

**Office of Elementary and Secondary Education
Regulations Rescinded (Outdated or Superseded)
August 2018**

On August 22, 2018, the U.S. Department of Education (Department) published a notice in the *Federal Register* indicating that several regulations in 34 C.F.R. Parts 200, 237, and 299 are being removed because they have been superseded, in whole or significant part, by changes in the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA), or were issued to implement a program that is no longer funded. The Department anticipates that these deregulatory actions will have no effect on the current operation of the Department's grant programs.

The Department is continuing to review its other existing regulations thoroughly. To the extent the Secretary can identify further opportunities for regulatory reform to reduce burden or increase flexibility, the Secretary will take appropriate action to revise or eliminate existing regulations. Such action will occur separately from this rescission. To the extent that additional amendments to existing regulations or new regulations are needed to implement changes to the ESEA by the ESSA, they will also be issued separately from this document. Any determination to issue new regulations will be carefully considered to ensure that it is consistent with the President's regulatory reform efforts and the principles in Executive Orders 12866 and 13771.

This document identifies the regulations that are no longer in effect due to the rescissions and the reason each has been rescinded.

34 CFR	RIN	Program	Subject	Reason for Rescinding
§200.7	1810-AB41	Title I, Part A, Improving Basic Programs Operated by Local Educational Agencies (LEAs)	Disaggregation of Data	Superseded. Changes in law resulting from amendments to the ESEA made by the ESSA.
§200.12	1810-AB39	Title I, Part A, Improving Basic Programs Operated by LEAs	State Accountability System	Superseded. Changes in law resulting from amendments to the ESEA made by the ESSA.
§200.13-200.22	1810-AB40	Title I, Part A, Improving Basic Programs Operated by LEAs	Adequate Yearly Progress	Superseded. Changes in law resulting from amendments to the ESEA made by the ESSA.
§200.27-200.28	1810-AB42	Title I, Part A, Improving Basic Programs Operated by LEAs	Schoolwide Programs	Superseded. Changes in law resulting from amendments to the ESEA made by the ESSA.
§200.30-200.53	1810-AB43	Title I, Part A, Improving Basic Programs Operated by LEAs	LEA and School Improvement	Superseded. Changes in law resulting from amendments to the ESEA made by the ESSA.
§200.55-200.57	1810-AB44	Title I, Part A, Improving Basic Programs Operated by LEAs	Highly Qualified Teachers and	Superseded. Changes in law resulting from amendments to the ESEA made by the ESSA.

34 CFR	RIN	Program	Subject	Reason for Rescinding
			Duties of Paraprofessionals	
§200.80	1810-AB36	Title I, Part B Even Start Family Literacy Program	Migrant Education Even Start Program	Outdated and no longer needed. ESSA removed the authority for this program.
§200.81(d), (f)-(h), and §200.89(a)	1810-AB48	Title I, Part C Migrant Education Program (MEP)	Program Definitions and MEP Allocations	Superseded. Changes in law resulting from amendments to the ESEA made by the ESSA.
Part 237	1810-AB37	Christa McAuliffe Fellowship Program	Christa McAuliffe Fellowship Program	Outdated. This program is no longer authorized under the Higher Education Act. The program was last funded in 1995.
Part 299	1810-AB38	Empowerment Zone or Enterprise Community--Priority	Empowerment Zone or Enterprise Community--Priority	Outdated. The last Congressional extension of tax benefits to Empowerment Zones ended in 2017 and, thus, the program is no longer viable.