

## CONCISE EXPLANATORY STATEMENT

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In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, following is a concise explanatory statement:

**AGENCY:** Department of Elementary and Secondary Education

**DIVISION:** *(If any)*

**RULE IDENTIFIER:** 200-RICR-20-30-1

**RULE TITLE:** Regulations Governing the Education of Children with Disabilities

**REASON FOR RULEMAKING:**

The formatting of the 2013 version of the regulations was revised to comply with the RICR formatting and codification guidelines for the new RI Code of Regulations as set forth by the Administrative Procedures Act and the Department of State.

This regulation was reorganized and streamlined for readability and clarity. The format and structure of the regulation have been changed to make it clear to the reader what regulatory content is federal and what is statespecific.

The 2013 version contained voluminous sections directly copied/pasted from the Code of Federal Regulations, interspersed with state specific regulatory clauses. The new version of the regulation removes the copied/pasted Code of Federal Regulation sections and instead incorporates those sections by reference, in a manner prescribed by R.I. Gen. Laws § 42353.2. What remains is a regulation that makes it apparent to the reader when the State of Rhode Island has requirements in addition to or exceptions to the Code of Federal Regulations. The regulation also clearly directs the reader to the exact sections in the Code of Federal Regulation that are incorporated by reference.

**ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE:** *(if any)*

**TESTIMONY AND COMMENTS:**

No testimony or comments were received.

**CHANGE TO TEXT OF THE RULE:****REGULATORY ANALYSIS:**

Prompted by federal statutory or regulatory changes where the agency was able to use discretion.