

**Supplement to Regulatory Reform Status Report
dated October 2017**



The Office of Elementary and Secondary Education has revised Attachment 3 to the October 2017 Status Report to include more specific explanations as to why the guidance referenced in that attachment is out-of-date and has attached hereto a revised Attachment 3.

	Title of Guidance	Date Guidance Issued	Significant ?	Stakeholders Affected by Guidance	Keep/Modify/Rescind?	Reasons for modifying or rescinding the guidance.	Reason Category
1	IAP - Guidance – Impact Aid Section 8007 School Construction Funds Made Available Under the American Recovery and Reinvestment Act of 2009	4/10/2009	Y	LEAs	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
2	IAP - Volume II—Frequently Asked Questions—Emergency Impact Aid for Displaced Students	3/29/2006	Y	LEAs	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
3	IAP - Volume I –Frequently Asked Questions on Emergency Impact Aid for Displaced Students	2/2/2006	Y	LEAs	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
4	Improving Literacy Through School Libraries (ILSL) FAQs	2/2/2011	N	ILSL grantees	R	Outdated	Guidance relating to programs that are no longer authorized
5	Advanced Placement Incentive (API) Program Grants Frequently Asked Questions (FAQs) from the Application Package Instructions for the FY 2011 Competition	2011	N	API grantees	R	Outdated	Guidance relating to programs that are no longer authorized
6	API Program Grants FAQs from the technical assistance workshops conducted by the Department on March 31 and April 7, 2011, for the FY 2011 Competition	2011	N	API grantees	R	Outdated	Guidance relating to programs that are no longer authorized
7	Gulf Coast Recovery Grant Initiative	2010	N	Gulf Coast Recovery grantees	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
8	Striving Readers (SR) FAQs	7/10/2009	N	SR grantees	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
9	Reading First (RF) FAQs related to the Decrease in FY 2008 Funding	5/14/2008	N	RF grantees	R	Outdated	Guidance relating to programs that are no longer authorized
10	Participation of Private School Students and Teachers in the RF Program	4/1/2008	N	RF grantees	R	Outdated	Guidance relating to programs that are no longer authorized

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11	IARSO-Allowable Uses of Restart Funds for Private Schools	4/24/2006	Y	IARSO grantees	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
12	IARSO-Uses of Funds Under the Restart Program	2/1/2006	Y	IARSO Grantees	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
13	Immediate Aid to Restart School Operations (IARSO)– Answers to Questions about Restart	1/6/2006	Y	IARSO grantees	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
14	Hurricane Educator Assistance Program	2005	N	Hurricane Assistance grantees	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
15	Final Guidance for the RF Program	4/1/2002	Y	RF grantees	R	Outdated	Guidance relating to programs that are no longer authorized
16	Guidance on McKinney-Vento Homeless Children and Youth Program Funds Made Available Under the American Recovery and Reinvestment Act of 2009	4/10/2009	N	SEAs/LEAs and other agencies serving children and youth experiencing homelessness	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
17	FAQ—Assistance for Homeless Youth Program under the Hurricane Education Recovery Act	1/10/2006	Y	Hurricane Assistance grantees	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
18	ESEA Review Guidance Submission Window 3	6/7/2012	Y	SEAs	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
19	Safe and Drug-Free Schools and Communities Act, State Grants, Non-Regulatory Draft Guidance for State and Local Implementation of Programs	1/1/2004	N	SEAs, LEAs, intermediate education agencies	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance

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20	Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program	7/30/2015	Y	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
21	Race to the Top Guidance and Frequently Asked Questions – No Cost Extension Addendum Phase 3	6/1/2015	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
22	ESEA Flexibility Renewal Guidance Process	5/6/2015	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
23	“State Plans to Ensure Equitable Access to Excellent Educators Frequently Asked Questions”	4/10/2015	Y	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
24	ESEA Flexibility Renewal Process Frequently Asked Questions	3/12/2015	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
25	Supplemental New Fiscal Year 2015 Awards for Immigrant Children and Youth - Questions and Answers	2015	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
26	Guidance on Transition from ESEA Flexibility to ESEA	12/16/2014	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
27	ESEA Flexibility Guidance for Renewal Process	11/13/2014	Y	SEAs, LEAs, schools	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
28	Services to Homeless Children and Youth, New Authority in the Consolidated Appropriations Act, 2014	7/22/2014	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
29	Race to the Top Assessment Program: Guidance and Frequently Asked Questions	5/7/2010 with addendums 5/21/2010, 6/17/2010, 2/6/2014	Y	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)

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30	OSS - Letter from Assistant Secretary Deborah Delisle regarding extension of ESEA flexibility	11/14/2013	N	SEAs	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
31	Race to the Top Guidance and Frequently Asked Questions – No Cost Extension Addendum	9/27/2013	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
32	Applying the Title I and School Improvement Hold-Harmless Requirements when Allocating Funds to Newly Opening and Significantly Expanding Charter School LEAs	9/23/2013	N	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
33	OSS - Letter from Assistant Secretary Deborah Delisle regarding field-test flexibility	9/17/2013	N	SEAs	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
34	OSS - Letter from Assistant Secretary Deborah Delisle regarding timeline for using results of teacher and principal evaluation and support systems to inform personnel decisions [letter provides additional information as to the timeline for using results of teacher and principal evaluation and support systems to inform personnel decisions. Provides explanation for how SEAs can receive the flexibility].	8/2/2013	N	SEAs	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
35	New Frequently Asked Questions and Answers on Expanded Learning Time (ELT) Under the ESEA Flexibility Optional Waiver	5/23/2013	Y	SEAs, LEAs, schools	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
36	OSS - Letter from Assistant Secretary Deborah Delisle regarding amendment to FY 2009 SIG application [Letter invites SEAs that believes additional time to expend FY 2009 funds would benefit its Cohort I Tier I or Tier II schools to amend its FY 2009 SIG application to request an extension of the waiver regarding the availability of the FY 2009 funds].	5/13/2013	N	SEAs	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
37	OSS - Letter from Assistant Secretary Deborah Delisle providing information about ESEA flexibility impact on single audit SY 2011-2012	4/23/2013	N	SEAs	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)

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38	Race to the Top Amendment Requests with No Cost Extension Guidance and Principles	3/1/2013	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
39	State and Local Report Cards Under Title I, Part A, Non-Regulatory Guidance	2/8/2013	Y	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
40	OSS - Letter from Assistant Secretary Deborah Delisle, regarding state assessment transition [Letter informs Chief State School Officers that the Department is suspending peer review of state assessment systems under Title I effective immediately, in order to review and revise current peer review process].	12/21/2012	N	SEAs	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
41	OSS - Letter from Assistant Secretary Deborah Delisle, regarding Healthy, Hunger-Free Kids Act of 2010 [Letter "provides guidance" with respect to identifying economically disadvantaged students in Community Eligibility Option schools in order to implement Title I requirements-re new universal meal program titled "Community Eligibility Option"] .	7/6/2012	N	SEAs	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
42	ESEA Flexibility Guidance	6/7/2012	Y	SEAs, LEAs, schools	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
43	OSS - Letter from Assistant Secretary Deborah Delisle, regarding submission for window 3 ESEA flexibility	6/7/2012	N	SEAs	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
44	OSS - Letter from Deputy Assistant Secretary of Policy and Strategic Initiatives Michael Yudin, Delegated Authority to Perform the Functions and Duties of the Assistant Secretary for Elementary and Secondary Education, regarding Principle 3 ESEA flexibility- window 2 (includes attachments)	5/22/2012	N	SEAs	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)

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45	Demonstrating that an SEA's Lists of Schools Meet ESEA Flexibility Requirements	4/17/2012	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
46	Addendum #2 to the SIG Guidance	3/1/2012	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to programs that are no longer authorized
47	ESEA Review Guidance Submission Windows 1 and 2	2/10/2012	Y		R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
48	Race to the Top Grant Amendment Submission Process	10/4/2011	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
49	OSS - Letter from Acting Assistant Secretary Michael Yudin inviting requests for waivers of the Tydings Amendment to extend through September 30, 2012 the period for obligating FY2009 State-administered ESEA funds made available under the regular appropriation and the American Recovery and Reinvestment Act	9/21/2011	N	SEAs	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
50	Guidance for States on the Education Jobs Fund Program	4/15/2011	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
51	OSS - Letter from Deputy Assistant Secretary for Policy and Strategic Initiatives Michael Yudin inviting SES waiver requests SY 2011-2012	3/31/2011	N	SEAs	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
52	Addendum to the SIG Guidance	2/16/2011	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to programs that are no longer authorized
53	Race to the Top Frequently Asked Questions	1/31/2011	Y	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)

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54	Title III Supplement, not Supplant Guidance	1/13/2011	N	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
55	When to Treat Expenditures of Education Jobs Funds as State or Local Funds for Purposes of the Fiscal Requirements under Title I, Part A of the Elementary and Secondary Education Act of 1965	11/1/2010	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
56	SIG Guidance	11/1/2010	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to programs that are no longer authorized
57	Guidance Concerning the Applicability of the Education Jobs Fund Program to Charter Schools	10/15/2010	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
58	Race to the Top Guidance and Frequently Asked Questions	5/27/2010	Y	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
59	Race to the Top Guidance and Frequently Asked Questions – Addendum 9	5/27/2010	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
60	Race to the Top Guidance and Frequently Asked Questions – Addendum 8	5/20/2010	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
61	Race to the Top Guidance and Frequently Asked Questions – Addendum 7	5/5/2010	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
62	EAG - FAQs for Competition in FY 2010 and earlier	3/1/2010	N	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance

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63	Race to the Top Guidance and Frequently Asked Questions – Addendum 5	1/13/2010	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
64	Guidance on the Maintenance-of-Effort Requirements in the State Fiscal Stabilization Fund Program	1/1/2010	Y	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
65	Race to the Top Phase 1 – Correction to Notice of Final Priorities	1/27/2010	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
66	Guidance for Grantees and Auditors: State Fiscal Stabilization Fund Program	12/24/2009	Y	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
67	Race to the Top Guidance and Frequently Asked Questions – Addendum 2	12/18/2009	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
68	Race to the Top Phase 1 – Notice of Final Priorities	11/18/2009	Y	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
69	SFSF - Guidance on the Use of Government Services Funds for Medicaid Expenses	10/2/2009	Y	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
70	SFSF Guidance on Funds Provided to Public Institutions of Higher Education for Student Financial Assistance Programs	7/6/2009	Y	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)

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71	Guidance on the State Fiscal Stabilization Fund	4/1/2009	Y	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
72	Non-Regulatory Guidance Regarding High School Graduation Rate	12/22/2008	Y	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
73	Non-Regulatory Guidance Regarding Title III Non-Supplanting Provisions (Letter to Chief State School Officers) (Guidance)	10/2/2008	Y	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
74	Guidance on final regulations that allow states to develop modified achievement standards for certain students with disabilities	7/20/2007	Y	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
75	Revised LEA and School Improvement, Non-Regulatory Guidance	7/21/2006	Y	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
76	Questions and Answers on the Participation of Private Schools in Providing Supplemental Educational Services (SES) Under No Child Left Behind	5/1/2006	Y	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
77	Designing Schoolwide Programs, Non-Regulatory Guidance	3/1/2006	Y	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
78	Title II Highly Qualified Teachers Guidance	8/3/2005	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to programs that are no longer authorized
79	NCLB Policy Letters to States—Use of Funds for Districts and Schools Identified for School Improvement	10/12/2004	Y	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance

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80	NCLB Policy Letters to State –School Improvement - Delay in Identifying Schools for School Improvement	3/9/2004	Y	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
81	Report Cards, Title I, Part A, Non-Regulatory Guidance	9/12/2003	N	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
82	Supplemental Educational Services Non-Regulatory Guidance	8/22/2003	N	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
83	Standards and Assessments Non-Regulatory Guidance	3/10/2003	N	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
84	Non-Regulatory Guidance on Implementation of Title III State Formula Grant Program	2/25/2003	Y	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
85	EAG Notice of final requirements for optional State consolidated applications submitted under section 9302 of the ESEA	5/22/2002	N	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
86	One-Year AMO Waiver Guidance and Template	02/01/2012	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)
87	Part A and Part D, Subpart 1 of Title I of the Elementary and Secondary Education Act of 1965, as amended, Sections 1124 and 1412	11/5/2001	N	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
88	Guidance on Paraprofessionals	3/1/2001	N	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance

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89	Title I Accountability: Guidance on the \$225 Million Fiscal Year 2001 Appropriation For School Improvement" updates the Title I school improvement guidance to reflect changes made in the fiscal year 2001 appropriations statute	2001	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
90	Guidance on the 134 Million FY 2000 Appropriation for School Improvement	1/1/2000	N	SEAs, LEAs, schools	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
91	Cross-Cutting Guidance for the Elementary and Secondary Education Act	9/1/1996	N	SEAs, LEAs, schools	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
92	Qualified Zone Academy Bonds – Letter to Chief State School Officers	3/1/2011	N	States, Public Schools	R	Outdated	Guidance relating to programs that are no longer authorized
93	Guidance on Enhancing Education through Technology (Ed Tech) Program Funds Made Available under the American Recovery and Reinvestment Act of 2009 (July 2009): http://www2.ed.gov/programs/edtech/guidance-arra.doc	7/1/2009	Y	SEAs, LEAs	R	Outdated	Guidance relating to one-time funds (i.e. ARRA, SFSF, Recovery Act funds -- Hurricane Katrina)
94	Fiscal Year 2008 Guidance for Title V, Part A of the Elementary & Secondary Education Act of 1965, as Reauthorized by the No Child Left Behind Act of 2001 (State Grants for Innovative Programs) 2008	5/1/2008	Y	SEAs, LEAs, Outlying Areas, Students (including at-risk youth)	R	Outdated	Guidance that is no longer in effect because it was superseded either by ESSA or by later guidance
95	Qualified Zone Academy Bonds – 4 FAQs	12/1/2004	N	States, Public Schools	R	Outdated	Guidance relating to programs that are no longer authorized
96	Final Guidance on the Enhancing Education Through Technology (Ed-Tech) Program	3/1/2002	Y	SEAs, LEAs	R	Outdated	Guidance relating to programs that are no longer authorized

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97	OSS - Letter from Deputy Assistant Secretary of Policy and Strategic Initiatives Michael Yudin, Delegated Authority to Perform the Functions and Duties of the Assistant Secretary for Elementary and Secondary Education, regarding Principle 3 ESEA flexibility- window 1	5/22/2012	N	SEAs	R	Outdated	Guidance relating to a one-time initiative (i.e., ESEA Flex)