**24:05:28:03.  Factors in determining placements.** Each school district shall establish and implement procedures which ensure that the following factors are addressed in determining placements:

 (1)  Each child's educational placement must be individually determined at least annually and must be based on the child's individual education program;

 (2)  Provisions are made for appropriate classroom or alternative settings necessary to implement a child's individual education program;

 (3)  Unless a child's IEP requires some other arrangement, the child shall be educated in the school which that child would normally attend if not disabled. Other placement shall be as close as possible to the child's home;

 (4)  Placement in the least restrictive environment will not produce a harmful effect on the child or reduce the quality of services which that child needs; and

 (5)  A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

 **Source:** 16 SDR 41, effective September 7, 1989; 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.