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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.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school has contracted as its agent to provide a service instead of using its own employees or officials (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA are:

Family Policy Compliance Office
 U.S. Department of Education
 400 Maryland Avenue, SW
 Washington, DC 20202-5920

The following is the school's directory information public notice as required by 99.37 of the FERPA regulations, with its annual notification of rights under FERPA.

"VERMILLION SCHOOL DISTRICT 13-1 PUBLIC NOTICE ON ACCESS TO STUDENT RECORDS, RIGHT TO PRIVACY"

The purpose of this notice is to inform residents of Vermillion School District 13-1 of rights you have as a parent of a minor student or as a student over 18 years old attending Vermillion public schools.

You have the right to:
 Know the location of all records kept regarding a student, including computerized data;

Inspect and review all educational records, receive explanations and interpretations of the records, and obtain copies upon request;

Request amendment of educational records believed to be inaccurate, misleading, or in violation of a student's privacy;

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Request an impartial hearing if the district refuses to amend an educational record;

Have assurance that no student record will be disclosed without informal parental consent, except to persons with a legitimate educational interest.

From time to time directory information, or lists of students, may be published by the various schools in the district. Vermillion School District 13-1 proposes to designate the following personally identifiable information contained in a student's education record as "directory information," and it will disclose that information without prior written consent:

1. The student's name;
2. The name of the student's parents;
3. The student's class designation (i.e., 1st grade, 10th grade, etc.);
4. The student's extracurricular participation;
5. The student's achievement awards or honors including honor roll designation;
6. The student's weight and height if a member of an athletic team;
7. The student's photograph; and
8. The school or school district the student attended before he/she enrolled in Vermillion School District 13-1.

From time to time website information may be published by the various schools in the district. Vermillion School District 13-1 proposes to designate the following personally identifiable information contained in student's education record as "website information," and it will disclose that information 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 FPCO Web site.)

RIGHTS UNDER THE PROTECTION 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:

o *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;

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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, affiliations, or beliefs of the student or parents, or

8. Income, other than as required by law to determine program eligibility.

o *Consent* before students participate in activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

o *Receive notice and an opportunity to opt a student out of -*

1. Any other protected information survey, regardless of funding;

2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law, and

o *Inspect*, upon request and before administration or use -

1. Protected information surveys of students;

2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes, and

3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under state law.

The School has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. School will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. School will also directly notify, such as through U.S. mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. School will make this notification to parents at the beginning of the school year if school has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

o Collection, disclosure, or use of personal information for marketing, sales or other distribution.

o Administration of any protected information survey not funded in whole or in part by ED.

o Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

The following is the school's public notice and consent/opt-out for specific activities, with annual notification of rights under PPRA (the proposed surveys, flu shot disclosures and personnel information collection and distribution disclosures are examples only for purposes of this sample notice, and will be altered for inclusion in the actual annual publication).

PPRA NOTICE AND CONSENT/OPT-OUT FOR SPECIFIC ACTIVITIES

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. §1232h, requires Vermillion School District 13-1 to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas ("protected information surveys"):

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-

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tions, or beliefs of the student or parents, or

8. Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure or use of student information for marketing purposes ("marketing surveys"), and certain physical exams and screenings.

DISTRICT COMPLAINT POLICY FOR FEDERAL PROGRAMS

A parent, student, employee, or district stakeholder who has a complaint regarding the use of federal NCLB funds and is unable to resolve the issue, may address the complaint in writing to the district's superintendent.

Disputes addressing the enrollment, transportation (including inter-district disputes), and other barriers to the education of children and youth experiencing homelessness are also addressed under this procedure. Parents, guardians, and unaccompanied youth may initiate the dispute resolution process directly at the school they choose, as well as at the district or district's homeless liaison's office. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the school's decision including the rights of the parent, guardian, or youth to appeal the decision. Students should be provided with all services for which they are eligible while disputes are resolved.

The superintendent will investigate, within one week, the circumstances of the complaint and render a decision within two weeks after receipt of the complaint.

o The superintendent will notify the complainant of the decision in writing.

o The complainant will be allowed one week to react to the decision before it becomes final.

o The complainant will either accept or disagree with the decision and will provide such acknowledgement in writing, addressed to the district superintendent.

If the issue is not resolved with the superintendent, the complaint will be forwarded to the district's Board of Education for further review. The parent, guardian, or unaccompanied youth shall be provided with a written explanation of the district's decision including the rights of the parent, guardian, or youth to appeal the decision.

Unresolved complaints may be forwarded by the stakeholder to the South Dakota Department of Education for review. (Consult SD Department of Education Complaint Procedure)

Annual Notification - Asbestos Management Plan

The Asbestos Hazard Emergency Response Act (AHERA), passed in 1987, requires all public and private schools to inventory and inspect all buildings for asbestos containing materials. This inspection was completed in all Vermillion School buildings in 1988 with required reinspections every three years so long as asbestos is known or assumed to be in the school. The last reinspection was conducted 2009 and the next reinspection will take place in the summer of 2012. Any areas of known or assumed friable or non-friable asbestos will continue to be inspected on a regular basis and procedures implemented to assure no health hazards are present.

The Environmental Protection Agency requires all schools to inform citizens of the school's efforts in dealing with asbestos containing material. The Vermillion School District has a management plan available for review. The plan details the location of any asbestos containing materials and is available for public inspection at Vermillion School District Administrative Services. Copies of the management plan will be provided to requesting parties for the cost of reproduction. For further information please contact Todd Moore, school district AHERA designated person at 677-7015.

Published once at the total approximate cost of \$291.32
 Estimated publishing cost per published copy \$1.566

Published: July 27, 2012



Pictured are (front row) Jacob Mortinsen, Jamison Campbell, Ryan Howe, Ben Fairholm, Parker Anderberg, Rylan Craig, (second row) Ralph Ishmail, Matthew Bierle, Carl Fairholm, James Bierle, Raymond Lewis, Elijah Wergin, (third row) Max Wergin, Henry Lovett, Wyatt Waage, Tristan Meadows, William Donahoe, Matthew Fritsch, Roy Mortinsen, and (back row) Clint Meadows, Gene Fuller, Daniel Fuller, Morgan Hough, Alec Leber, Sam Craig, Rory Long. Not Pictured: Michael Griffin.

Troop 66 completes week at scout camp

Boy Scout Troop 66 of Vermillion completed a week at Camp Cedars Scout Camp, Fremont, NE. During the week, they participated in 105 merit badges session, earning 99 badges in areas that included swimming, leatherwork, metal works, wilderness survival, archery, horsemanship, climbing, first aid, shooting-sports, cooking, emergency preparedness, life-saving, citizenship of the nation, and citizenship of the world. The Troop's Charter Organization is UCC of Vermillion.

Singspiration to be held in Wakonda

The Southeastern South Dakota Gospel Singing Convention will hold their quarterly singspiration at the Bethel Baptist Church in Wakonda on Sunday afternoon, July 29, at 2 p.m.

The event has been held four times a year for the past 11 years at numerous locations across the southeastern part of the state.

The convention is a nondenominational endeavor to preserve the heritage of singing hymns in four part harmony. The afternoon is typically spent with members of the audience calling out favorite numbers

from a hymnal containing over one thousand familiar hymns and old time southern gospel songs.

Alan Ward of Viborg, directs the singing and several fine pianists from the area accompany. Anyone present is invited to take a turn at the keyboard or with the directing.

The event is free and open to the public. The church is air-conditioned and refreshments will be served following the singing.

For more information, call the convention secretary at: 605-212-9011.

Boaters' sobriety will be checked

The South Dakota Department of Game, Fish & Parks reminds boaters to have a safe and enjoyable summer on the water. To ensure safe boating, operators should monitor their alcoholic beverage intake and have a designated boat operator.

SDGF&P will be conducting sobriety checks throughout the month of July on lakes, streams, and rivers. SDGF&P urges boaters to have a fun summer on the water and be safe at the same time.

Advertise statewide in S.D. newspapers

Contact your local newspaper or S.D. Newspaper Assoc. for details.

1-800-658-3697 | www.sdna.com/advertise

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