**24:05:19:08.03.  Maintenance of state financial support.** The state may not reduce the amount of state financial support for special education and related services for students with disabilities, or financial support otherwise made available because of the excess costs of educating those students, below the amount of that support for the preceding fiscal year.

In complying with state requirements for commingling, nonsupplanting and maintenance of effort, the state may not use funds paid to it under Part B of IDEA to satisfy state-law mandated funding obligations to school districts, including funding based on student attendance, enrollment, or inflation.

**Source:** 26 SDR 150, effective May 22, 2000; 33 SDR 236, effective July 5, 2007.

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

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