**24:05:20:18.  Program monitoring and evaluation.** In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, the special education programs of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations.

 The department shall ensure:

 (1)  That the requirements of this article are carried out;

 (2)  That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Indian children operated or funded by the Secretary of the Interior:

 (a)  Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and

 (b)  Meets the educational standards of the state education agency, including the requirements of this article; and

 (3)  In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met.

 **Source:** 16 SDR 41, effective September 7, 1989; 23 SDR 31, effective September 8, 1996; 33 SDR 236, effective July 5, 2007.

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

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