**24:05:20:12.  Additional requirements for consolidated requests.** In addition to the requirements of §§ 24:05:20:01 to 24:05:20:11, inclusive, the following provisions are applicable. The department shall also annually notify those districts within the state that may be required to submit a consolidated request:

(1)  A consolidated request must meet the same minimum requirements as a single district request and must be signed by the superintendent of each participating school district;

(2)  School districts participating in a consolidated request are jointly responsible for implementing a program of free appropriate public education for all their students with disabilities, including the least restrictive environment requirements;

(3)  Noncompliance with the Individuals with Disabilities Education Act, Part B requirements by any single school district participating in a consolidated request constitutes noncompliance by all districts involved;

(4)  Each school district participating in a consolidated request must use an accounting system that permits identification of the costs paid for under its subgrant;

(5)  Excess cost for a consolidated request shall be computed on the basis of the average of the combined minimum amounts each school district spends for elementary and secondary school students; and

(6)  The state may not make a subgrant that exceeds the sum of the entitlements of the separate local education agencies.

The provisions of this section only apply to the submission of a consolidated request for Individuals with Disabilities Education Act, Part B funds. They are not applicable to the establishment of cooperative educational service units.

**Source:** 16 SDR 41, effective September 7, 1989; 23 SDR 31, effective September 8, 1996; 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.