

**U.S. Department of Education
Retrospective Review Plan Report -- February 24, 2015**

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ED	OPE	Pay As You Earn 2	1840-AD18	These regulations will implement the memorandum issued by the President on June 9, 2014 (79 FR 33843), directing the Secretary to propose regulations that will allow additional students who borrowed Federal Direct Loans to cap their Federal student loan payments at 10 percent of their income. The memorandum further directed the Secretary to issue final regulations after considering all public comments with the goal of making the repayment option available to borrowers by December 31, 2015. The regulations will also make changes to the regulations governing how certain military servicemembers can receive the benefit of the interest rate cap provided by the Servicemembers Civil Relief Act on Federal student loans.	New	1-Nov	TBD	n		ED will commence negotiated rulemaking on these proposed changes in February 2015. Following completion of negotiations, the Department will publish a Notice of Proposed Rulemaking soliciting public comment on the proposed regulations.	Estimates of the costs and benefits of these regulations will be set forth in the Notice of Proposed Rulemaking.
ED	OPE	Experimental Sites Initiative (ESI) under the HEA	N/A	Under the ESI, the Secretary has authority to grant waivers from certain title IV, HEA statutory or regulatory requirements to allow a limited number of institutions to participate in experiments to test alternative methods for administering the title IV, HEA programs.	New	Ongoing	Yes, under the ESI, the Department may grant waivers of certain statutory and regulatory requirements.	y	Participating institutions may be required to use experimental designs for purposes of evaluation.	Ongoing work with schools participating in the current experiments and evaluation of the experiments by school officials and ED staff.	The benefits will be increased knowledge of innovative practices designed to improve the administration of the title IV, HEA programs and student outcomes.

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ED/DOL	OCTAE/ OSERS	Workforce Innovation and Opportunity Act (WIOA)-Joint Rule for Combined and Unified State Plans, Performance Accountability, and the One-Stop System Joint Provisions	1820-AB70; 1820-AB71; 1830-AA22; 1205-AB74	These joint regulations from ED and Department of Labor will implement the provisions of WIOA regarding combined and unified State plans, performance accountability, and One-Stop systems.	New	Jan-16	No.	n		ED and DOL will be issuing a Notice of Proposed Rulemaking soliciting public comment on the proposed regulations.	Estimates of the costs and benefits of these proposed regulations will be provided in the NPRM.
ED	OCTAE	WIOA -- Adult Education and Family Literacy Act	1830-AA22	These regulations will implement changes to the Adult Education and Family Literacy Act resulting from the enactment of WIOA and remove a number of obsolete regulations.	New	Jan-16	No.	n		ED will be issuing a Notice of Proposed Rulemaking soliciting public comment on the proposed regulations.	Estimates of the costs and benefits of these proposed regulations will be provided in the NPRM.
ED	OSERS	WIOA -- Rehabilitation Act of 1973	1820-AB70	These regulations will implement changes to the Rehabilitation Act of 1973 made by WIOA and affecting the State Vocational Rehabilitation Services and the State Supported Employment Services programs.	New	Jan-16	No.	n		ED will be issuing a Notice of Proposed Rulemaking soliciting public comment on the proposed regulations.	Estimates of the costs and benefits of these proposed regulations will be provided in the NPRM.

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ED	OSERS	WIOA -- Miscellaneous Program Changes	1820-AB71	These regulations will implement changes to programs administered by the Rehabilitation Services Administration and resulting from enactment of WIOA and remove several obsolete regulations.	New	Jan-16	No.	n		ED will be issuing a Notice of Proposed Rulemaking soliciting public comment on the proposed regulations.	Estimates of the costs and benefits of these proposed regulations will be provided in the NPRM.
ED	OESE	Impact Aid Program	1810-AB21	These regulations will reflect revisions to title VIII of the ESEA governing the Impact Aid program, correct technical errors, incorporate relevant statutory changes from the Individuals with Disabilities Education Act (IDEA), and its implementing regulations and make additional clarifying changes.	New	Jun-15	No.	n		N/A	We do not anticipate any changes in burden as a result of these technical amendments.
ED	OSERS	IDEA -- Early Intervention Program for Infants and Toddlers with Disabilities - MOE	1820-AB68	These regulations under part C of the IDEA, the Early Intervention Program for Infants and Toddlers with Disabilities, will clarify the nonsupplanting/maintenance-of-effort requirement and make other related changes regarding the compliance standard, the eligibility standard, the level of effort required of a State lead agency in the year after it fails to maintain effort, and the consequence of the failure to maintain effort.	New	TBD	TBD	n		ED will issue a Notice of Proposed Rulemaking soliciting public comment on these proposed amendments.	We do not anticipate an increase in burden as a result of these amendments. The benefits of the proposed regulations would be much-needed clarification to the field on the appropriate implementation of this rule and the standards that should be used for determining State lead agency eligibility for IDEA funds and compliance with the MOE requirement.

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ED	OCFO	Adoption of Government wide Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards	1890-AA19	These regulations adopt OMB's revised government wide Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal awards to non-Federal entities. The amendments also remove a number of obsolete regulations for grant programs that are no longer authorized.	New	12/19/2014, 79 FR 75871	No.	n		ED received public comments on these regulations in February 2015.	We believe a number of changes made by the Uniform Guidance, for example, the increase in the audit threshold from \$500,000 to \$750,000, combining the existing grant administration and audit circulars into one document, and the availability of a de minimis indirect cost rate for certain entities, will increase flexibility and reduce burden.
ED	OPE	Title IV, HEA – Program Integrity and Improvement	1840-AD14	These proposed regulations would address the issues affecting program integrity and improvement under title IV of the HEA, including cash management of funds provided under the title IV Federal Student Aid programs, treatment of previously-passed coursework, and clock-to-credit hour conversion.	Ongoing	Nov-15	No.	n		ED will be issuing a Notice of Proposed Rulemaking soliciting public comment on the proposed regulations.	Estimates of the costs and benefits of these proposed regulations will be provided in the NPRM.
ED	OPE	Title III and Title V of the HEA	1840-AD08	These regulations will implement statutory changes made to titles III and V of the HEA in recent reauthorization legislation. They will update and clarify existing program regulations and create regulations for newly established programs.	Ongoing	TBD	TBD	n		ED will be issuing a Notice of Proposed Rulemaking soliciting public comment on the proposed regulations.	Estimates of the costs and benefits of these proposed regulations will be provided in the NPRM.

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ED	OESE	ESEA Flexibility	N/A	This initiative provides flexibility to improve student academic achievement and increase the quality of instruction under the Elementary and Secondary Education Act of 1965, as amended (ESEA). The Department is offering State educational agencies (SEAs) the opportunity to request flexibility on behalf of the State, its LEAs, and schools, in order to better focus on improving student learning and increasing the quality of instruction.	Ongoing	Ongoing	This initiative offers States flexibility from statutory requirements in order to better improve student learning and instruction.	n		Informal feedback from States on the initiative.	Title I, Part A of the ESEA requires SEAs and LEAs to collect and disseminate information to implement the Federal requirements for schools identified for improvement, corrective action, or restructuring. Through the ESEA flexibility offered by the Department, SEAs can request flexibility from these requirements so that they and their LEAs can focus on improving student academic achievement and increasing the quality of instruction. SEAs receiving flexibility will not be required to identify schools for improvement, corrective action, or restructuring, or carry out the attendant responsibilities, resulting in a significant reduction in burden at the State, LEA, and school levels.
ED	OESE	ESEA -- Modified Academic Achievement Standards	1810-AB16	These regulations under title I, part A of the ESEA will no longer permit States to define modified academic achievement standards and develop alternate assessments for students with disabilities based on those modified academic achievement standards in order to satisfy ESEA accountability requirements.	Ongoing	Apr-15	No.	n		ED received comments on these regulations in December 2013.	We do not anticipate any increase in burden as a result of the amendments.

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ED	OESE	Indian Education Discretionary Grant Programs – Indian Education Professional Development and Demonstration Grants for Indian Children Programs	1810-AB19	The regulations for the Professional Development Program will update the payback requirements for participants and increase emphasis on grantees supporting participants in completing their programs and obtaining employment. The regulations will also add a priority for applications that propose activities based on an assessment of the barriers to college- and career-readiness of children and youth in a tribal community, that are developed and implemented by a partnership, and that implement community-based, culturally relevant intervention strategies to improve the educational opportunities and outcomes for those children and youth.	Ongoing	Spring 2015	No.	n		ED received comments on these regulations in January 2015.	We do not anticipate any increase in burden as a result of the proposed amendments.
ED	OII	CSP Grants to State Educational Agencies (SEA)	1855-AA11	These regulations will establish priorities, requirements, definitions, and selection criteria to govern this program and future discretionary grant competitions under this program. This action will support the development of high-quality charter schools by strengthening several components of the program including grantee accountability; accountability and oversight for authorized public chartering agencies; and support to educationally disadvantaged students.	Ongoing	May-15	No.	n		ED received public comments on these regulations in January 2015.	We do not anticipate any increase in burden as a result of the new priorities, requirements, and definitions for this program.

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ED	OSERS	IDEA -- Assistance to States for the Education of Children with Disabilities -- Local Educational Agency (LEA) Maintenance of Effort (MOE)	1820-AB65	These regulations under Part B of IDEA, which governs the Assistance to States for the Education of Children with Disabilities program and the Preschool Grants for Children with Disabilities program, will clarify existing policy and make other related changes regarding the compliance standard, the eligibility standard, the level of effort required of an LEA in the year after it fails to maintain effort under section 613(a)(2)(A)(iii) of the IDEA, and the consequence of the failure to maintain effort.	Ongoing	Apr-15	TBD	n		ED received public comments on these regulations in December 2013.	We do not anticipate an increase in burden as a result of these amendments. The benefits of the proposed regulations would be much needed clarification to the field on the appropriate implementation of this rule and the standards that should be used for determining LEA eligibility for IDEA Part B funds and compliance with the MOE requirement.
ED	OCFO	Education Department Acquisition Regulations (EDAR)	1890-AA18	These amendments would modify EDAR in order to update the regulations to accurately implement the current Federal Acquisition Regulations (FAR) and Department policies.	Ongoing	Spring 2015	No.	n		Informal feedback from regulated parties as the regulations are implemented.	We do not anticipate an increase in burden as a result of these amendments.
ED	OPE	Title IV of the Higher Education Act of 1965, as amended (HEA) -- Gainful Employment Programs	1840-AD15	These regulations establish standards under title IV of the HEA for programs that prepare students for gainful employment in a recognized occupation.	Completed	10/31/2014, 79 FR 64890	Yes, transition period, sunset provisions, and delayed effective date for certain provisions	n		ED will be conducting focus groups on the disclosure template institutions will need to use under the regulations.	Estimates of the costs and benefits of these regulations are set forth in the final regulations.

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ED	OPE	Title IV of the HEA -- Definition of Adverse Credit for Direct PLUS Loan Eligibility	1840-AD17	These regulations amend the definition of "adverse credit" for Direct PLUS loan eligibility.	Completed	10/23/2014, 79 FR 63317	Yes, the regulations provide for early implementation of the regulations.	n		Informal feedback from regulated parties as the regulations are implemented.	Estimates of the costs and benefits of these regulations are set forth in the final regulations.
ED	OPE	Violence Against Women Act	1840-AD16	These regulations address changes to the campus safety and security reporting requirements in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), made by the Violence Against Women Reauthorization Act of 2013 (VAWA).	Completed	10/20/2014, 79 FR 62752	No.	n		Informal feedback from regulated parties as the regulations are implemented.	Estimates of the costs and benefits of these regulations are set forth in the final regulations.
ED	OESE	School Improvement Grants (SIG) Program	1810-AB22	These requirements amend the current SIG requirements to incorporate new authority under the Consolidated Appropriations Act, 2014, and the Consolidated and Continuing Appropriations Act, 2015, and to make other updates based on lessons learned in implementing the SIG program over the last several years.	Completed	02/09/2015, 80 FR 7224	Yes, LEAs may implement a State-determined school intervention model and rural LEAs may modify an element of the intervention model. In addition, the allowable grant period has been extended from three to five years.	n		Informal feedback from regulated parties as the regulations are implemented.	Estimates of the costs and benefits of these requirements are set forth in the final requirements.
ED	OII	Direct Grant Programs and Definitions that Apply to Department Regulations	1855-AA10	The Department announced further clarifications to its regulations that allow discretionary grant programs to support grant-making decisions with rigorous evidence.	Completed	01/20/2105, 80 FR 2606	No.	n		Informal feedback from regulated parties as the regulations are implemented.	We do not anticipate any increase in burden as a result of these amendments.

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ED	OII	CSP Grants for National Leadership	N/A	The Department announced final priorities, requirements, and definitions to be used in the National Leadership Activities competition in FY 2015 and later years to ensure that projects funded by this program address key policy issues currently facing charter schools and impact stakeholders on a national scale.	Completed	07/14/2014, 79 FR 40647	No.	n		Informal feedback from regulated parties as the regulations are implemented.	We do not anticipate any increase in burden as a result of the new priorities, requirements, and definitions for this program.
ED	OII	Secretary's Supplemental Priorities	1894-AA04	The Department amended the Secretary's priorities for discretionary grant programs to improve the priorities based on past experience and to update them to meet changing needs. The priorities and related definitions may be used for any appropriate discretionary grant program and are intended to focus Federal financial assistance on expanding the number of Department programs and projects that support activities in areas of greatest need.	Completed	12/10/2014, 79 FR 73425	No.	n		Informal feedback from regulated parties as the regulations are implemented.	We do not anticipate any increase in burden as a result of the revisions to the supplemental priorities.
ED	OSERS	American Indian Vocational Rehabilitation Services (AIVRS) Program	1820-AB66	Through this regulatory action, ED is amending the regulations for the AIVRS program to clarify eligibility and other requirements.	Completed	02/05/2015, 80 FR 6452	No.	n		Informal feedback from regulated parties as the regulations are implemented.	We do not anticipate an increase in burden. The rule would clarify current regulations regarding eligible applicants to the AIVRS program.