

MILLBRAE SCHOOL DISTRICT
Notice to Parents of Rights and Responsibilities
 2009-2010

The following information summarizes Federal and State law as well as District Policy regarding parent rights. For many statements, the section of the California Education Code (CEC) is cited. "Parents" denotes parents or guardians throughout this document.

The law requires that parents sign the form which is provided acknowledging receipt of these rights.

1. The Notice to Parents of Rights and Responsibilities shall be sent at the time of registration for the first semester or quarter of the regular school term. The notice may be sent by regular mail or by any other method normally used to communicate with the parents/guardians in writing. (CEC §48981)
2. Pupils are required to conform to school regulations; obey all directions; be diligent in study and respectful to teachers and others in authority; and refrain from the use of profane and vulgar language (Title V 5 CCR §300).
3. If instruction is to be provided by District staff or an outside speaker in any setting dealing with sexual health education, sexually transmitted diseases, HIV/AIDS prevention or human sexuality wherein the human reproductive organs and their functions are to be discussed, unless it is an adopted science/health textbook, the parent will be given advance notice. He/she may inspect the instructional materials to be used and may request, in writing, non-attendance for his/her student (CEC §51201.5(d), 51550, 51554, 51555, and 51820). *District note: Sex education classes for children in grades 4-8 will be offered during the spring semester of the school year. Instruction at Taylor School includes VD and HIV/AIDS education as well as information regarding parents and others who voluntarily surrender physical custody of a minor child 72 hours old or younger to a hospital emergency room or other designated location without being subject to prosecution. Separate permission slips for sex education are used by all schools in the District.*
4. If a course normally includes units on health instruction, family life, or sex education, a written request from the parent may excuse the student from those parts that conflict with religious training and beliefs (CEC §51240).
5. If a course includes animals or animal parts as part of instruction, parents will be informed. A written request from the parent can excuse a student from participating in that portion of the course. Teachers will work with such a student to develop and agree upon an alternative education project. (CEC §32255)
6. A student will be assisted by designated school personnel in the administration of prescribed medicine, including inhaled asthma medication, if the school has, in writing from a physician, a statement detailing method, amount, and time schedule such medication is to be taken and the parent requests such assistance in writing (CEC §49423 and §49423.1).
7. If your student is on a continuing medication regimen for a chronic health condition, school personnel must be notified of the medication being taken, the dosage, and the name of the supervising physician. With your consent, school personnel may communicate with the physician and may counsel with other school personnel regarding the possible effects of the drug on the child's behavior or symptoms of adverse side effects (CEC §49480 & Health/Safety §124100).
8. Physical examinations, including a TB test (Mantoux preferred), and its results, are required of all entering kindergarten students and students new to the District. Free health screening is available through the local health department. Up to a five-day exclusion is required for failure to comply or sign a waiver. (Board Policy 5610, Appendix A; Health & Safety Code §124100)
9. Students, while enrolled in Kindergarten (or 1st grade, if the child was not previously enrolled in a public school), are required to present proof of having received an Oral Health Assessment by a licensed dentist within the last 12 months prior to initial enrollment, to be submitted no later than May 31st of the school year. (CEC §49452.8)
10. During the school year, visual screening using the Snellen Eye Chart will be given as follows: Children are routinely screened in grades K, 2, 5, 8 and those new to the District. Children in other grades will be tested as indicated. Color vision tests will be given to first grade boys and those boys new to the District (CEC §49455).
11. Hearing screening will be given to the following children and throughout the year as indicated: Children in grades K, 2, 5, and 8 will be screened. In addition, children in other grades will be tested as indicated. Children failing screening will be routinely retested. All students new to the District will be routinely tested (CEC §49452).
12. Seventh grade girls and eighth grade boys will be involved in scoliosis screening conducted by health personnel. (CEC §49455).

13. If a parent objects to any of the examinations, tests, or screenings in items 8-11, he/she must file annually with the principal a written statement to this effect (CEC §49451).
14. No person shall be admitted as a student of this District unless he/she has been fully immunized against diphtheria, pertussis (whooping cough), tetanus, poliomyelitis, measles, mumps, and rubella (German measles) in the manner and with immunizing agents approved by the State Department (Health and Safety Code 3381 cf. 5111-Admission). Parents shall supply evidence that the pupil has been properly immunized or that the pupil is exempt from immunizations under the Health & Safety Code. Students currently in attendance will be excluded in 2 weeks without such evidence. Parents shall be referred to the County Health Department for assistance if no other source of medical care is available (CEC §46010.5 & 48216).
15. If the District should, at any time, cooperate with local health officials in a program of Control of a Communicable Disease, a written statement of consent to immunize must be sent to the school before the student can be given an immunization agent (CEC §49403).
16. A student is not required to purchase a medical and hospital services policy that is made available through the school (CEC §49472). *District Note: The District does not provide medical or hospital service for children.* Parents may purchase special accident insurance for their child covering the school day or a 24-hour period. Information about this special accident insurance is sent to families at the beginning of each school year.
17. If a student is suspended from school, the parent shall be notified immediately and may be required to attend a parent conference or a portion of a school day in his/her child's classroom (CEC §48900.1). Copies of the District suspension and expulsion policies may be obtained at the school or the District Office. Copies of District and school discipline policies are available at schools (CEC §35291, 35291.5 & 7). "Hazing" is defined by Penal Code Section 245.6 (CEC §48900 (q)).
- 17a. The disciplinary provision of the Education Code (section 48900 (r)) adds "bullying" including bullying by electronic means.
- 17b. Penal Code (section 12550) adds a BB device to the definition of imitation firearms. Penal Code section 12556 makes it a criminal offence to openly display or expose any imitation firearm in a public place, including a public school.
18. No employer shall discharge or in any manner discriminate against an employee who is the parent of a pupil for taking time off to appear in the school of a pupil pursuant to a request made under CEC §48900.1 if the employee, prior to taking the time off, gives reasonable notice to the employer that he/she is requested to appear in the school.
19. No pupil may have his/her grade reduced or lose academic credit for any absence or absences excused pursuant to §48205 when missed assignments and tests that can be reasonably be provided are satisfactorily completed within a reasonable period of time (CEC §48980.1)
20. If a student is doing less than satisfactory work, the parent shall be notified by mid-quarter or as soon thereafter as the school is aware of the concern. Notification must be made prior to the end of the marking period (CEC §49067). Parents are to be notified as early in the school year as practicable when a pupil is identified as being at-risk of retention (CEC §48070.5e)
21. Parents requesting admittance of their child to kindergarten, having attained the age of five years old, shall be informed of the advantages, disadvantages, and other effects of early admittance (CEC §48000)
22. All parents have the right to initiate a referral for assessment to determine the eligibility of their children for Special Education programs and/or services. A referral for Special Education programs and/or services may be initiated by placing a request in writing to the school principal. The District has written procedures in place for a continuous child-find system which addresses the relationship among identification, screening, referral, assessment, planning implementation, review, triennial assessment, and parents rights; and is extended to children with disabilities who are homeless or wards of the State. (CEC §56301)
23. Any student with exceptional needs who is eligible to receive education instruction, related services, or both, will receive such services at no cost to the parent or guardian. (CEC §56030)
24. Anyone who has a concern that the District may be in non-compliance with any state or federal laws governing special education may file a complaint against the District. Procedures are available at the District Office. (CEC Title 5, §3080 and 3081)

25. Parents will be notified prior to enrollment of their child in a bilingual program. The notice will describe the program and its objectives. Parents have the right to visit the class, parent conference, and/or refuse to have their child enrolled in the program. Parents may participate in the District Advisory Committee. (CEC §52173)
26. The California Department of Education may monitor the requirement that if 15% or more of students enrolled in a K-12 program speak a primary language other than English, all notices, reports, statements or records sent to the parent shall, in addition to English, be written in the primary language (CEC §48985).
27. Students enrolled in District schools are eligible for Board-authorized counseling services pertaining to interpersonal relationships for the purpose of promoting the development of their academic abilities and social skill (CEC §49600). Information of a personal nature disclosed by a student 12 years of age or older to a school counselor is confidential except in cases of: (a) referral for treatment (b) child abuse/neglect reporting, (c) clear and present danger to health, safety, or welfare of the student or others (CEC §49602)
28. The school is required by law to maintain a cumulative record file for each child, and the school's principal is responsible for the security of such files. These files are kept in the school; and they contain academic, health, attendance, and emergency information. The cumulative record file is used by appropriate school staff members and authorized District staff members to ensure the child's safety, to maintain the child's health, and to provide a sound, continuous educational program. Parents have the right of access to their child's cumulative record file, and they may challenge the contents of the file. A cost of 15 cents per page shall be charged for copies of the cumulative record file which are requested by the parents. The following additional information about pupils' records is available at the District Office: District policy; procedures for reviewing, challenging, and expunging; State law; and Federal regulations. (CEC §49063) (FERPA)
29. Parents have the right to file a complaint with the United States Department of Health, Education, and Welfare concerning an alleged failure by the District to comply with the law regarding student records (CEC §49063).
30. The school may compile a student directory listing the children's names and addresses. The receipt of directory information shall be limited to the particular school's Parent Teacher Association or Parent Faculty Club, and the high school Parent Teacher Association for the 8th grade children at Taylor Middle School. Directory information about their child may be withheld at the parents' request (CEC §49073).
31. When a student transfers from one school district to another, California schools are required to forward records to any California school of new or intended enrollment. Records cannot be withheld for non-payment of fees or fines. California schools are not required to obtain parent permission to forward records. You are hereby advised that the District will transfer the student's records to the new district of residence and that you, as the parent, have the right to review, challenge, and/or receive a copy of the transferred record at your request within five business days (CEC §49068 and §49069).
32. When a student transfers to a new school district, the new school district shall request that the former school district provide any records, including law enforcement records, regarding acts that resulted in the student's suspension or expulsion from the school district. The receiving school district shall inform all of the transferring student's teachers of the suspension and/or expulsion and the act that resulted in the discipline. (CEC §48201)
33. School districts are required to inform teachers of each student who has engaged in disciplinary acts that are grounds for suspension or expulsion.
34. The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. The full text of rights is available at the District Office. (US Dept of Education)
35. Before implementing a finger-printing program in a school, parents will be notified and parental consent required for each child to be fingerprinted. Parental consent may be denied or withdrawn at any time before the fingerprinting is conducted. Parents will be given the only copy of the fingerprints (CEC §32390)
36. The District does not discriminate in any program, career counseling, vocational program, activity, or employment on the basis of age, sex, race, ethnic background, national origin, or handicap (CEC §40).
37. The Board of Trustees, by Board Policy §5240.1.7, prohibits sexual harassment of any student by another student or by anyone in or from the District, and of anyone in or from the District by any student. The complete District policy, procedures, and forms for filing a complaint are available in every principal's office or at the District Office. (CEC §212.6 and 48980g)
38. Uniform Complaint Procedures exist for reporting violations of federal or state law prohibiting discrimination in programs conducted by the District. Complaints may also include noncompliance with school safety plan requirements. Uniform

Complaint Procedures (Williams) exist for reporting deficiencies in instructional materials, emergency or facility conditions, and teacher vacancy or misassignment. Inquiries may be directed to each school's principal's office or at the District Office. (Title 5, §4622, §4630; CEC §32289, §35186, §35294.21)

39. The Board of Trustees has adopted policies and procedures concerning complaints against school personnel. Copies of the policies and forms for filing a complaint are available in every principal's office or at the District Office. Individuals may appeal to the Department of Education under certain circumstances. (Title 5, §4622)
40. Students may be excused from school due to illness, quarantine, medical appointments, bereavement, attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, and for justifiable personal reasons upon advance written request by the parent (e.g. appearance in court, observance of a religious holiday or religious instruction). If so excused, a student must be permitted to make up all assignments and tests that can reasonably be provided. (CEC §48205)
41. Students with a physical, mental, or emotional temporary disability, verified by their physician, which makes regular attendance impossible or inadvisable may receive services of a home teacher (CEC §48206.3).
42. A student with a temporary disability who is in a hospital or residential health facility (except a state hospital) which is located outside of the District in which the student's parent resides shall be deemed to be in compliance with resident requirements for school attendance in the district in which the hospital is located (CEC §48207 & 48208).
43. California Public Schools are required by law to provide nutritious meals to needy pupils. Free and reduced-price lunches are available to qualifying families (CEC §35160.5b and 48980i).
44. Students who are residents of any elementary school in the District may apply for an intradistrict agreement to attend another elementary school within the District if program space exists, according to criteria established by Board policy. Continued eligibility is reviewed annually. Further information regarding this option is available at the Millbrae School District Office. (CEC §35160.5b and 48980h)
45. Students who are residents of one school district but wish to attend school in another school district may apply for an interdistrict agreement which requires both the approval of the district of residence and the district of desired attendance. Continued eligibility requires an annual reapplication and is based on space availability. Two or more districts may enter into an agreement for one or more students for a period up to five years. Criteria may include parent employment. Further information regarding this option is available at the Millbrae School District Office. (CEC §46600, 46601, and 48980h)
46. Parents of a pupil will be notified in advance of any career counseling course selection commencing with course selection for the seventh grade so they may participate in such counseling sessions and decisions. (CEC §52351)
47. A copy of the School Accountability Report Card (SARC) will be provided to any parent by any school upon request and must include a description of the school safety plan, estimated expenditures per pupil, types of services funded, any insufficient textbooks or instructional materials, and career technical education data measures. Each School Site Council will hold a public meeting to receive input regarding the School Safety Plan prior to adoption. Persons requesting special notification of this plan shall be so notified. (CEC §33126, 35256, 35294.6, & 35294.8)
48. The District's site management plan regarding asbestos as required by AHERA is available upon request to all parents, teachers, and employee organizations.
49. Parents will be advised of all District minimum days and pupil-free staff development days when they are scheduled for the school year and of any additional days no later than one-month prior. (CEC §48980c)
50. Parents will receive the District's Students' Ethical Use Agreement for Technology Equipment and Resources which provides the guidelines for pupil access to the Internet and on-line sites. Parent and student signatures on this agreement are required before Internet privileges are available to students at school. (CEC §48980h and 51870.5)
51. California state law authorizes all school districts to provide for alternative schools. Further information is available in every principal's office or at the District Office. (CEC §48980)
52. School districts are required to provide information to parents regarding the use of pesticides on school sites. Information will be sent to all parents regarding pesticide use by separate notification. (CEC §48980.3)
53. The California Department of Education is required to electronically distribute disaster preparedness educational materials to school districts (CEC §32282.5).