

# School Law Update

OCTOBER 26, 2017

## ***OSERS Releases Updated Chart of Rescinded Guidance Documents Related to IDEA and Section 504***

On October 20, 2017, the United States Department of Education's Office of Special Education and Rehabilitative Services (OSERS) issued a statement advising that it had rescinded 72 guidance documents related to the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act. Educators and advocates expressed concern because OSERS offered no explanation for the rescissions and because the list of documents includes guidance in a number of important areas related to services for students with disabilities. On October 24, OSERS released an updated chart of rescinded guidance documents, and provided the reasons for rescinding each document. According to the new chart, OSERS rescinded documents for several reasons including that documents were: outdated; inaccurate; unnecessary; superseded by other guidance; or concerned programs that no longer exist. A spokesperson for OSERS stated that the elimination of the guidance does not impact services or create policy implications.

We are reviewing the guidance documents that have been rescinded and will issue another Legal Update to advise whether the rescission of this guidance has any impact on school districts.

Below is a link to the new document published by OSERS:

<https://www2.ed.gov/policy/speced/reg/eo13777/eo13777-osers-outdated-guidance-list-reasons-20171020.pdf>

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