

DEPARTMENT OF EDUCATION

34 CFR Parts 305, 307, 309, 315, 316, 318, 319, 320, 324, 325, 326, 327, 328, 330, 331, 332, 333, and 338

RIN 1820-AB43

Removal of Regulations

AGENCY: Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary amends the Code of Federal Regulations (CFR) to remove obsolete regulations. As a result of enactment of the Individuals with Disabilities Education Act Amendments of 1997, these regulations are no longer needed. The Secretary therefore takes this action to remove the regulations.

EFFECTIVE DATE: Parts 305, 307, 309, 315, 316, 318, 319, 320, 324, 325, 326, 327, 328, 330, 331, 332, 333, and 338 are removed effective October 1, 1998.

FOR FURTHER INFORMATION CONTACT: Kenneth C. Depew, U.S. Department of Education, Room 5112, FB-10B, 600 Independence Avenue, SW, Washington, DC 20202-2241. Telephone: (202) 401-8300. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

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SUPPLEMENTARY INFORMATION: President Clinton's memorandum of March 4, 1995, titled "Regulatory Reinvention Initiative," directed heads of departments and agencies to review all existing regulations to eliminate those that are outdated and modify others to increase flexibility and reduce burden. The Department has undertaken a thorough review of its existing regulations and has identified the regulations removed by this document as obsolete and unnecessary. The regulations removed are 34 CFR parts 305 (Regional Resource and Federal Centers), 307 (Services for Children with Deaf-Blindness), 309 (Early Education Program for Children with Disabilities), 315 (Program for Children with Severe Disabilities), 316 (Training Personnel for the Education of Individuals with Disabilities—Parent Training and Information Centers), 318 (Training Personnel for the Education of Individuals with Disabilities—Grants for

Personnel Training), 319 (Training Personnel for the Education of Individuals with Disabilities—Grants to State Educational Agencies and Institutions of Higher Education), 320 (Clearinghouses), 324 (Research in Education of Individuals with Disabilities Program), 325 (State Systems for Transition Services for Youth with Disabilities Program), 326 (Secondary Education and Transitional Services for Youth with Disabilities Program), 327 (Special Studies Program), 328 (Program for Children and Youth with Serious Emotional Disturbance), 330 (Captioned Films Including Videos Loan Service Program for Deaf and Hard of Hearing Individuals), 331 (Educational Media and Descriptive Videos Loan Service Program for Individuals with Disabilities), 332 (Educational Media Research, Production, Distribution, and Training), 333 (Technology, Educational Media, and Materials for Individuals with Disabilities Program), and 338 (Postsecondary Education Programs for Individuals with Disabilities). Additional obsolete and unnecessary regulations were previously removed on May 23, 1995 (60 FR 27223); April 29, 1996 (61 FR 18680); June 25, 1996 (61 FR 32656); and October 4, 1996 (61 FR 51783) as part of the Regulatory Reinvention Initiative.

The regulations being removed are no longer necessary because they have been superseded by the Individuals with Disabilities Education Act Amendments of 1997, Pub. L. 105-17, enacted June 4, 1997. The removal of these regulations does not alter the obligations of current recipients of Federal funds. The regulations in effect when a grant or other agreement is made govern that grant or agreement, unless otherwise specifically provided.

The Department is continuing to review its other existing regulations thoroughly in consultation with its customers and partners. To the extent the Secretary can identify further opportunities for regulatory reinvention, the Secretary will propose appropriate amendments to revise or eliminate outdated provisions, reduce burden, and increase flexibility.

Waiver of Proposed Rulemaking

In accordance with the Administrative Procedure Act (5 U.S.C. 553), it is the practice of the Secretary to offer interested parties the opportunity to comment on proposed regulations. However, this document merely removes obsolete regulations from the Code of Federal Regulations. Removal of the regulations does not establish or affect substantive policy.

Therefore, the Secretary has determined, pursuant to 5 U.S.C. 553(b)(B), that public comment is unnecessary and contrary to the public interest.

Paperwork Reduction Act of 1995

These regulations have been examined under the Paperwork Reduction Act of 1995 and have been found to contain no information collection requirements.

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Note: The official version of this document is the document published in the **Federal Register**.

List of Subjects*34 CFR Part 305*

Education of individuals with disabilities, Educational research, Elementary and secondary education, Grant programs—education, Reporting and recordkeeping requirements, Technical assistance.

34 CFR Part 307

Education of individuals with disabilities, Educational research, Elementary and secondary education, Grant programs—education, Reporting and recordkeeping requirements.

34 CFR Part 309

Education of individuals with disabilities, Educational research, Grant programs—education, Reporting and recordkeeping requirements.

34 CFR Part 315

Education of individuals with disabilities, Educational research, Elementary and secondary education, Grant programs—education, Reporting

and recordkeeping requirements, Teachers.

34 CFR Part 316

Education of individuals with disabilities, Elementary and secondary education, Grant programs—education, Nonprofit organizations, Teachers.

34 CFR Part 318

Education of individuals with disabilities, Elementary and secondary education, Grant programs—education, Infants and children, Reporting and recordkeeping requirements, Student aid, Teachers.

34 CFR Part 319

Education of individuals with disabilities, Elementary and secondary education, Grant programs—education, Reporting and recordkeeping requirements, Student aid, Teachers.

34 CFR Part 320

Education of individuals with disabilities, Educational research, Government contracts, Grant programs—education, Reporting and recordkeeping requirements, Teachers.

34 CFR Part 324

Education of individuals with disabilities, Educational research, Elementary and secondary education, Government contracts, Grant programs—education, Reporting and recordkeeping requirements.

34 CFR Part 325

Education of individuals with disabilities, Elementary and secondary education, Grant programs—education, Reporting and recordkeeping requirements, Vocational education.

34 CFR Part 326

Education of individuals with disabilities, Educational research, Elementary and secondary education, Grant programs—education, Reporting and recordkeeping requirements.

34 CFR Part 327

Education of individuals with disabilities, Educational research, Elementary and secondary education, Grant programs—education, Infants and children, Reporting and recordkeeping requirements.

34 CFR Part 328

Education of individuals with disabilities, Educational research, Elementary and secondary education, Grant programs—education, Infants and children, Reporting and recordkeeping requirements.

34 CFR Part 330

Individuals with disabilities, Motion pictures.

34 CFR Part 331

Education of individuals with disabilities.

34 CFR Part 332

Education of individuals with disabilities, Educational research, Grant

programs—education, Reporting and recordkeeping requirements.

34 CFR Part 333

Education of individuals with disabilities, Educational research, Government contracts, Grant programs—education, Reporting and recordkeeping requirements.

34 CFR Part 338

Adult education, Colleges and universities, Education of individuals with disabilities, Educational research, Grant programs—education, Reporting and recordkeeping requirements, Vocational education.

Dated: April 22, 1998.

Judith E. Heumann,

Assistant Secretary for Special Education and Rehabilitative Services.

(Catalog of Federal Domestic Assistance numbers do not apply.)

PARTS 305, 307, 309, 315, 316, 318, 319, 320, 324, 325, 326, 327, 328, 330, 331, 332, 333, and 338—[REMOVED]

For the reasons stated in the preamble, under the authority at 20 U.S.C. 1221e-3, the Secretary amends Title 34 of the Code of Federal Regulations by removing parts 305, 307, 309, 315, 316, 318, 319, 320, 324, 325, 326, 327, 328, 330, 331, 332, 333, and 338.

[FR Doc. 98-11297 Filed 4-28-98; 8:45 am]

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