**24:05:27:16.02.  Services applicable to surgically implanted device.** Nothing in this section:

 (1)  Limits the right of a child with a surgically implanted device (e.g., cochlear implant) to receive related services listed in § 24:05:27:16 that are determined by the IEP team to be necessary for the child to receive FAPE;

 (2)  Limits the responsibility of a school district to appropriately monitor and maintain medical devices that are needed to maintain the health and safety of the child, including breathing, nutrition, or operation of other bodily functions, while the child is transported to and from school or is at school; or

 (3)  Prevents the routine checking of an external component of a surgically-implanted device to make sure it is functioning properly, as required in § 24:05:27:05.01.

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

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

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