

At a glance:



# IDEA in South Dakota

SD



## Is my child eligible?

Children with chronic illnesses can receive educational accommodations under the IDEA *Other Health Impairments (OHI)* category.

To receive educational accommodations under IDEA OHI, your child must:

- » Have physical or mental limitations due to the chronic illness.
- » Experience negative impacts on educational performance due to the chronic illness.



## How long does the eligibility evaluation take?

Schools have **25 school days** to complete your child's evaluation to determine eligibility.



## Where does my child receive educational accommodations?

Your child will most likely receive educational accommodations in the regular classroom.



## When will my child get an Individualized Education Plan (IEP)?

The IEP team must have a meeting and develop an IEP within **30 days** of determining your child is eligible for educational accommodations under IDEA.



## Where can I get help?

**SOUTH DAKOTA ADVOCACY SERVICES**—Provides legal representation and other advocacy services to all eligible persons with disabilities.

605.224.8294

800.658.4782

[sdas@sdadvocacy.com](mailto:sdas@sdadvocacy.com)

[www.sdadvocacy.com](http://www.sdadvocacy.com)

**SOUTH DAKOTA PARENT CONNECTION**—Provides training, information, and resources to families caring for children with disabilities or special health care needs.

605.361.3171

800.640.4553

[sdpc@sdparent.org](mailto:sdpc@sdparent.org)

[www.sdparent.org](http://www.sdparent.org)



## Can I participate in my child's IEP team?

Yes, parents are equal members of the IEP team and have a say in the development and implementation of the child's IEP.



Visit [www.projectpencil.com](http://www.projectpencil.com) to learn more about legal protections for children with chronic illness under IDEA. The Project PENCIL materials provide general information, which is not intended to constitute legal advice or substitute for obtaining legal advice from your own counsel. Laws vary by state and are subject to change. If you need answers to specific legal questions, please seek professional legal assistance.