**24:05:25:04.  Evaluation procedures -- General.** School districts shall ensure, at a minimum, that evaluation procedures include the following:

 (1)  Assessments and other evaluation materials are provided and administered in the child's native language or by another mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer. In addition, assessments and other evaluation materials:

 (a)  Are used for the purposes for which the assessments or measures are valid and reliable; and

 (b)  Are administered by trained and knowledgeable personnel in conformance with the instructions provided by their producer;

 (2)  Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient;

 (3)  Assessments are selected and administered so as best to ensure that if an assessment is administered to a child with impaired sensory, manual, or speaking skills, the assessment accurately reflects the child's aptitude or achievement level or whatever other factors the assessment purports to measure, rather than the child's impaired sensory, manual, or speaking skills except where those skills are the factors which the assessment purports to measure;

 (4)  No single measure or assessment is used as the sole criterion for determining eligibility or an appropriate educational program for a child;

 (5)  A variety of assessment tools and strategies are used to gather relevant functional, developmental, and academic information about the child, including information provided by the parents, that may assist in determining:

 (a)  Whether the child is a child with a disability; and

 (b)  The content of the child's IEP, including information related to enabling the child:

 (i)   To be involved in and progress in the general education curriculum; or

 (ii)  For a preschool child, to participate in appropriate activities;

 (6)  Technically sound instruments, assessment tools, and strategies are used that:

 (a)  May assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors; and

 (b)  Provide relevant information that directly assists persons in determining the educational needs of the child;

 (7)  The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities; and

 (8)  The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

 Assessments of children with disabilities who transfer from one school district to another school district in the same school year are coordinated with those children's prior and subsequent schools, as necessary and as expeditiously as possible, consistent with § 24:05:25:03.01, to ensure prompt completion of full evaluations.

 **Source:** 16 SDR 41, effective September 7, 1989; 18 SDR 158, effective March 31, 1992; 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, 13-37-30.