**24:14:02:13.  Public participation -- Federal application requirement.** At least 60 days prior to submitting the federal application for part C funding to the U.S. Department of Education, the department shall publish the application in a manner that will ensure circulation throughout the state with an opportunity for public comment on the application for at least 30 days during that period.

The application must include a description of the policies and procedures used by the state to ensure that, before adopting any new policy or procedure, including any revision to an existing policy of procedure, needed to comply with Part C of the IDEA and this article, the department:

(1)  Holds public hearings on the new policy or procedure, including any revision to an existing policy or procedure;

(2)  Provides notice of the hearings held in accordance with this section at least 30 days before the hearings are conducted to enable public participation; and

(3)  Provides an opportunity for the general public, including individuals with disabilities, parents of infants and toddlers with disabilities, contractors, and the members of the state interagency coordinating council, to comment for at least 30 days on the new policy or procedure, including any revision to an existing policy or procedure, needed to comply with Part C of the IDEA and this article.

**Source:** 39 SDR 109, effective December 17, 2012.

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

**Law Implemented:** SDCL 13-1-23, 13-14-1, 13-37-1.1.