



October 23, 2017

Kimberly Ritchie
Acting Assistant Secretary
Office of Special Education and Rehabilitative Services
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-7100

Dear Acting Assistant Secretary Ritchie:

The National Disability Rights Network (NDRN) writes in response to the status report issued by the Office of Special Education and Rehabilitative Services (OSERS) on Friday, October 20, 2017, regarding Executive Order 13777, "Enforcing Regulatory Reform Agenda".

Although NDRN appreciates the Department's effort at transparency in providing a status update as well as the document which lists the rescinded guidance, we nevertheless find the process to be less than clear. Specifically, the Department states that the guidance has been rescinded due to, "being outdated, unnecessary, or ineffective", however it is completely unclear which of these reasons (each of which has a very different meaning), apply to each rescinded guidance. As you know, the field relies upon guidance for help interpreting laws as well as for guidance on implementation. It is highly concerning that 72 guidance were rescinded without a clear explanation from the Department as to why.

NDRN strongly recommends that as you move forward with Executive Order 13777, "Enforcing Regulatory Reform Agenda" you include specific rationale around decisions to rescind each guidance, including listing the specific guidance that may have superseded an outdated guidance. We feel confident that this would benefit both stakeholders and the Department as the process continues.

Should you have any questions, please do not hesitate to contact Amanda Lowe, Senior Public Policy Analyst at Amanda.lowe@ndrn.org or at 202-408-9514, ext. 101.

Sincerely,

Curt Decker
Executive Director