



## Rosa's Law

*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.” Final regulations, published today, implement these statutory changes in applicable Office of Special Education and Rehabilitative Services regulations.

Read the final regulations implementing this statutory change in applicable Department of Education regulations in the July 11, 2017 [Federal Register notice](#).

### IDEA Statute:

*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)).

### IDEA Regulations:

As stated above, the final regulations published today in the *Federal Register* implement *Rosa's Law*. Because *Rosa's Law* amended *IDEA*, we have made conforming changes to the *IDEA* regulations ([34 CFR part 300](#)). The term “mental retardation” has been changed 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).

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### Rehabilitation Act:

*Rosa's Law* amended the *Rehabilitation Act* by

- substituting “intellectual disability” for “mental retardation” in section 7(21)(A)(iii) ([29 U.S.C. 705\(21\)\(A\)\(iii\)](#));
- substituting “intellectual disabilities” for “mental retardation” in section 204(b)(2)(C)(vi) ([29 U.S.C. 764\(b\)\(2\)\(C\)\(vi\)](#)); and
- substituting “President's Disability Employment Partnership Board and the President's Committee for People with Intellectual Disabilities” for “President's Committees on Employment of People With Disabilities and on Mental Retardation” in section 501(a) ([29 U.S.C. 791\(a\)](#)).

## Rehabilitation Act Regulations:

In the regulations implementing the *Rehabilitation Act*, we have substituted “intellectual disability” for “mental retardation” and “having an intellectual disability” for “mentally retarded” in the following definitions:

- "handicapped person" in §104.3(j)(2)(i)\*;
- "individual with a severe disability" in §385.4\*;
- "individual with a significant disability" in §361.5\* and §373.4\*;
- "individual with handicaps" in §105.3\*; and
- "physical or mental impairment" in §361.5\*.

\*Indicates section is within Title 34 CFR.

We have also substituted “intellectual disability” for “mental retardation” in Appendix A to part 104, Title 34 CFR.



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