

PENNSYLVANIA DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION  
August 15, 2017  
PENN\*LINK

TO: School District Superintendents  
School District Special Education Directors  
Charter School Chief Executive Officers  
Charter School Special Education Directors  
Intermediate Unit Executive Directors  
Intermediate Unit Special Education Directors  
Approved Private School Chief Executive Officers  
Approved Private School Special Education Directors

FROM: Ann Hinkson-Herrmann, Director  
Bureau of Special Education

SUBJECT: Individuals with Disabilities Education Act Amendment – Rosa’s Law Change in Disability Terminology

Rosa's Law (Pub. L. 111-256), signed in 2010, amended sections of the Individuals with Disabilities Education Act (IDEA) and the Rehabilitation Act of 1973, as amended (Rehabilitation Act), by removing the words “mental retardation” and replacing them with the words “intellectual disability” or “intellectual disabilities.”

Rosa's Law amended IDEA by substituting “intellectual disabilities” for “mental retardation” in sections 601(c)(12)(C) (20 U.S.C. 1400(c)(12)(C)) and 602(3)(A)(i) and (30)(C) (20 U.S.C. 1401(3)(A)(i) and (30)(C)). In addition, the IDEA regulations in 34 CFR Part 300 changed the term “mental retardation” to “intellectual disability” in the following Part B regulations:

§§300.8(a)(1) and (c)(6), (c)(7), and (c)(10)(ii) (Child with a disability);  
§300.309(a)(3)(ii) (Determining the existence of a specific learning disability); and  
§300.311(a)(6) (Specific documentation for the eligibility determination).

The final regulations implementing this statutory change in applicable Department of Education regulations have been published in the July 11, 2017 Federal Register notice. The changes went into effect August 10, 2017. Appropriate terminology changes to documents reflecting the changes brought about by the amended IDEA will be forthcoming from the Bureau of Special Education.

If you have any questions regarding this information, please contact John Gombocz by e-mail at [jgombocz@pa.gov](mailto:jgombocz@pa.gov), or by phone at 717.772.3745.