policy Issuances. PD 95-06	7/12/1995	Unnecessary.
10	IDEA	OSEP Dear Colleague Letter: To Chief State School Officers (CSSOs) on Local Educational Agency (LEA) Maintenance of Effort. http://www2.ed.gov/policy/speeed/guid/idea/memosdcltrs/lea-moe-3-13-14.pdf	3/13/2014	Superseded by LEA MOE regulations.
11	IDEA	Final Regulations Related to Parental Consent for the Use of Public Benefits or Insurance — One-page Summary. https://www2.ed.gov/policy/speeed/reg/idea/part-b/idea-part-b-parental-consent--one-pager.pdf	3/18/2013	No longer needed. Used when rolling out 2006 Regulations.
12	IDEA	OSEP Dear Colleague Letter: Preschool Least Restrictive Environment (LRE). http://www2.ed.gov/policy/speeed/guid/idea/memosdcltrs/pre-school/le22912.pdf	2/29/2012	Superseded by 2016 DCL.
13	IDEA	OSEP Memo: 11-06 American Recovery and Reinvestment Act (ARRA) Monitoring Announcement. https://www2.ed.gov/policy/speeed/guid/idea/memosdcltrs/os ep11-06arramonitoringannouncementmemo.pdf	12/6/2010	Outdated. No current ARRA grants.

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14	IDEA	Implementing Response to Intervention (RTI) Using Title I, Title III, and CEIS Funds. No Link Available.	8/25/2009	Outdated and inaccurate.
15	IDEA	Guidance on Procedural Safeguards and Due Process Procedures for Parents and Children with Disabilities. http://www2.ed.gov/policy/speced/guid/idea/procedural-safeguards-q-a.pdf	6/11/2009	Superseded by 2013 Dispute Resolution Q&A.
16	IDEA	OSEP Memo 08-08: Implementing the Funding Formula Under the IDEA—Year of Age Cohorts for Which FAPE is Ensured. No Link Available.	5/2/2008	Outdated. Specific only to 2008.
17	IDEA	OSEP Memo: 07-10 Interpretation of 34 CFR §300.154(d)(2)(iv)(A). http://www2.ed.gov/policy/speced/guid/idea/memosdclts/osep07-10interpretationof34cfr300154.pdf	5/3/2007	Outdated due to 2008 public benefits regs
18	IDEA	Questions and Answers On Highly Qualified Teachers Serving Children With Disabilities. http://idea.ed.gov/uploads/07-0006.HQT.pdf	1/29/2007	Outdated due to ESSA changes.
19	IDEA	Questions and Answers on Serving Children with Disabilities Placed by Their Parents at Private Schools. https://www2.ed.gov/policy/speced/guid/idea/fag-parent-placed.pdf	3/27/2006	Superseded by 2011 Q&A.
20	IDEA	Dear Colleague Letter addressing administrative costs added to the Individuals with Disabilities Education Act (IDEA) by the 2004 Amendments. https://www2.ed.gov/policy/speced/guid/idea/letters/2005-3/dearcolleague072505admin3q2005.pdf	7/25/2005	Outdated. Action required by December 3, 2005.

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21	IDEA	OSEP Memo 05-10 Notice of Proposed Rulemaking (34 CFR Part 300, 301, and 304), Assistance to States for the Education of Children with Disabilities; and Service Obligations Under Special Education – Personnel Development to Improve Services and Results for Children with Disabilities. No Link Available.	7/22/2005	Outdated. Discusses NPRM.
22	IDEA	OSEP Memo: 05-09 Obligations of States and Local Educational Agencies to Parentally-placed Private School Children with Disabilities. http://www2.ed.gov/policy/speed/guid/idea/memosdclts/osep05-09childrenwithdisabilitiesplacedinprivateschoolsbytheireparents.pdf	6/27/2005	Superseded by 2012 Q&A.
23	IDEA	OSEP Memo 04-09 Implementation of OSEP's Continuous Improvement and Focused Monitoring System During Calendar Year 2004. www.ed.gov/policy/speed/guid/idea/monitor/osep-memo-04-09.doc	4/6/2004	Outdated. Specific to 2004 monitoring cycle.
24	IDEA	OSEP Memo 04-04 New Technical Assistance Initiative. No Link Available.	1/29/2004	Outdated. 2004 Technical Assistance.
25	IDEA	OSEP Memo 03-09 New Technical Assistance Initiative. No Link Available.	8/18/2003	Outdated. 2003 Technical Assistance.
26	IDEA	OSEP Memo 03-05 Implementation of OSEP's focused monitoring during 2003. No Link Available.	4/8/2003	Outdated. Monitoring process changed.
27	IDEA	OSEP Memo 02-10 Medicaid and upcoming compliance deadlines under HIPAA and ASCA. No Link Available.	9/26/2002	Outdated. Specific to 10/15/02 deadline.

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28	IDEA	OSEP Memo 02-06 Implementing new funding formula under IDEA. https://www2.ed.gov/policy/speced/guid/idea/letters/2002-2/osep0206-2q2002.pdf	4/26/2002	Outdated. Specific to FY 2002.
29	IDEA	OSEP Memo 01-09 Information about new childhood regulations under the SSI Program. https://www.ed.gov/policy/speced/guid/idea/letters/2001-2/osep0109ssi.doc	5/24/2001	Outdated. Specific to SSI guidance.
30	IDEA	OSEP Memo 01-06 Guidance on including students with disabilities in assessments. https://www2.ed.gov/policy/speced/guid/idea/letters/2001-1/osep0106assess.pdf	1/17/2001	Superseded by assessment regulations and guidance.
31	IDEA	OSEP Memo 01-05 Questions and Answers on Mediation. No Link Available.	11/30/2000	Superseded by 2013 Dispute Resolution Q&A.
32	IDEA	OSEP Memo 00-24 Q&A State/District wide assessment. No Link Available.	8/24/2000	Superseded by assessment regulations and guidance.
33	IDEA	OSEP Memo 00- 20 Complaint resolution procedures under Part B. No Link Available.	7/17/2000	Superseded by 2013 Dispute Resolution Q&A.
34	IDEA	OSEP Memo 00-19 IEP guidance. No Link Available.	6/30/2000	Outdated. Revised by statute and 2006 regulations.
35	IDEA	OSEP Memo 00-17 Implementing the new funding formula under IDEA. https://www2.ed.gov/policy/speced/guid/idea/letters/2000-2/osep0017disfunds2q2000.pdf	6/26/2000	Outdated. Revised by statute and 2006 regulations.
36	IDEA	OSEP Memo 00-16 Review of eligibility documents and issuance of grant awards. http://www2.ed.gov/policy/speced/guid/idea/letters/2000-2/osep0016grantawards2q2000.doc	6/13/2000	Outdated. Specific to FY 2000.

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37	IDEA	OSEP Memo 00-14 Qs & As on obligations of public agencies serving children with disabilities placed by their parents in private schools. www.cesa7.org/sped/discoveridea/topdocs/nichey/private.htm	5/4/2000	Outdated. Revised by statute and 2006 regulations.
38	IDEA	OSEP Memo 00-10 Revised Part B funding formula information request. No Link Available.	3/14/2000	Outdated. Specific to FY 2000.
39	IDEA	OSEP Memo 00-08 School districts, State schools, and educational services agencies selected for National assessment study. No Link Available.	1/19/2000	Outdated. Study in effect in FY 2000.
40	IDEA	OSEP Memo 00-07 OSEP Memo 00-Enhancing Coordinated Services Systems. No Link Available.	1/13/2000	Outdated. Statute reauthorized in 2004.
41	IDEA	OSEP Memo 00-04 Clarification on State eligibility and public participation. No Link Available.	11/3/1999	Outdated. Revised by statute and 2006 regulations.
42	IDEA	OSEP Memo 00-03 School districts, State schools, and educational services agencies selected for National assessment study. No Link Available.	11/3/1999	Outdated. Study in effect in FY 1999
43	IDEA	OSEP Memo 99-14 Guidance related to State Program improvement Grants. No Link Available.	7/30/1999	Outdated. Program is now SPDIG.
44	IDEA	OSEP Memo 99-12 NPRM for charter school expansion act. No Link Available.	6/28/1999	Outdated. Discusses NPRM.
45	IDEA	OSEP Memo 99-11 Final regulations. No Link Available.	4/27/1999	Outdated. FY 1999 transmittal memo.
46	IDEA	OSEP Memo 99-09 Schools with IDEAs that work. No Link Available.	3/29/1999	Outdated. Specific to 1999.

#	Program	Title	Date Issued	Reason for Rescinding
47	IDEA	OSEP Memo 99-01 Continuous Improvement monitoring process. No Link Available.	1/1/1999	Outdated. Monitoring process changed.
48	IDEA	OSEP Memo Continuous Improvement monitoring process. No Link Available.	10/2/1998	Outdated. Monitoring process changed.
49	IDEA	OSEP Memo 98-13 OSEP Response to Comment on the IDEA forms. No Link Available.	9/16/1998	Outdated. Data forms changed.
50	IDEA	OSEP Memo 98-08 Effective date of the new IEP requirements. No Link Available.	4/28/1998	Outdated. Revised by statute and 2006 regulations.
51	IDEA	OSEP Memo 98-04 Guidance related to State Program improvement Grants. No Link Available.	2/26/1998	Outdated. Program is now SPDIG.
52	IDEA	OSEP Memo 98-01 information related to statutory changes to Part H. No Link Available.	1/7/1998	Outdated. Revised by statute and 2006 regulations.
53	IDEA	Joint DCL Including Students with Disabilities in all Educational Reform Activities. https://www2.ed.gov/about/offices/list/ocr/docs/asses902.htm	9/29/1997	Superseded by assessment regs and guidance.
54	IDEA	OSEP Memo 97-7 Initial Discipline Guidance related to removal of children with disabilities for ten school days or less. https://www2.ed.gov/policy/speced/leg/idea/97-7.pdf	9/19/1997	Outdated. Memo in effect until 1999 regulations. Statute reauthorized.
55	IDEA	OSEP Memo 97-5 Changes in Part B of IDEA as required by the IDEA amendments of 1997. https://www2.ed.gov/policy/speced/leg/idea/97-5.pdf	6/17/1997	Outdated. Memo in effect until 1999 regulations. Statute reauthorized.
56	IDEA	OSEP Memo 95-2 Information on the Secretarial Review Process. http://baby.indstate.edu/iscas/genrl-in8.html	10/6/1994	Outdated. Change in regulations.

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57	IDEA	OSEP Memo 94 -19 Availability of draft monitoring reports under FOIA. No Link Available.	4/28/1994	Outdated. No longer have draft monitoring reports.
58	IDEA	OSEP Memo 93-16 Impact of the Cash Management Improvement Act on IDEA Part B State Grants for FY 1994. No Link Available.	7/21/1993	Outdated. CMLA regulations updated in 2002.
59	IDEA	OSEP Memo 93-09 Provision of services to Native American Children Aged Birth through Five Residing on Reservations. No Link Available.	1/12/1993	Outdated. Statute reauthorized.
60	IDEA	OSEP Memo 92-20 Guidelines for Implementing Community-based Educational Programs for Students with Disabilities. No Link Available.	9/21/1992	Outdated. Updated May 2017 transition guidance based on WIOA and IDEA 2004.
61	IDEA	OSEP Memo 91-22 Summary of Comments of Special Education for Children with Attention Deficit Disorder. No Link Available.	6/21/1991	Outdated. Summary of comments only.
62	IDEA	OSEP Memo 90-17 & 90-17A Response to Pennsylvania Questions on Implementing a Birth Through Five Early Intervention Program. No Link Available.	6/1/1990	Outdated. Revised regulations & reauthorized statute.
63	IDEA	OSEP Memo 90-16 Age of eligibility for FAPE of preschool aged children. No Link Available.	5/8/1990	Outdated. Revised regulations and reauthorized statute.
64	IDEA	OSEP Memo 89-21 States responsibility to make FAPE available to certain Indian children. No Link Available.	6/19/1989	Outdated. Statute reauthorized.
65	IDEA	OSEP Memo 88-17 Use of Tape recorders at IEP meetings. No Link Available.	4/15/1988	Superseded by OSEP Memo 91-24.

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66	IDEA	OSEP Memo 86-13 The 12 percent limitation on handicapped children counted for allocation purposes. No Link Available.	3/18/1986	Outdated. Statute reauthorized.
67	IDEA	OSEP Memo 85-23 Cooperation in transition initiative and parent training. No Link Available.	4/4/1985	Outdated. PTIs re-competed every 5 years.
68	IDEA	OSEP Memo 85-19 excess cost requirement under Part B. No Link Available.	2/5/1985	Outdated. Superseded by regulations & Uniform Guidance.
69	IDEA	OSEP Memo 85-9 Grantback arrangements. No Link Available.	1/9/1985	Outdated. Superseded by Uniform Guidance.
70	IDEA	OSEP Memo 85-5 Use of EHA-B funds for equipment and certain costs allowable with prior approval. No Link Available.	10/9/1984	Outdated. Superseded by regulations & Uniform Guidance.
71	IDEA	Informal Letter to Chief State School Officers on Data Submissions Due During FY 1983. No Link Available.	8/31/1982	Outdated. Superseded by the Uniform Guidance; no longer used.
72	IDEA	Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting From Federal Financial Assistance; and Assistance to States for Education of Handicapped Children. https://www2.ed.gov/about/offices/list/ocr/docs/fapeinsurance.html	12/22/1980	Superseded by regulations governing use of insurance.