

# San Mateo County Schools

## Comprehensive School Safety Plan

### Part One: Public Component

#### 2024-25 School Year



**School District:** Millbrae Elementary School District

**Address:** 555 Richmond Drive, Millbrae, CA 94030  
Millbrae, CA 94030

**School Site:** Lomita Park Elementary School

**School Address:** 200 Santa Helena Ave  
San Bruno, CA 94066

**CDS Code:** 41 68973 6044226

**School Covered in Document** Lomita Park Elementary School

**Address of School Sites** 200 Santa Helena Ave  
San Bruno, CA 94066

**Date of Adoption:** February 4, 2025

**Approved by:**

Name	Title	Signature	Date
Lisa Hickey	Superintendent		2/04/2025

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## Comprehensive School Safety Plan Purpose

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

The historical requirement of the Comprehensive School Safety Plan (CSSP) was presented in Senate Bill 187. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation. In 2004, the Legislature and Governor recast and renumbered (SB719 & AB 115) the Comprehensive School Safety Plan to support California public schools as they develop their mandated comprehensive safety plans to include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

Effective January 1, 2019, Assembly Bill 1747 became law, requiring that the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities. This bill requires the CSSP to also include procedures for conducting tactical responses to criminal incidents. In January 1, 2019, AB 2291 became law. This bill requires local educational agencies (LEAs) to adopt, on or before December 31, 2019, procedures for preventing acts of bullying, including cyberbullying.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contain the following elements: Assessment of school crime committed on school campuses and at school-related functions; child abuse reporting procedures; disaster procedures; suspension and expulsion policies; procedures to notify teachers of dangerous pupils; discrimination and harassment policies; school-wide dress code policies; procedures for safe ingress and egress; policies enacted to maintain a safe and orderly environment; rules and procedures on school discipline and hate crime reporting procedures.

Districts and County Offices of Education are encouraged to include clear guidelines for the roles and responsibilities of the following positions (if used):

- Mental Health professionals, school counselors
- Community Intervention Professionals
- School Resource Offices, police officers on campus

The guidelines are encouraged to include strategies to create and maintain a positive school climate and mental health protocols for the care of students who have witnessed a violent act at any time.

The Comprehensive School Safety Plan may include procedures for responding to the release of a pesticide or other toxic substance from properties located within in-quarter mile of a school.

The Comprehensive School Safety Plan for the current school year will be reviewed, updated, and submitted to San Mateo County Office of Education by October 15th for review and approval. The District will ensure that the CSSP is approved by their board annually by March 1<sup>st</sup>. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual School Accountability Report Card (SARC).

A copy of the Comprehensive School Safety Plan – Public Component is made available for review at the District Office and on the District Website

District Office Address	District Website
555 Richmond Drive, Millbrae, CA 94030	<a href="https://www.millbraeschooldistrict.org">https://www.millbraeschooldistrict.org</a>

## Safety Plan Vision

This Comprehensive School Safety Plan analyzes current safety conditions and school climate. In doing so, the plan describes programs in place at our schools, and defines the strategies and programs in place for continued improvement in providing a safe, orderly, school environment that is nurturing and conducive to learning. Appendices follow the action plan. These Appendices include specific, mandated policies and protocols connected to the safety strategies and programs described within the narrative of this document.

## Components of the Comprehensive School Safety Plan (EC 32281)

### Lomita Park Elementary School Safety Committee

District Office Staff: Angela Smith, Rudy Correa, Ralph Crame, Lisa Hickey, Geoff Horn

Name	Agency	Title	Membership Role
Janeen Malatesta	LP	Principal	
Tina Mondani	LP	Classified	
Chris Renteria	LP	Classified	
Kelly Ozorio	LP	Certificated	
Becky Rogers	LP	Certificated	
Julie Lustig	LP	Health Services Coordinator	
Julie DiMaio	LP	MTSS Coordinator	
Tiffany Davis	LP	Parent	
Naomi Funahashi	LP	Parent	
Desiree Rivas	LP	Family Engagement Coordinator	

### Assessment of School Safety

#### Current Status of School Crime (EC 32282.1)

CSSP shall include an assessment of the current status of school crime at the school and the school related functions. This may be accomplished by reviewing one or more of the following types of information:

- Office Referrals
- Attendance rates/School Attendance Review Board
- Suspension/Expulsion data
- California Health Kids Survey
- School Improvement Plan
- Local law enforcement juvenile crime data
- Property Damage data

Describe the data reviewed and key analysis points, and table of findings. Document how this information was shared with your SSC/planning committee and date shared:

An ongoing assessment of District Safety takes place with the District Safety Task Force and all applicable stakeholders.

SARC (<https://www.millbraeschooldistrict.org/domain/83>)

CHKS 2023-2024 Main Report - Elementary ([https://data.calschls.org/resources/Millbrae\\_Elementary\\_41\\_2324\\_Elem\\_CHKS.pdf](https://data.calschls.org/resources/Millbrae_Elementary_41_2324_Elem_CHKS.pdf))

CA School Staff Survey 2023-2024 Main Report - Staff ([https://data.calschls.org/resources/Millbrae\\_Elementary\\_41\\_2324\\_CSSS.pdf](https://data.calschls.org/resources/Millbrae_Elementary_41_2324_CSSS.pdf))

### Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Include in this section appropriate strategies and program that provide and maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety.

### **Student Threat Assessment Policy and Protocol**

Sections 49390 through 49395 of the California Education Code requires that a school official of a local educational agency that serve pupils in any grades from six through twelve as part of a middle school or high school of any school district, county office of education, or charter school shall immediately report homicidal threats, or perceived homicidal threats, they have observed or been alerted to, directly to law enforcement. Upon receiving notification of a threat by a school official, law enforcement must conduct an investigation and threat assessment. The investigation and threat assessment must include a review of the Department of Justice's firearm registry and a search conducted at the school site, but "only if the search is justified by a reasonable suspicion that it would produce evidence related to the threat or perceived threat." LEAs must support law enforcement with investigating the threat and conducting a threat assessment.

The San Mateo County Office of Education operates the San Mateo County Student Threat Assessment Center that oversees the Student Threat Assessment Protocol/Process for all school districts in the county. The Student Threat Assessment Protocol and Process is designed for use with students who are engaged in circumstances that suggest the potential for aggression directed at other people, including procedures related to students bringing weapons on school campuses and at school related functions. The San Mateo County Student Threat Assessment Protocol is designed for Districts and/or school sites to oversee the site based multi-disciplinary Level 1 Threat Assessment team. A County-Wide Level 2 Student Threat Assessment Team that is Multi-Disciplinary Team made up of Leaders from San Mateo County Office of Education, Behavioral Health and Recovery Services, the Office of Consumer and Family Affairs, Juvenile Probation, Child and Family Services, Members of Law Enforcement and the County Attorney's Office. This team meets regularly and as needed to provide support to school sites and districts is assessing, responding to and providing services to student who make targeted threats of violence or suggest the potential to do so.

**Annual updates and training on the protocol and process are provided by the San Mateo County Office of Education.**

### **Notification to Parents/Guardians of Safe Storage of Firearms**

Section 48986 of the California Education Code (EC) requires that all kindergarten through grade twelve school districts, county offices of education, and charter schools shall annually inform parents and guardians of California's child access prevention laws and laws relating to the safe storage of firearms at the beginning of the first semester or quarter of the regular school term. School districts are encouraged to use the California Department of Education Template of Memoranda regarding Safe Gun Storage, or create their own.

Millbrae Elementary School District provides the following information regarding Safe Storage of Firearms to all Parents/Guardians annually at the beginning of the first semester/quarter or trimester of the regular school term.

2024-2025 Parent/Student Handbook - <https://www.millbraeschooldistrict.org/domain/203>

To: Parents and Guardians of Students in the Millbrae Elementary School District  
From: Lisa Hickey, Superintendent  
Subject: California Law Regarding Safe Storage of Firearms

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the Millbrae Elementary School District of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from their home. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition. To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others. [1] ? Note: The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.

With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian unless reasonable action is taken to secure the firearm against access by the child, even where a minor never actually accesses the firearm. [2]

In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years. [3]

Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward. [4]

Note: Your county or city may have additional restrictions regarding the safe storage of firearms. Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable. Sincerely, Lisa Hickey  
Date published: August 1, 2024

California Department of Education

[1] See California Penal Code sections 25100 through 25125 and 25200 through 25220.

[2] See California Penal Code section 25100(c).

[3] See California Civil Code Section 29805.

[4] See California Civil Code Section 1714.3.

## **Suicide Prevention Policy and Protocol**

Suicide is a leading cause of death among youth and that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. The San Mateo County Suicide Prevention Protocol for Schools provides schools/districts with a comprehensive approach to prevention, intervention and postvention strategies for students struggling with suicide and self-injurious behavior.

Measures and strategies specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth. Prevention and Intervention strategies are developmentally appropriate for the student population that is being served. San Mateo County Suicide Prevention Protocol for Schools addresses the following:

- Strategies to help promote a positive school climate
- Staff development on suicide awareness and prevention for all K-12 staff
- Instruction to students in problem-solving and coping skills as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others
- Information to parents/guardians regarding risk factors and warning signs of suicide, basic steps for helping suicidal youth and school and community resources.
- Encouragement for students to notify appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions
- Crisis intervention procedures for addressing suicide threats or attempts
- Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide.

## **Naloxone for Schools Toolkit to Reverse Opioid Overdoses (Optional)**

Recent increases in opioid overdose-related deaths span across adult and youth populations, indicating that schools should develop and implement additional safety nets to protect students and school staff. In addition to drug awareness and education programs, schools and districts in San Mateo County can implement the [Coalition for Safe Schools and Communities Naloxone Protocol for Schools](#) to reverse opioid overdoses on campus.

San Mateo County Office of Education is partnering with the State of California to offer the Naloxone Distribution Project (NDP) to San Mateo County schools and districts. The NDP aims to reduce opioid-overdose deaths through training and the provision of free Naloxone. All TK-12 public school districts, charter schools, and private schools may participate. School Districts, Offices of Education and Charter School Entities shall establish minimum standards of training for the administration of naloxone hydrochloride or another opioid antagonist that satisfies the requirements of California Education Code 49414.3.

The Naloxone for Schools Toolkit is a set of protocols and resources that comply with Education Code requirements detailing how to train staff, obtain, and administer Naloxone. San Mateo County Office of Education offers training on the Naloxone Toolkit to all school in San Mateo County.

Julie Lustig, RN, MS, CPNP-PC, Health Services Coordinator has been trained in the use of Naloxone and the Naloxone Toolkit for Schools and is implementing the protocol in Millbrae Elementary School District Schools.

Training is provided annually to district staff.

## **Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)**

Teachers and support staff are mandated reporters and are required by the State of California to report any known or suspected instances of child abuse or neglect to the county child welfare department or to a local law enforcement agency. No proof of abuse or neglect is needed, only "reasonable suspicion" that child abuse or neglect may have occurred. Any concern about the possibility of child abuse or neglect must be reported. Investigations will be conducted by law enforcement and/or the county child welfare department to determine if abuse or neglect has occurred.

Mandated reporters must report to the County Child Welfare Department or to local law enforcement immediately by phone. A written report must then be sent within 36 hours by fax, or it may be sent by electronic submission, if a secure system has been made available for that purpose in the county. Written reports must be submitted on the California Suspected Child Abuse Report Form 8572. Telling a supervisor does not meet the mandated reporting requirement. If a decision is made that the supervisor will complete and submit the report to the county child welfare department or law enforcement agency, then one report is sufficient.

For mandated reporters, Penal Code 11172 (a) provides absolute immunity from state criminal or civil liability for reporting as required. This immunity applies even if the mandated reporter acquired the knowledge or reasonable suspicion of abuse or neglect outside of his or her professional capacity or scope of employment. However, mandated reporters will only have immunity under federal claims if the report was made in good faith.

Legally mandated reporters can be criminally liable for failing to report suspected abuse or neglect. The penalty for this misdemeanor is up to six months in jail and/or up to a \$1,000 fine. Mandated reporters can also be subject to a civil lawsuit and found liable for damages, especially if the child victim or another child is further victimized because of the failure to report.

Administrative Regulation 5141.4: Child Abuse Prevention and Reporting

<https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36030332&revid=Mq2hbEyZwbjtVzPCsKgXUA==&st=mandated%20reporting&mt=Exact>

## **Disaster Procedures (EC 35295-35297; GC 8607 and 3100)**

## Big Five: Immediate Action Emergency Response for Schools Protocol and Hazard Response Protocol

The San Mateo County Office of Education, in collaboration with Local Law Enforcement, County Government and Local Fire Departments created the Big Five Immediate Action Emergency Response for Schools Protocol for all Public, Private and Charter Schools in the County and update the protocol annually. The Big Five Immediate Action Response is a protocol that can be implemented in a variety of different emergency situations. The Protocol is consistent with the guidelines established in California's Standardized Emergency Management System and shall integrate the procedures of the National Emergency Management System. All employees of the District are Disaster Service Workers, as defined by the California Emergencies Services Act, and are subject to such disaster service activities as may be rightfully assigned to them and that all employees shall be required to subscribe to the oath or affirmation required by the Act.

When an emergency occurs, it is critical that staff members take immediate steps to protect themselves, their students, and other people on campus. With an Immediate Action Response, staff can follow specific directions without having to learn extensive protocols for each of several dozen different emergency situations. Staff, certificated and classified, will be given multiple opportunities annually to be trained on the Big Five School Emergency Guidelines Immediate Action Response and Hazards Response Protocols. These trainings specifically include training on the following:

- Earthquake preparedness, response, and recovery actions. Including Drop, Cover, and Hold On response protocols.
- Fire and Smoke, bomb threat or explosion, dangerous wildlife, bioterrorism and hazardous material spill or leak procedures which may result in a Shelter-In-Place
- Evacuation/Relocation procedures and Student Release to Family for Reunification procedures
- Secure Campus procedures for act of violence or danger of violence in the surrounding community
- Lockdown/Barricade procedures for a violent intruder on school premises

Staff members must learn and train on each Big Five Immediate Action Response and be prepared to perform assigned responsibilities. All students must be familiar with actions to take in the event that a Big Five response is implemented. It is highly recommended that school staff and students participate in the Big Five trauma-informed, developmentally appropriate emergency drills monthly. Table top exercises, walk-through drills, and social stories are examples of trauma-informed and developmentally appropriate training and drills to be used by school sites. Big Five signage and instructions are publicly displayed at all school sites.

### Procedures to prepare for active shooters or other armed assailants

School site staff should participate in action-oriented Lockdown/ Barricade (active shooter) drills when students are not present. The use of Think on Your Feet Peet Book, which teaches young students what to do during a Lockdown/Barricade, Table-Top exercises or Walk-Through Drills are to be used with in lieu of violent intruder drills or simulations when students are present.

### Immediate Action Responses

ACTION	DESCRIPTION
<b>SHELTER IN PLACE</b>	For environmental hazards: Go inside immediately. Close doors, windows, and vents.
<b>DROP, COVER, &amp; HOLD ON</b>	For earthquakes and explosions: Protect from falling debris. Drop to the floor. Take cover and hold on.
<b>SECURE CAMPUS</b>	For potential threats of violence nearby: Go inside the nearest building. Close and lock all doors. Remain inside until threat has passed.
<b>LOCKDOWN/BARRICADE</b>	For immediate threats of violence on premises: Go inside. Lock and barricade all doors. Cover windows and turn off lights. Remain quiet and alert.
<b>EVACUATION</b>	When conditions outside are safer than inside: Employ "Look, Listen, and Leave". Exit the building and move to a safe location.

The Big Five Immediate Action Response Protocol for School Administrators and Hazard Response Protocol is found in the appendix of this plan.



Site Specific Emergency Response plans can be found in the Comprehensive School Safety Plan; Part 2: Internal Components, for each school site.

The Superintendent or designee shall establish and maintain a disaster preparedness plan which details provisions for handling emergencies (such as an active intruder) and disasters (such as earthquakes) as they affect schools and programs operated by the Superintendent. The plan shall be consistent with the guidelines established in California's Standardized Emergency Management System and shall be integrated into the National Emergency Management System's procedures.

The plan shall confirm that all employees of the Superintendent are Disaster Service Workers, as defined by the California Emergencies Services Act, and are subject to such disaster service activities as may be rightfully assigned to them and that all employees shall be required to subscribe to the oath or affirmation required by the Act. The plan shall provide for appropriate training of employees.

- In the event of an extreme emergency requiring police, fire, or medical response, staff will call 911.
- In the case of water shutdown, school will continue as appropriate. If the water is not restored within a reasonable amount of time, students may be sent home with work.
- In the case of a power outage, school will continue as appropriate. If the power is not restored within a reasonable amount of time, students may be sent home.
- The site administrator is notified immediately of all emergencies and must follow established procedures and direct staff to do the following:
  - Ensure the safety of all members, visitors, and site staff
  - Treat existing injuries of victim(s) until emergency personnel arrive
  - Notify the appropriate emergency personnel
  - Minimize damage to the school and its equipment
  - All site administrators are issued an up-to-date roster with phone numbers and addresses of all staff.
  - In the case of other emergencies (e.g., earthquake, storms, fire), school employees are considered Disaster Service Workers and are expected to stay until students are safely released to a parent, family member, or designated guardian; official identification must be provided.

If it is not safe to occupy the school building, staff and students will evacuate to the nearest safe public facility (e.g., school, church, warehouse). School staff will leave a sign posted at the front of the administration building, directing interested parties to the temporary location.

- Outside assembly areas are designated for times when the building must be evacuated. When an accident occurs, an adult staff person is to remain with the victim(s) to ensure that those injured are not disturbed. Additional staff will keep designated areas clear for emergency personnel.
- No one shall reenter damaged structures until given clearance to do so by emergency personnel or school administrators.
- First aid and emergency supplies are inventoried and maintained regularly to ensure that an adequate supply is available.
- Doors to classrooms should remain locked and closed at all times to prevent entry from unwanted individuals in the event of a lockdown/barricade.

### **Public Agency Use of School Buildings for Emergency Shelters**

Millbrae Elementary School District shall make school buildings, grounds, and equipment available to the Department of Emergency Services or other disaster related public agencies, including the American Red Cross, for mass care and welfare shelters during a disaster or other emergency affecting public health and welfare.

A current Memorandum of Understanding (MOU) has been entered into with the American Red Cross for use of District Buildings for Emergency Shelters.

### **School Suspension, Expulsion and Mandatory Expulsion Guidelines**

Millbrae Elementary School District desires to provide students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. Rules and regulations set the standard of behavior expected of students and the disciplinary process and procedures for addressing violations of those standards and therefore adheres to California Education Code 48915(a)(1) for grounds for suspension or expulsion.

## Plan for Provision of Educational Services to Expelled Students

The Millbrae Elementary School District serves approximately 2300 students in grades preschool through grade eight. Services to students are provided at five district sites - four elementary schools and one middle school. One elementary site includes our special education preschool and our special day classes grades TK-5 and our middle school serves students grades 6-8. The community is located in San Mateo County, south of San Francisco and adjacent to the San Francisco International Airport.

Description of the Plan of the Millbrae Elementary School District to Serve Expelled Students in Accordance with the Requirements of the California Education Code. In compliance with legislative direction, the District does not suspend or expel students for the primary reason of Education Code 48900 (k).

The Millbrae Elementary School District employs the following intervention strategies and services to support our learners:

### District Level Proactive/Preventative:

- Community Partnerships
- San Mateo County Sheriff's Office - School Resource Officer (SRO) for support with attendance, anti-bullying, peer mediation and supporting students/families
- Peninsula Health Care District - Sponsorship of programs to support mental health and well-being
- Peninsula Chinese Business Association - Sponsorship of our physical health resources for students
- Millbrae Education Foundation - through generous community donations that allow electives to continue for our students
- Millbrae Lions - through donations of supplies and opportunities for connection throughout the school year and community
- District Sponsored Professional Learning
- CRM: Community Resilience Model
- Safety-Care Behavioral Safety Training
- Threat Assessment Training for Administrators, mental health and behavioral health providers supported through San Mateo County Office of Education
- Living Works START Suicide Prevention Training sponsored by San Mateo County Office of Education
- Respect 24/7 Conference for Middle School Staff and District administrators
- PBIS
- District and Site level Safety Team Development
- Adoption and Implementation of Second Step Social-Emotional Curriculum
- AALRR Best Legal Practices
- Title IX training with Title IX Consult
- Kimochis training for counselors and school psychologists
- District and Site administrators training on legal requirements of student discipline including, suspension and expulsion
- Multi-tiered approach to school counseling and social-emotional needs by trained district staff

Tier I: District-wide social-emotional curriculum provided in the general education classroom by teachers with support from counselors and school psychologists.

Tier II: Small group counseling provided by district counselors. Opportunities for Behavior Supervisor and Behavior Specialist to collaborate in small groups and provide behavior interventions and strategies. Social Skills groups provided by school counselors, school psychologists, behavior team, speech and language pathologists to focus on peer interaction and social awareness.

Tier III: Individual short-term counseling provided by school counselors to focus on mental health concerns impacting learning and the development of strategies to use at school. Parent coaching may be provided to families at risk. Risk assessments conducted when students are in crisis and appropriate interventions implemented. Contact and communication with outside providers and on-going case management.

- School Attendance Review Board (SARB)
- Prevention and remediation of truancy and chronic absenteeism
- School Attendance Review Team (SART)

- Parent coaching and support brainstorming interventions to be provided in the home and connecting those to the school

- Referral to outside agencies
- Parent education on the importance of school attendance
- TUPE grant activities
- CHKS administration

#### School Level Proactive/Preventative

- Community Partnerships:
- San Mateo County Sheriff - School Resource Officers for consultation and intervention
- San Mateo County Office of Education
- Professional Learning
- Happy Hall Schools Inc (ELOP provider)
- Peninsula Health Care District
- Peninsula Chinese Business Association
- Millbrae Education Foundation
- Millbrae Lions

#### Site Interventions:

- K-5 Reading Specialists
- Moving to a tiered intervention model based on MTSS
- 6-8 Homework Center
- Adoption of Positive Behavior Interventions and Supports (PBIS)
- School and classroom expectations posted
- Behavior coaching and consultation through special education
- Parent conferences
- Access to support classes and academic interventions that are research-based which include:
- Student Success Team meetings to make data-driven decisions and identify effective supports for student
- Blended learning, differentiated instruction or Universal Design for Learning
- Strategic intervention programs for students in literacy and math
- Transition meetings between elementary and middle schools; including school counselors and administrators

#### Expulsion Process

Students recommended for expulsion by site administration are presented to a hearing panel, consisting of at least two principals, one teacher, one student services representative and chaired by a District Office Administrator. The panel makes a recommendation to the Board of Education regarding expulsion and alternative services based on the finding of facts. Students for whom the recommendation for further intervention as appropriate: behavior contract, weekly checks by counseling staff, outside mental health referrals and/or a Student Success Team Meeting. Students from the Millbrae Elementary School District are only recommended for expulsion due to serious offenses, only after multiple, documented interventions as noted above have been implemented. Reasons for expulsion are outlined in the Education Code and will only be considered after other means of correction have been considered. Violations of 48900 (k) (willful defiance) have been incorporated only as a related offense to the more serious offenses listed.

#### Expulsion Options:

Millbrae Elementary School District implements the following alternative program options for expelled students:

- Suspended expulsion, with mandatory conditions such as counseling, a student behavior contract, etc. Students in elementary grades may be transferred to another school within the district.
- Expulsion, with one hour individual school in a Home Instruction Program under the supervision of a credentialed district teacher or substitute teacher, counseling by district school psychologist or counselor may also be included.
- Referral or placement in a community program offered by any other school district within San Mateo County.
- Referral to the San Mateo County Office of Education Community Schools Program.
- Referral back to home school district if the student is on an interdistrict agreement.

In addition, students who exhibit extreme behavioral difficulties or with special needs will be referred to counselors or other staff for support in modifying behaviors on school campus - reducing the need for further suspensions or expulsions - as funds allow.

#### **Procedures to Notify Teachers of Dangerous Pupils (EC 49079)**

The Lomita Park Elementary School shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in, any dangerous acts as described in EC sections 48900, 48900.2, 48900.3, 48900.4, or 48900.7 (excluding 48900[h]).

The Lomita Park Elementary School shall provide the information to the teacher based upon any records that the district maintains in its ordinary course of business, or receives from a law enforcement agency, regarding a pupil described in this section. An employee of Lomita Park Elementary School who knowingly fails to provide information about a pupil who has engaged in, or who is reasonably suspected to have engaged in, the acts referred to in subdivision (a) is guilty of a misdemeanor, which is punishable by confinement in the county jail for a period not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or both.

Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher.

The Millbrae Elementary School District shall inform the teacher of each pupil who has engaged in or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7 that the pupil engaged in, or is reasonably suspected to have engaged in, those acts.

The Millbrae Elementary School District shall provide the information to the teacher based upon any records that the district maintains in its ordinary course of business, or receives from a law enforcement agency, regarding a pupil described in this section.

A school district, or school district officer or employee, is not civilly or criminally liable for providing information under this section unless it is proven that the information was false and that the district or district officer or employee knew or should have known that the information was false, or the information was provided with a reckless disregard for its truth or falsity.

An officer or employee of the Millbrae Elementary School District who knowingly fails to provide information about a pupil who has engaged in, or who is reasonably suspected to have engaged in, the acts referred to in subdivision (a) is guilty of a misdemeanor, which is punishable by confinement in the county jail for a period not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or both.

Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher.

#### **Firearms on Campus**

The Lomita Park Elementary School committed to providing a safe environment for students, staff, and visitors on campus. The Superintendent or designee shall consult with local law enforcement, insurance carriers, and other appropriate individuals and agencies to address the security of school campuses.

District policy regarding the possession of firearms and/or ammunition on school grounds shall be included in the district's comprehensive safety plan and shall be communicated to district staff, parents/guardians, and the community.

Only those persons specified in Penal Code 626.9(l)-(o) and 30310 is authorized to possess a firearm and/or ammunition on school grounds. School grounds include, but are not limited to, school buildings, fields, storage areas, and parking lots. The Superintendent or designee shall not grant permission to any other individual to carry a firearm or ammunition on school grounds.

#### **Policy 3515.7: Firearms on School Grounds**

## **Sexual Harassment Policies (EC 212.6 [b])**

The Millbrae Elementary School District is an equal employment opportunity employer and is committed to implementing a policy of nondiscrimination in all aspects of employment.

Millbrae Elementary School District provides equal opportunity to all applicants and employees without regard to race, color, religion, pregnancy, sex, sexual orientation, gender identity or perceived sex or gender, genetic information or characteristics (with respect to the applicant, employee, or a family member), national origin, ancestry, age, physical or mental disability, medical condition, family care status, marital status, veteran's status, uniformed service, or other basis protected by state or federal law.

Millbrae Elementary School District does not unlawfully discriminate based on the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics.

### **Sexual Harassment**

Board Policy 4030 - Nondiscrimination in Employment - Revised 01/16/2024

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The Governing Board is determined to provide a safe, positive environment where all district employees are assured of full and equal employment access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. For purposes of this policy, employees include job applicants, interns, volunteers, and persons who contracted with the district to provide services, as applicable.

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran or military status, sex, sexual orientation, gender, gender identity, gender expression, or association with a person or group with one or more of these actual or perceived characteristics.

Employers are also prohibited from discrimination against employees or job applicants on the basis of reproductive health decision making, defined as a person's decision to use or access a particular drug, device, product, or medical service for reproductive health. (Government Code 12926, 12940)

The district shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that the district is required to do so in order to comply with federal immigration law. (2 CCR 11028)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Hiring, compensation, terms, conditions, and other privileges of employment
2. Taking on adverse employment actions such as termination or denial of employment, promotion, job assignment, or training
3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities or that has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive work environment
4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:
  - a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an

employee's gender, gender expression, or gender identity, including transgender status

- b. Religious creed discrimination based on an employee's religious belief or observance, including religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement
- c. Requiring medical or psychological examination of a job applicant or making an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity
- d. Failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee who has requested such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee
- e. Requiring an applicant or employee to disclose information relating to the employee's reproductive health decision-making

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, reports an incident, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940; 2 CCR 11028)

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign a release of the employee's claim or right to file a claim against the district or a nondisparagement agreement or other document that has the purpose or effect of preventing the employee from disclosing information about harassment, discrimination, or other unlawful acts in the workplace, including any conduct that the employee has reasonable cause to believe is unlawful. (Government Code 12964.5)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee by a nonemployee, shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy, including providing training and information to employees about how to recognize harassment, discrimination, or other prohibited conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

The district shall maintain and preserve all applications, personnel, membership, or employment referral records and files for at least four years after the records are initially created or received or, for an applicant or a terminated employee, for four years after the date the employment action was taken. However, when the district is notified that a complaint has been filed with the California Civil Rights Department, records related to the employee involved shall be maintained and preserved until the later of the first date after the time for filing a civil action has expired or the first date after the complaint has been fully and finally disposed of and all administrative proceedings, civil actions, appeals, or related proceedings have been terminated. (Government Code 12946)

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a district school, to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

The Board desires to provide a welcoming, safe, and supportive school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

Because unlawful discrimination may occur when disciplining students, including suspension and expulsion, the Superintendent or designee shall ensure that staff enforce discipline rules fairly, consistently and in a non-discriminatory manner, as specified in Board Policy and Administrative Regulation 5144 - Discipline, Board Policy and Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students With Disabilities).

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's website in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation. (Education Code 234.1, 234.6)

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who

permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

All allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

#### Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

#### Nondiscrimination/Harassment

Administrative Regulation 5145.3 - Revised 01/16/2024

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The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Superintendent or designee

555 Richmond Drive

Millbrae, CA 94030

(650) 697-5693

#### Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them in prominent locations and providing easy access to them through district-supported communications
2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
4. Post in a prominent location on the district website in a manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.6, 221.61, 234.6)

a. The name and contact information of the district's Title IX Coordinator, including the phone number and email address

b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in



Education Code 221.8 and web links to information about those rights and responsibilities located on the websites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)

c. A description of how to file a complaint of noncompliance under Title IX, which shall include:

i. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations

ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site

iii. A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

d. A link to the Title IX information included on the California Department of Education's (CDE) website

5. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)

6. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior.

7. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

8. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.

10. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

11. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

#### Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment
5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that the student knew was not true

#### Process for Initiating and Responding to Complaints

Students who feel that they have been subjected to unlawful discrimination described above or in district policy are strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, students who observe any such incident are strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, the principal or compliance officer shall notify the student or parent/guardian of the right to file a formal complaint in accordance with AR 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

#### Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity is different from the gender assigned at birth.

The district prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are sexual in nature. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with the student's gender identity
2. Disciplining or disparaging a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the restroom that corresponds to the student's gender identity
4. Taunting a student because the student participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. Using gender-specific slurs
7. Physically assaulting a student motivated by hostility toward the student because of the student's gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) or Title IX sexual harassment procedures (AR 5145.71), as applicable, shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's transgender or gender-nonconforming status is the student's private information and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless the employee is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to the student's status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to the student's parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as

counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of gender identity and begin to treat the student consistent with that gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.

3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, the student's parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting the student's educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because the student is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with the student's gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with the student's gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

5. **Student Records:** A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. When a student presents government-issued documentation of a name and/or gender change or submits a request for a name and/or gender change through the process specified in Education Code 49070, the district shall update the student's records. (Education Code 49062.5, 49070)

6. **Names and Pronouns:** If a student so chooses, district personnel shall be required to address the student by a name and the pronoun(s) consistent with the student's gender identity, without the necessity of a court order or a change to the student's official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.

7. **Uniforms/Dress Code:** A student has the right to dress in a manner consistent with the student's gender identity, subject to any dress code adopted on a school site.

### **School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)**

A school-wide dress code established pursuant to this section and Section 35183 shall be enforced at Millbrae Elementary School District and at any school-sponsored activity by the school principal or person designated by the principal. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process. Millbrae Elementary School District expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activity in which they participate. Students are prohibited from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities.

Dress and Grooming

Board Policy 5132 - Revised 01/16/2024

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to wear clothing that is suitable for the school activities in which they participate. Students shall not wear clothing that presents a health or safety hazard or causes a substantial disruption to the educational program.

District and school rules pertaining to student attire shall be included in student handbooks, may be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary.

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.

In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Education Code 212.1)

The principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, household income, or body type or size.

School administrators, teachers, and other staff shall be notified of appropriate and equitable enforcement of the dress code.

When practical, students shall not be directed to correct a dress code violation during instructional time or in front of other students.

Repeated violations or refusal to comply with the district's dress code may result in disciplinary action.

#### **Gang-Related Apparel**

The principal, staff, and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a proposed dress code shall be presented to the Board, which shall approve the plan upon determining that it is necessary to protect the health and safety of the school environment. The dress code policy may be included in the school's comprehensive safety plan. (Education Code 35183)

When determining specific items of clothing that may be defined as gang apparel, the school shall ensure that the determination is free from bias based on race, ethnicity, national origin, immigration status, or other protected characteristics.

#### **Uniforms**

The Board may approve a school-initiated dress code requiring students at the school to wear a school uniform whenever the Board determines that such a dress code will promote student achievement, a positive school climate, and/or student safety.

The Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against, or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms. (Education Code 35183)

#### **Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)**

In an effort to ensure the safety of students, staff, parents and campus visitors specific policies and procedures have been enacted at Millbrae Elementary School District

For the safety of all Millbrae Elementary School District students, schools are closed to all visitors unless they have obtained a visitor badge from the office. All visitors entering a school campus are required to first sign in at the office and receive a visitor badge. Visitors are not allowed to go directly to a classroom for any reason.

All district campuses have been provided with the necessary signage to address visitors.

Student vehicle and walking drop-off locations have been designated at each school site and crossing guards are in place at each school during drop-off and pick-up.

#### Safe Routes to School Program

Board Policy 5142.2 - Revised 01/16/2024

<https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36030332&revid=4ILvxplusIHbHgtmEZSeWnOfQ==&ptid=amlgTZiB9plushNjl6WXhfiOQ==&secid=9slshUHZTHxaaYMF6zKpJz3Q==&PG=6&IRP=0&isPndg=false>

The Governing Board recognizes that walking, bicycling, and other forms of active transport to school increase students' physical activity and reduce vehicle traffic and air pollution in the vicinity of schools. As part of the district's coordinated approach to supporting student wellness and safety and enhancing student learning and achievement, the Superintendent or designee shall develop and implement strategies to establish and encourage safe routes to school program activities.

All students shall have equitable access and opportunity to participate in the district's safe routes to school program.

The Superintendent or designee may appoint a program coordinator and identify or establish district and/or school site committees to oversee and coordinate related activities.

The Superintendent or designee may collaborate with local public works and public safety departments, transportation agencies, other city and county agencies, school staff, students, parents/guardians and parent organizations, health organizations, community organizations, and/or businesses in the development, implementation, and evaluation of strategies.

Strategies in support of the safe routes to school program shall be based on the grade levels of the students and an assessment of the conditions and needs of each school and the surrounding neighborhoods.

The Superintendent or designee shall explore the availability of grant funds and other sources of funding to support related projects and activities.

#### Safe Routes to School Program

Administrative Regulation 5142.2 - Revised 01/16/2024

<https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36030332&revid=YjJLqOs9FRw9BTHs2OACCQ==&ptid=amlgTZiB9plushNjl6WXhfiOQ==&secid=9slshUHZTHxaaYMF6zKpJz3Q==&PG=6&IRP=0&isPndg=false>

District strategies to improve student safety along routes to school and to promote walking, bicycling, and other forms of active transport to school by students may include:

Education activities that promote safety and awareness, such as:

Instructing students about pedestrian and personal safety related to the use of electric or motorized and nonmotorized bicycles or scooters, including by local law enforcement, organizations specified in Education Code 38134, and public agencies that provide safety instructions on such bicycles and scooters.

Instructing students about the health, academic, and environmental benefits of walking, bicycling, and other forms of active transport to school

Offering driver safety information to high school students, parents/guardians, and the community to promote safety around school campuses and routes

Encouragement strategies designed to generate interest in active transport to school, such as:

Organizing or facilitating "walking school buses" and/or "bicycle trains" whereby students walk or bike to school in groups escorted by parents/guardians or other volunteers as needed

Organizing special events and activities, such as Walk or Bike to School Day, International Walk to School Month, or year-round competitions

Publicizing the district's efforts in order to build support of parents/guardians and the community, including providing information about the district's safe routes to school program in parent/guardian communications and in any notifications about transportation options

Enforcement strategies to deter unsafe behaviors of drivers, pedestrians, and bicyclists, such as:

Initiating or expanding crossing guard, student safety patrol, and/or parent/guardian safety patrol programs

Partnering with local law enforcement to help ensure that traffic laws are obeyed in the vicinity of schools and to implement appropriate measures such as placement of speed feedback monitors, ticketing, and/or driver safety campaigns

Monitoring to ensure that students who bicycle to school or who use skateboards, skates, or nonmotorized scooters wear helmets in accordance with Vehicle Code 21212

Engineering strategies that address the design, implementation, operation, and maintenance of traffic control devices or physical measures, such as:

Working with local government agencies, parents/guardians, school staff, and others as appropriate to gather data about environmental conditions and hazards along routes to school

Working with local government agencies to make operational and physical improvements that reduce or eliminate hazards, such as reducing motor vehicle traffic speeds in the area and establishing safer and fully accessible crosswalks, walkways, trails, and bikeways

Assessing the adequacy, accessibility, and safety of bicycle parking at schools and making modifications as needed, such as increasing the number of or relocating bicycle racks and/or equipment storage areas

Considering safe routes to school when making decisions about siting and designing of new schools

Evaluation to assess progress toward program goals, including:

Gathering and interpreting data based on indicators established by the Superintendent and the Governing Board

Presenting data to the Board, program partners, and the public

Recommending program modifications as needed

Emerging technologies that aid in the prevention and mitigation of accidents

Emergency response in managing injuries after an accident occurs, including, but not limited to, training staff, crossing guards, student and/or parent/guardian safety patrols, and other volunteers who assist with drop-off and pick-up in emergency procedures

Equity, such that resources are distributed in a manner that provides safe access and participation in an equitable manner across the community

(Optional) Other Programs, Procedures or Policies for Safe Ingress and Egress Include:

- Student Transportation Procedures (optional)
- Student Drop Off & Parking Procedures (Optional)
- Other relevant Procedures or Policies (Optional)

<https://www.millbraeschooldistrict.org/domain/203>

### ***Safe Routes to School Program (Optional Section)***

The San Mateo County Office of Education and Millbrae Elementary School District participates in the Safe Routes to School Program which results in less traffic congestion around schools; improved air quality; a greener, healthier community; and an increase in self-reliance among San Mateo County children who walk and bike to school. The San Mateo County Safe Routes to School Program performs walk and bike safety audits assess the walkability and bike ability of a school and its surrounding environment. These audits include analyzing traffic patterns and travel to and from a school. Walking and biking route maps are also generated to support safe and efficient travel flow to and from a school. San Mateo County Safe Routes to School program places particular emphasis on providing access and support for students whose families have limited financial means, students of color, students of all genders, students with disabilities, and others and works to provide additional resources to schools in low-income communities, particularly technical assistance for schools serving low-income communities with higher rates of traffic collisions involving pedestrians and cyclists.

### **A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)**

The Millbrae Elementary School District works to enhance student learning by providing an orderly, caring, and nurturing educational and social environment in which all students can feel safe, connected and take pride in their school and their achievements. Positive relationships between all members of the school community is paramount.

#### ***Positive School Climate:***

School climate refers to the quality and character of school life. School climate is based on patterns of school life for all stakeholders, including students, parents, and staff. A school's climate reflects norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures. A positive school climate fosters positive youth development and supports a high-quality learning environment that provides young people with the foundation to pursue productive and rewarding lives.

Evidence of a positive school climate includes the following:

- Norms, values, and expectations that support social, emotional, and physical safety
- Respectful and engaging interactions and relationships
- A shared school vision that includes students, families, and educators working together
- Educators who lead by example and nurture positive attitudes
- Meaningful participation in the operations of the school and care of the physical environment by all stakeholders

Our Positive Behavior and Supports (PBIS) work for the 2024-25 school year will continue to be in partnership with SMCOE (San Mateo County Office of Education). The SMCOE's guidance will allow us to create a district vision for PBIS, expectations for implementation, and the collection and analysis of data to determine success and areas of improvement.

### ***Programs/Procedures to Address Mental Health Care for Students Who Have Witnessed a Violent Act (Optional)***

Students who have witnessed a violent act at school or at a school sponsored activity, while going to or coming from school or a school sponsored activity, or during a lunch period on or off campus, will need attention to address their mental health. Witnessing violence and being a victim of violence at school have been found to both positively and significantly associated with psychological



trauma symptoms. Schools should work to identify these students and provide appropriate and timely linkage to mental health services.

In order to initiate access to available pupil mental health services, you may contact your child's school site counselor. Additionally, the District provides mental health support through CareSolace. CareSolace is a concierge service that will quickly link students and their family members with a variety of mental health services based on their needs. You can access services for your student by contacting your child's school site or visiting the District's personalized site: <https://www.caresolace.com/site/mesd/>.

### ***Mental Health Supports and School Resource Officers on Campus (EC 32282.1)***

#### ***Optional***

Millbrae Elementary School District recognizes that to maintain a positive school climate, promote school safety, and increase pupil achievement, mental health and intervention services, including restorative and transformative justice programs, and positive behavior interventions and support must be prioritized.

The following procedures, protocols, and board policies pertain to how the mental health professionals, school counselors, and school resource officers (if utilized) work directly with students to create and maintain a positive school climate for students:

In order to initiate access to available pupil mental health services, you may contact your child's school site counselor. Additionally, the District provides mental health support through CareSolace. CareSolace is a concierge service that will quickly link students and their family members with a variety of mental health services based on their needs. You can access services for your student by contacting your child's school site or visiting the District's personalized site: <https://www.caresolace.com/site/mesd/>.

### **School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**

Lomita Park Elementary School is committed to providing a safe, supportive and positive school environment which is conducive to student learning and to preparing students for responsible citizenship by fostering self-discipline and personal responsibility. High expectations of student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent involvement can minimize the need for discipline measures that exclude students from instruction as a means for correcting student misbehavior.

The Board of Trustees prescribes discipline consistent with California and State Board of Education regulations. Each principal ensures that all rules pertaining to discipline are communicated to students at the beginning of each school year. Transfer students are to receive this information when they enroll.

The Millbrae Elementary School District is committed to providing a quality education that promotes respect, responsibility, and safety. We are committed to the development of the whole child to prepare our students to be responsible, contributing citizens in a global society.

It is important for our school to partner with parents to teach our students behavioral traits that will allow students to progress and mature into responsible young adults who understand the importance and impact of choices. Equally important is learning from one's mistakes, therefore we will be using restorative practices in addition to the possible consequences listed in the chart below.

Our school and district will use Positive Behavioral Interventions and Supports, or PBIS, as our framework for behavior. This framework will be the foundation for our behavioral expectations. Research shows that implementing a PBIS framework for academic and personal behaviors will decrease the necessity for behavior referrals. In the event a student is not responding to these interventions and supports and the behavior continues, our progressive behavior system requires that behavior be addressed with appropriate consequences. The Principal/Designee retains the right to make the final decision regarding any disciplinary action.

In accordance with state law and educational code, the below guidelines are enforced at school, on the way to and from school and at school-sponsored events. District jurisdiction could also include issues and events that take place off school grounds but impact the access to education of our students. The district has a partnership with local law enforcement agencies. Behavior issues that could potentially constitute a crime will be investigated accordingly and may involve law enforcement intervention prior to which

parents may not be contacted.

Offenses for which the Administration will recommend Suspension or Expulsion include:

- Assault/Battery
- Selling Drugs
- Robbery/Extortion
- Weapon Possession & Explosive Devices
- Committing or attempting to commit sexual assault

Students will receive intervention of student conference, parent/guardian communication, restorative justice, detention, suspension, or other intervention for offenses which include, but are not limited to:

- Attendance
- Inappropriate items (gum, sunflower seeds, electronic games, etc)
- Cell phone use not under staff supervision for instructional purposes
- Cheating or Plagiarism
- Defiance or disruption
- Drug, alcohol, or tobacco possession
- Fighting or scuffling
- Forgery or Falsification
- Gambling, Selling, or Trading items
- Technology policy violation
- Obscene acts or abusive language
- Terrorist threats
- Theft or Possession of stolen property
- Threat or Intimidation
- Unsafe items ("popper", stink bombs, toy firearm, etc)
- Vandalism or Graffiti

## Conduct

Board Policy 5131 - Revised 01/16/2024

<https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspxS=36030332&revid=slsh140LHVNTgVslshB1FmecuP0w==&ptid=amIgTZiB9plushNjl6WXhfiOQ==&secid=9slshUHzTHxaaYMVf6zKpJz3Q==&PG=6&IRP=0&isPndg=false>

The Governing Board believes that all students have the right to be educated in a safe and positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats

Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption to the school program

Conduct that disrupts the orderly classroom or school environment

Willful defiance of staff's authority

Damage to or theft of property belonging to students, staff, or the district

Obscene acts or use of profane, vulgar, or abusive language

Possession, use, or being under the influence of tobacco, alcohol, or other prohibited substances

Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose with prior permission of the principal or designee (Penal Code 417.27)

Use of a cell phone, smart watch, pager, or other mobile communication device during instructional time or in an unauthorized manner in violation of district policy

Plagiarism or dishonesty on school work or tests

Wearing of any attire that violates district or school dress codes, including gang-related apparel

Tardiness or unexcused absence from school

Failure to remain on school premises in accordance with school rules

Employees are expected to enforce standards of conduct and, when they observe or receive a report of a violation of these standards, to appropriately intervene or seek assistance. As necessary, the employee shall refer the matter to a supervisor or the principal or designee.

When a school employee suspects that a search of a student or a student's belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

When a student uses any prohibited device, or uses a permitted device in an unauthorized manner, a district employee may confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

## **Hate Crime Reporting Procedures and Policies**

### **Discrimination and Harassment Policies Including hate crime reporting)**

Millbrae Elementary School District believes all students are entitled to a safe, orderly, caring, and equitable learning environment that promotes academic achievement, school connectedness, and meaningful participation for all students.

- Protect the right of all students, staff, and parents/guardians to be free from harassment or any activity that degrades the unique qualities of an individual or association with a person or a group with one or more actual or perceived protected characteristics, to include students' parental, family, or marital status, ancestry, color, race, gender, gender identity, gender expression, ethnicity, age, culture, heritage, sexuality, physical/mental/intellectual attributes, or religious beliefs and practices.

- The Millbrae Elementary School District expressly prohibits discrimination, intimidation, bullying, cyberbullying, or harassment of any student or employee by any employee, student, or other person on any school campus or at any school activity whether on or off campus.
- School personnel will take immediate steps to intervene when it is safe to do so and when he or she witnesses an act of discrimination, harassment, intimidation, or bullying.
- The Superintendent or designee shall ensure that all students receive age-appropriate information on sexual harassment.
- For students in grades 4-12, disciplinary action may include suspension and/or expulsion provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account. Any staff member found to have engaged in sexual harassment or sexual violence toward any student shall be subject to discipline up to and including dismissal in accordance with applicable policies, laws, and/or collective bargaining agreements.
- The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable Millbrae Elementary School District to monitor, address, and prevent repetitive harassing behavior at Millbrae Elementary School District schools.

EC 48900.3. Hate Violence - <https://www.millbraeschooldistrict.org/Page/513>

In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

## Procedures for Preventing Acts of Bullying and Cyber-bullying

Millbrae Elementary School District recognizes the harmful effects of bullying on student well-being, student learning and school attendance and works towards providing a safe school environment that protects all students from physical and emotional harm. No student or group of students shall, through physical, written, verbal or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against another student, group of students or school personnel.

In compliance with ED Section 32283.5 Millbrae Elementary School District makes available the [California Department of Education's online training resources](#) to address and prevent bullying and cyberbullying to certificated staff and all other school site employees who have regular interaction with pupils.

### Bullying

Board Policy & Administrative Regulation 5131.2 - update pending Board Approval:

Board Policy 5131.2 - Bullying - Adopted 5/15/2018 revised 2/20/2024

<https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36030332&revid=jayNVvs8Z8mUPYGplusguyS9w==&ptid=amlgTZiB9plushNjl6WXhfiOQ==&secid=9slshUHHzTHxaaYMVf6zKpJz3Q==&PG=6&IRP=0&isPndg=false>

This policy shall apply to all acts constituting bullying related to school activity or to school attendance occurring within a district school, to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

The Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a welcoming, safe, and supportive school environment that protects students from physical, mental, and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in Administrative Regulation 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.

District families are encouraged to model respectful behavior, contribute to a safe and supportive learning environment, and monitor potential causes of bullying.

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and

including dismissal.

Administrative Regulation 5131.2 Bullying revised 2/20/2024

<https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36030332&revid=TxspscFeAQqTwvLhTBEhA==&ptid=amlgTZiB9plus hNjl6WXhfiOQ==&secid=9slshUHZTHxaaYMVf6zKpJz3Q==&PG=6&IRP=0&isPndg=false>

#### Examples of Prohibited Conduct

Bullying is an aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and may involve a single severe act or repetition or potential repetition of a deliberate act. Bullying includes, but is not limited to, any act described in Education Code 48900(r).

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images, which may be shared, sent, or posted publicly. Cyberbullying may include, but is not limited to, personal or private information that causes humiliation, false or negative information to discredit or disparage, or threats of physical harm. Cyberbullying may also include breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

**Physical bullying:** An act that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures

**Verbal bullying:** An act that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm

**Social/relational bullying:** An act that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public

**Cyberbullying:** An act that occurs on electronic devices such as computers, tablets, or cell phones, such as sending demeaning or hateful text messages, direct messages or public posts on social media apps, gaming forums, or emails, spreading rumors by email or by posting on social networking sites, shaming or humiliating by allowing others to view, participate in, or share disparaging or harmful content, or posting or sharing embarrassing photos, videos, website, or fake profiles

#### Measures to Prevent Bullying

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

Developing a strategic plan for school connectedness and social skills with benchmark tracking, which may include providing regular opportunities and spaces for students to develop social skills and strengthen relationships and promoting adult support from family and school staff, peer-led programs, and partnerships with key community groups, implementing socially based educational techniques such as cooperative learning projects that can improve educational outcomes as well as peer relations, creating a supportive school environment that fosters belonging through equitable classroom management, mentoring, and peer support groups that allow students to lean on each other and learn from each other's experiences, and building social connection into health education courses including information on the consequences of social connection on physical and mental health, key risk and protective factors, and strategies for increasing social connection

Ensuring that each school establishes clear rules for student and staff conduct and implements strategies to promote a positive, supportive, and collaborative school climate

Providing information to students, through student handbooks, district and school websites and social media, and other age-appropriate means, about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying

Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as playgrounds, hallways, restrooms, and cafeterias

Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

#### Staff Development

The Superintendent or designee shall annually make available to all certificated staff and to other employees who have regular interaction with students the California Department of Education (CDE) online training module on the dynamics of bullying and cyberbullying, including the identification of bullying and cyberbullying and the implementation of strategies to address bullying. (Education Code 32283.5)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

Discuss the diversity of the student body and school community, including their varying immigration experiences

Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims

Identify the signs of bullying or harassing behavior

Take immediate corrective action when bullying is observed

Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

#### Information and Resources

The Superintendent or designee shall post on the district's website, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following: (Education Code 234.6)

The district's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6

The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8

Title IX information included on the district's website pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's website pursuant to Education Code 221.6

District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying

A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media

A link to statewide resources, including community-based organizations, compiled by CDE pursuant to Education Code 234.5

Any additional information the Superintendent or designee deems important for preventing bullying and harassment

#### Student Instruction

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character development, respect for cultural and individual differences, self-esteem development, assertiveness skills, digital and media literacy skills, and appropriate online behavior.

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff are responsible for teaching and modeling respectful behavior and building safe and supportive learning environments, and are expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

#### Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with Administrative Regulation 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Within one business day of receiving such a report, a staff member shall notify the principal of the report, regardless of whether a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, regardless of whether the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in Administrative Regulation 1312.3.

Any individuals with information about cyberbullying activity shall save and print any electronic or digital messages that they feel constitute cyberbullying and shall notify a teacher, the principal, or other employee so that the matter may be investigated. When an investigation concludes that a student used a social networking site or service to bully or harass another student, the Superintendent or designee may report the cyberbullying to the social media platform and may request the material be removed.

#### Discipline/Corrective Actions

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention, and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

When a student has been suspended, or other means of correction have been implemented against the student, for an incident of racist bullying, harassment, or intimidation, the principal or designee shall engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

#### Support Services

The Superintendent, principal, or designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education



If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement, in accordance with Board Policy and Administrative Regulation 5141.52 - Suicide Prevention.

Indicators of Bullying Behavior -- Indicators of bullying behavior may include, but are not limited to:

- Verbal: Hurtful name-calling, teasing, gossiping, making threats, making rude noises, or spreading hurtful rumors. Inappropriate references to an individual's sexual orientation, religious beliefs, or ethnicity.
- Nonverbal: Posturing, making gang signs, leering, staring, stalking, destroying property, using graffiti or graphic images, theft or exhibiting inappropriate and/or threatening gestures or actions.
- Emotional (psychological): Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, ostracizing, using peer pressure, or rating or ranking personal characteristics.
- Cyberbullying: Sending insulting or threatening messages, sending nude or sexually suggestive pictures/videos, blackmailing, via email, phone, texting, social networking site/media, or any other electronic or written form of communication.
- Physical: Hitting, slapping, pinching, pretend hitting (making the action but not making contact)
- Making reprisals, threats of reprisal, or implied threats of reprisal.
- Engaging implicit or explicit coercive behavior to control, influence or affect the health and well-being of a student.

#### Cyber Sexual Bullying

"Cyber sexual bullying" is defined as the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act with the purpose or effect of humiliating or harassing a pupil. The law 1) specifies that a photograph or other visual recording shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act; 2) specifies that "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities; 3) Requires California Department of Education (CDE) annually inform school districts of the information on the California Healthy Kids Resource Center Internet Web site and other CDE Internet Web sites where information about cyber sexual bullying is posted; 4) Encourages school districts to inform pupils regarding the information and resources on the CDE's Internet Web sites and 5) Incorporates the provisions from AB 2212 (Harper) of the current legislative session to avoid chaptering out problems. For more information about bullying, harassment, intimidation and harassment, please visit the California Healthy Kids Resource Center Web site at <https://www.californiahealthykids.net/home>

## **Safety Plan Review, Evaluation and Amendment Procedures**

The Comprehensive School Safety Plan is reviewed and amended annually by the School Site Safety Committee and shall be submitted to the (district) Board for approval. The Completed CSSP and related policies are available for public review at the (District) office. The approved Comprehensive School Safety Plan shall be submitted to the San Mateo County Office of Education prior to March 1 of the current school year. All San Mateo County School Districts plans associated board policies and county wide protocols are available at the San Mateo County Office of Education for public review.

**School District:** Millbrae Elementary School District

**School Site:** Lomita Park Elementary School

## **Safety Plan Appendices**

[Coalition for Safe Schools and Communities](#)

[Disaster Response: The Big Five Webpage](#)

[Big Five Administration Packet](#)

[Hazard Response](#)

[Incident Command Cards](#)

[Fire Watch](#)

[Air Quality Guidance](#)

[School Closure Guide](#)

[Student Threat Assessment Page](#)

[Student Threat Assessment Protocol](#)

[Suicide Prevention Page](#)

[Suicide Prevention Protocol](#)

[Commercially Sexually Exploited Children Resource Page](#)

[Commercially Sexually Exploited Children Resource Protocol for Schools](#)

[Sexual Assault/Sexual Harassment Resources](#)

[Student Sexual Abuse Response Guidelines for San Mateo County Schools and Law Enforcement](#)

[Naloxone for Schools Program and Toolkit](#)

[Naloxone Toolkit](#)

[Violent Release](#)

[Student Release](#)

[Facilities Guide](#)

[TOYFP Book](#)

## Lesson Plans

Grade: [1-3](#) [4-5](#) [Middle](#) [High](#)