**24:05:25:03.02.  Exception to initial evaluation timeline.** The timeline described in § 24:05:25:03 does not apply to a school district if:

(1)  The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or

(2)  A child enrolls in a school of another school district after the relevant timeline in § 24:05:25:03 has begun, and before a determination by the child's previous school district as to whether the child is a child with a disability.

The exception in this section applies only if the subsequent school district is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent school district agree to a specific time when the evaluation will be completed.

**Source:** 33 SDR 236, effective July 5, 2007.

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

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