**24:05:32:01.03.  Child count.** Each school district shall:

(1)  After timely and meaningful consultation with representatives of parentally-placed private school children, determine the number of eligible children attending private schools located in the district; and

(2)  Ensure that the count is conducted on any date between October 1 and December 1, inclusive, of each year.

The child count must be used to determine the amount that the school district must spend on providing special education and related services to private school children with disabilities in the next subsequent fiscal year. Expenditures for child find activities described in § 24:05:32:01.01, including individual evaluations, may not be considered in determining whether the school district or other public agency has met the requirements of § 24:05:32:01.02. State and local educational agencies are not prohibited from providing services to private school children with disabilities in excess of those required by this section consistent with state law or local policy.

**Source:** 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.