**24:05:27:15.02.  IEPs for student transfers from another state.** If a student with a disability, who had an IEP that was in effect in a previous school district in another state, transfers to a school district in South Dakota, and enrolls in a new school within the same school year, the new school district, in consultation with the parents, shall provide the child with FAPE, including services comparable to those described in the student's IEP from the previous school district, until the new school district:

(1)  Conducts an evaluation pursuant to chapter 24:05:25, if determined to be necessary by the new school district; and

(2)  Develops, adopts, and implements a new IEP, if appropriate, that meets the applicable requirements in this chapter.

**Source:** 32 SDR 41, effective September 11, 2005; 33 SDR 236, effective July 5, 2007.

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

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