

2010 Legal and Public Notices

moval language and Corps 404 permit language: "Trees shall not be removed [unless necessary]." The Corps 404 permit language would be stricken from the proposal. Mockler seconded, and the motion carried.

Mockler moved, seconded by Packard and carried to adjourn and reconvene as Board of County Commissioners.

Gene Lunn, Director of Equalization, met with the Board to discuss the 2014 budget for the Director of Equalization Office. Lunn discussed additional funds requested in the 2014 budget for a copy machine. After reviewing cost estimates, it was the consensus of the Board to allow purchase of machine instead of a lease. The Deputy salary for 2014 was discussed, with proposed changes to the job title to include GIS Coordinator. Packard moved, seconded by Kephart and carried to approve step 14/9 and title of Chief Deputy/GIS Coordinator.

A Fireworks Display Permit was presented for Tom Taylor, Fireworks Unlimited. The display is to happen at approximately 9:30 p.m. August 24, 2013 at the Clay County Park Rodeo Grounds, 3 miles west of Vermillion, just off of Timber Rd. Powell moved, seconded by Packard and carried to authorize the Chairman to sign approval of said permit.

Kephart moved, seconded by Powell and carried to approve a \$5419 budget allocation to Dakota Senior Meals for 2014.

The Board reviewed the Provisional Budget for 2014. Packard moved, seconded by Mockler and carried to adopt the Provisional Budget. The hearing date will be Tuesday, September 3, 2014 with a time to be set at the next meeting.

The Vermillion Public Library monthly reports were accepted and placed on file.

Motion by Powell, seconded by Mockler and carried to approve the following claims for payment:

Payroll: Commissioners-\$4850.00, Auditor's Office-\$8800.00, Treasurer's Office-\$12219.15, States Attorney's Office-\$12569.26, Courthouse-\$2283.33, DOE's Office-\$8039.16, ROD's Office-\$6723.33, Veteran's Office-\$1533.33, Sheriff's Office-\$29070.58, County Jail-\$12826.40, 24/7 Sobriety Project-\$1741.03, Coroner-\$174.00, LEPC-\$273.92, Emerg. Mgmt. Office-\$2493.00, Highway Department-\$37566.55, CHN Office-\$1856.79, WIC Office-\$774.88, Extension Office-\$3521.42, Weed Department-\$9187.39, and Zoning Office-\$1917.71; (Payroll Withholding) AFLAC-\$1012.34, Clay County Treasurer-\$36940.09, Colonial Life-\$491.94, Conseco/Washington National Ins.-\$423.70, Dearborn National-\$201.39, Nationwide Retirement Solutions-\$58.82, New York Life Ins.-\$440.23, SD Retirement System-\$17949.19, SD Supplement Retirement-\$950.00, SD Roth 457(b)-\$25.00, TASC (Flex)-\$2487.63, United Way Of Vermillion-\$71.00, Vermillion Federal Credit Union-\$1081.00, Wellmark Blue Cross/Blue Shield-\$31213.02; July Bills: (Prof. Serv./Fees) Accurate Reporting-\$760.50, Avera-\$206.45, David Bergendahl-\$39.20, John Billings-\$1211.25, Jeanne Bossman-\$962.20, Broadcaster Press-\$73.43, Denise Cody-\$15.00, Carri Crum-\$10.59, David Hosmer Law Office-\$161.28, ISecuretrac Corp.-\$292.05, Jensen Insurance-\$115.33, Joan Kittelson-\$15.00, Lewis & Clark BHS-\$298.00, Lucille Lewno-\$195.96, James E. McCullough-\$186.62, Netsys Plus-\$292.49, Peterson, Stuart, & R u m p c a - \$ 4 0 6 1 . 1 6 , PharmChem-\$168.00, Sanford Health-\$96.00, Security Shredding-\$35.00, Shepherd Reporting-\$30.00, Yankton Co. Treasurer-\$212.50; (Publishing) Plain Talk-\$385.23, (Repairs/Maint.) Bob's Parking Lot Repair-\$287.00, Dakota Alignment & Frame-\$49.50, Dakota PC Warehouse-\$49.99, Hartelco-\$10.00, Caleb Hobbs-\$2671.08, Johnson Electric-\$562.08, Office Elements-\$101.57, Olson's Pest Technicians-\$45.00, Pressing Matters-\$220.80, Presto-X-\$65.73, Shire Properties-\$2400.00, Total Flooring-\$2561.99, WH Over Museum-\$75.00, Brad Waage Construction-\$4540.30; (Clay Creek Ditch Expense) Bruce Mastel-\$35.00, Netsys Plus-\$250.00; (Materials/Supplies) American Institutional-\$44.64, Aaron Armstrong-\$30.00, Bomgaars-\$54.99, Boyer Trucks, Inc.-\$174.59, Brunick Service-\$6535.95, Butler Machinery Co.-\$269.28, Campbell Supply-\$135.30, Chemco-\$117.46, Concrete Materials-\$125045.82, Dakota Alignment & Frame-\$2.97, First Bank & Trust Visa-\$51.72,

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Hy-Vee-\$49.95, Interstate Power Systems-\$1202.00, JCL Solutions-\$112.25, Andrew Jensen-\$31.48, John Jepsen-\$71.82, D e e r e - \$ 1 5 8 . 9 0 , M A R C O - \$ 1 7 5 . 3 4 , McLeods-\$413.59, Midwest Oil-\$557.45, Orr Farm Supply-\$34.65, Quill Corp.-\$157.00, SD Dept. of Transportation-\$298.87, Sioux Falls 2-Way-\$458.28, Sturdevant's Auto Parts-\$774.84, Union County Highway Dept.-\$2617.12, Verizon Wireless-\$11.77, Vermillion Federal Credit Union-\$19.53, Wal-Mart-\$53.13, Western Office Tech.-\$191.12, Yankton Janitorial Supply-\$6129.25, Zee Medical Service-\$101.60; (Travel/Conference) Cynthia Aden-\$20.90, Best Western Ramkota-\$100.00, Gateway Hotel-\$88.48, Gertsma, Teddi-\$46.00, Gene Lunn-\$46.00, Ina Peterson-\$73.62; (Utilities) Jeffrey Anders-\$120.00, Aaron Armstrong-\$120.00, Bureau of Administration-\$20.00, City of Vermillion-\$3111.02, Clay Rural Water System-\$190.30, Hartelco-\$79.95, Andy Howe-\$240.00, Tiffany Husby-\$240.00, David Kyte-\$120.00, Midcontinent Comm.-\$260.00, Kevin Noble-\$120.00, Paul Pederson-\$120.00, Michael Smith-\$120.00, Verizon Wireless-\$73.99, Vermillion Garbage Service-\$156.00, Jerami West-\$120.00; (Chemicals) Centerville Ag-\$281.07; (2014 Allocation) Clay County Ag Fair Assoc.-\$13000.00; (POD Grant) Grace Freeman-\$562.50, MLN Consulting-\$1040.70; (Machinery/Auto) North Central Ambulance-\$119837.00; (Jury/Witness) Leslie Aust-\$50.00, Mary Christopherson-\$50.00, Natasha Gault-\$50.74, Patricia Goebel-\$50.00, Cody Hall-\$50.00, Ruth Hessman-\$68.50, Joseph Johnson-\$52.96, Virginia Mullinix-\$68.50, Harlan Wentzel-\$52.96; (Books) Thomson Reuters-\$6745.25; (Fire Premium Refund) Beresford Rural Fire-\$1723.93, Centerville Rural Fire-\$1195.54, Gayville Rural Fire-\$1070.28, Irene Rural Fire-\$582.00, Vermillion Rural Fire-\$29204.08, Volin Rural Fire-\$259.00, Wakonda Rural Fire-\$3042.72.

Payroll changes for the month of July: Kevin Noble filled the recently-created 1/4-time 24/7 Sobriety Project Administrator position at step 13/7, \$15.63/hour.

At 1:00 p.m. Powell moved, seconded by Mockler and carried to adjourn and reconvene Tuesday, August 6, 2013 at 9:00 a.m.

Raymond Passick, Chairman
Board of County Commissioners

ATTEST:

Carri R. Crum, County Auditor

Published once at the total approximate cost of \$200.64
Published: August 9, 2013

Vermillion School District #13-1 Notice of Nondiscrimination

The Vermillion School District does not discriminate on the basis of race, color, creed, religion, national origin, gender, disability, ancestry, sexual orientation, gender identity or age in its education programs or activities and employment opportunities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding nondiscrimination policies and Title VI and Title IX compliance:

Dr. Mark Froke, Superintendent
Vermillion School District
17 Prospect Street
Vermillion, SD 57069
605-677-7000

The following respective principal of each school building serves as Section 504 coordinator/director for each building program:

Kim Johnson
Austin Elementary School
300 High St.
Vermillion, SD 57069
605-677-7010

Mark Upward
Jolley Elementary School
224 South University Street
Vermillion, SD 57069
605-677-7015

Pat Anderson
Vermillion Middle School
422 Princeton Street
Vermillion, SD 57069
605-677-7025

Curt Cameron
Vermillion High School
1001 East Main Street
Vermillion, SD 57069
605-677-7035

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South Dakota Regional U.S. Office for Civil Rights: Regional Director U.S. Department of Education Office for Civil Rights 8930 Ward Parkway, Ste 2037 Kansas City, MO 64117-3302 Phone: 816-268-0550 Fax: 816-826-1404 TDD: 877-521-2172 Email: OCR.KansasCity@ed.gov

This notice will appear in: School Handbooks School Website

NO CHILD LEFT BEHIND

With the passage of the No Child Left Behind (NCLB) Legislation, parents of all school children have a right to know the professional qualifications of classroom teachers who instruct their child. Federal laws allow you to ask for certain information about your child's classroom teachers, and requires us to give you this information in a timely manner if you request it. Specifically, you have the right to ask for the following information about each of your child's classroom teachers.

Whether the state of South Dakota has licensed or qualified the teacher for the grades and subjects he or she teaches.

Whether the state of South Dakota has decided that the teacher can teach in a classroom without being licensed or qualified under state regulations because of special circumstances.

The teacher's college major; whether the teacher has any advanced degrees, and if so, the subject(s) of the degree(s).

Whether any teachers' aides or similar paraprofessionals provide services to your child, and if they do, their qualifications.

Children in the Title I program will be taught by a highly qualified teacher. A Highly Qualified teacher is a teacher who has full state certification from the Department of Education at the state level, and has a minimum of three years experience or has passed the iPraxisi exam for the subject to which they are assigned. If you wish to know the status of your child's teacher, please contact your child's principal. A timely notice will be sent to the appropriate parents that the parent's child has been assigned, or has been taught for 4 or more consecutive weeks by a teacher who is not highly qualified.

If you would like to receive any of this information, please send a written request to Mark Froke, Superintendent, Vermillion School District, Administrative Services Building, 17 Prospect, Vermillion, South Dakota 57069.

NCLB SELECTIVE SERVICES

The NCLB law requires school districts to provide student information to Selective Services such as names, addresses, and telephone numbers. If parents or guardians choose to not have the school release this information to the Selective Service they should send this request to Vermillion High School Principal's Office, 1001 East Main, Vermillion, SD 57069.

NCLB Allows Request of Teacher Qualifications

The federal NCLB law requires that Title I schools notify parents of their right to request information about the professional qualifications of their child's classroom teachers. The Elementary and High Schools are provided Title I services so parents may request teacher qualifications for their students at these levels. Parents may request this information by contacting Austin Elementary Principal Kim Johnson at kimmarie.johnson@k12.sd.us, Jolley Elementary Principal Mark Upward at mark.upward@k12.sd.us, and Middle School Principal Pat Anderson at patrick.anderson@k12.sd.us. The respective principal will provide a response.

CHILD FIND

Public Law 101 charges all school districts with a basic commitment to educate all children with disabilities in a least restrictive environment. The Vermilion School District employs a school psychologist, speech therapist, physical therapist, occupational therapist, and special education teachers to help determine and meet the needs of children with disabilities. Students whose special handicaps that cannot be adequately taken care of in the Vermillion School System are enrolled outside the district where proper facilities and instructors are available.

In order to discover the child, Vermillion School District must have the cooperation of parents, instructors, counselors, health organizations and other community organizations. Through the efforts of all, Vermillion School District can then identify and provide the

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necessary service to give children with disabilities the best possible educational opportunity. This may take the form of special placement, but all must keep in mind that the child must be placed in the ileast restrictive environment.

To implement this, the Vermillion School District must have input from parents, instructors, and others concerned with the education of children under the age of 21.

If you have or know of a child in need of special services or assistance, please contact Special Services Director, Grace Benson at 677-7025. Observation, testing and other evaluative procedures will then be employed. Every effort will be made to help meet the child's needs.

SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 is an Act which prohibits discrimination against individuals with disabilities in any program receiving federal financial assistance. The Act defines a person with a disability as anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working);

2. has a record of such impairment; or

3. is regarded as having such an impairment.

In order to fulfill obligations under Section 504, the Vermillion School District has the responsibility to avoid discrimination in policies and practices regarding its personnel and students. Discrimination against any person with a disability should not knowingly be permitted in any of the programs and practices of the school system.

The school district has responsibilities under Section 504, which include the obligation to identify, evaluate, and if the student is determined to be eligible under Section 504, to provide appropriate educational services. If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. This Act gives the parent or guardian the right to:

1. inspect and review his/her child's educational records;
 2. make copies of these records;
 3. receive a list of all individuals having access to those records;
 4. ask for an explanation of any item in the records;
 5. ask for an amendment to any record on the grounds that it is inaccurate, misleading, or violates the child's rights; and
 6. a hearing on the issue if the school refuses to make the amendment.

If there are any questions, please feel free to contact: Curt Cameron (677-7035), Pat Anderson (677-7025), Mark Upward (677-7015) or Kim Johnson (677-7010) Section 504 Coordinators for the respective buildings of the Vermillion School District.

RIGHTS UNDER FERPA FOR VERMILLION SCHOOL DISTRICT 13-1

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (eligible students) certain rights with respect to the student's education records. These rights are:

(1) The right to inspect and review the student's education records within 45 days of the day the Vermillion School District 13-1 (school) receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the school to amend a record should write the school principal (or appropriate school official), clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

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formation without prior consent:

K-12 Website Information:

1. Photographs may be used on a website;
 2. No names will be used;
 3. No personally identifiable information contained in a student's educational records will be permitted on a website.

Vermillion School District 13-1 is also required to provide the South Dakota Board of Regents with a list of students by name in grades 7 to 12 inclusive, together with their mailing addresses, unless directed by a parent or student 18 or older not to release said information.

Within the first three weeks of each school year, Vermillion School District 13-1 will publish this notice or a revised notice in the *Plain Talk* and the *Broadcaster* with the items of information it proposes to designate as directory information or website information. For students enrolling in Vermillion School District 13-1 after the notice is published, the list will be given to the student's parents or to the student if over 18 years old at the time and place of enrollment.

After the parents or students have been notified by publication or by personal delivery of the list of information items in this notice, they will have fifteen (15) days to advise the school district in writing (a letter to the school superintendent's office) of any or all of the items they refuse to permit the district to designate as directory information or website information about the student.

At the end of the 15-day period, each student's records will be appropriately marked by the records custodians to indicate the items the district may designate as directory or website information about that student. This designation will remain in effect until it is modified by the written direction of the student's parent or the student if 18 years of age.

Notwithstanding any of the above, Vermillion School District 13-1 is required pursuant to SDCL 13-32-4.3 to transfer to other schools disciplinary records with respect to suspension or expulsion for any student who seeks or intends to enroll in such other school.

District policy and regulations adopted are located at the Administrative Services Building, 17 Prospect Street, Vermillion, South Dakota 57069.

Section 9528 of the Elementary and Secondary Act of 1965, 20 U.S.C. §7908, as amended by the NCLB, and 10 U.S.C. 503, as amended by §544 of the National Defense Authorization Act for Fiscal Year 2002, requires school to

(a) give military recruiters the same access to secondary school students as provided to postsecondary institutions or to prospective employers, and

(b) provide students' names, addresses, and telephone listings to military recruiters, when requested, unless a parent has opted out of providing such information. (Military Recruiter Guidance is on FPCC Web site.)

RIGHTS UNDER THE PROTECTON OF PUPIL RIGHTS AMENDMENT (PPRA)

The Protection of Pupil Rights Amendment (PPRA) affords parents certain rights regarding Vermillion School District 13-1's (school's) conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas (protected information survey) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED) -

1. Political affiliations or beliefs of the student or student's parents;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals or others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affilia tions, or beliefs of the student or parents, or
 8. Income, other than as required by law to determine program eligibility.

Consent before students participate in activities involving collec-