

Disability *Rights*

South Dakota

COVID-19, Grades, and Transition Services for Children with Disabilities

Before a student with an Individualized Educational Program (“IEP”) reaches the age of 16, the school district must develop an individualized transition plan for the student. 20 U.S.C. § 1414 (d)(1)(A)(i)(VIII). The student’s transition plan may be created at any age prior to the student’s 16th birthday. The purpose of a transition plan is to help a student meet their post-high school goals, such as attending a college, finding gainful employment, or learning how to live independently. A student’s transition plan contains different tasks the school and student must complete to make sure the student is prepared for life after graduation. The school district must also provide transition services needed to assist student in reaching their post-high school goals. 20 U.S.C. § 1414 (d)(1)(A)(i)(VIII)(bb).

COVID-19 changed the way school districts in South Dakota provided services to individuals with disabilities during the end of the 2019-2020 school year. Due to the changes of services, parents and students may have concerns about grades and graduation. School districts determine locally how to award grades and credits to students during the COVID-19 school closures. ARSD 24:43:01:01(53). School districts likely changed accommodations, services, and coursework that many students with disabilities received because of the school closures. These changes could impact a student’s ability to achieve his or her post-high school goals. To understand the impact of the COVID-19 school closures

on individual students with disabilities, an IEP meeting should be held and the following should be discussed:

1. How the school district will determine the student's final grades;
2. The impact that this school year will have on the student's post-high school goals;
3. Any changes to college admissions because of COVID-19;
4. Pass/fail grades and their impact on the student's post-high school goals;
5. The school district's plan to address any regression that occurred during the school closure, including how the school will make up services to the student; and
6. Any changes needed to ensure the student can meet his or her transition goals.

It is important to note that each student's situation is unique. This information sheet is intended to give basic information and not individual legal advice. This is not substitute for legal advice. DRSD is not responsible consequences of any actions taken based on the information provided in this sheet. Contact us if you have question about any information contained in this flyer.



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