**24:05:19:08.02.  State-level nonsupplanting.** Except as provided in § 24:05:19:05, federal funds paid to the state under Part B of the Individuals with Disabilities Education Act, shall be used to supplement and in no case supplant, federal, state, and local funds (including funds that are not under the direct control of the state or local education agencies) expended for special education and related services provided to students with disabilities.

 **Source:** 26 SDR 150, effective May 22, 2000; 36 SDR 96, effective December 8, 2009.

 **General Authority:** SDCL 13-37-1.1.

 **Law Implemented:** SDCL 13-37-1.1.