

MILLBRAE ELEMENTARY SCHOOL DISTRICT
PARENT – STUDENT HANDBOOK

2021–2022



Revised 11/4/2021

MILLBRAE ELEMENTARY SCHOOL DISTRICT
2021-2022 ACKNOWLEDGEMENT OF RECEIPT AND REVIEW

Dear Parent/Guardian:

The Millbrae Elementary School District is required to annually notify parents and guardians of rights and responsibilities in accordance with Education Code §48980. If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact an administrator at your child's school. They will be able to provide you more detailed information and assist you in obtaining copies of any materials you wish to review. Please complete the "Acknowledgement of Receipt and Review" form below, and return it to your child's school.

Acknowledgement of Receipt and Review Pursuant to Education Code §48982, the parent/guardian shall sign this notice and return it to the school. Signature on the notice is an acknowledgment by the parent or guardian that he or she has been informed of his or her rights but does not necessarily indicate that consent to participate in any particular program or activity has been given or withheld.

Student Name: _____

School: _____ Grade: _____

Parent/Guardian Name(s): _____

Home Address: _____

Home Phone: _____

Cell Phone: _____

Work Phone: _____

Parent Emails: _____

Parent/Guardian Signature

Print Name

Parent/Guardian Signature

Print Name

District Administration

Telephone: (650) 697-5693 Fax: (650) 697-6865

Superintendent

Ms. Debra French (650) 697-5693 dfrench@millbraesd.org

Claudia Buttigieg, Assistant to the Superintendent, Extension 029 cbuttigieg@millbraesd.org

Student/Academic Services

Tara Keith, Director Extension 025 tkeith@millbraesd.org

Linda Kroll, Administrative Assistant Extension 020 lkroll@millbraesd.org

Christina Spicker, Principal on Special Assignment - Ed Services cspicker@millbraesd.org

Carisa Bowman, Coordinator - Student Services cbowman@millbraesd.org

Debi Knecht, Curriculum & Assessment Coordinator/EL Coordinator dknecht@millbraesd.org

Rich Rodriguez, EL Coordinator richrodriguez@millbraesd.org

Julie DiMaio, MTSS Coordinator jdimai@millbraesd.org

Julie Lustig RN, MS, CPNP, District Nurse Extension 008 jlustig@millbraesd.org

Patricia Nishan BCBA, Behavior Supervisor pnishan@millbraesd.org

Lyndon Pausanos, Computer Technician lpausanos@millbraesd.org

Business Services

Denice LaCroix, Supervisor of Business Services Extension 014 dlacroix@millbraesd.org

Amy Liu, Accounting Technician aliu@millbraesd.org

Vienna Huynh, Payroll Technician vhuyh@millbraesd.org

Angela Smith, Administrative Assistant to the CBO Extension 012 asmith@millbraesd.org

Human Resources

Angie Caprini, Personnel Specialist acaprini@millbraesd.org

Facilities & Maintenance

Raul Fregozo, Maintenance and Operations Supervisor rfregozo@millbraesd.org

Rudy Correa, Lead Maintenance rcorrea@millbraesd.org

Child Nutrition Services

Rachel Gekas, Director of Child Nutrition Services rgekas@millbraesd.org

Millbrae Elementary School District
Board of Education



Mr. Don Revelo, Board President



Mr. Frank Barbaro, Vice President



Mr. Denis Fama, Clerk



Ms. Lynee Ferrario, Trustee



Ms. Maggie Musa, Trustee

Millbrae Elementary School District Mission

Inspire our community with opportunities to learn and thrive
Commit to a shared purpose that guarantees each student a strong academic foundation
Ensure equity through access and opportunity for all

Millbrae Elementary School District Vision

Nurture Emotional Intelligence
Promote a Passion for Learning
Foster an Innovative Learning Environment
Connect Self and Learning to the World

Millbrae Elementary School District Directory

Green Hills Elementary School

401 Ludeman Lane
Millbrae, CA 94030
650-588-6485
Fax: 650-583-8052
Kerry Dees, Principal
Kathi Woodall, Secretary

Meadows Elementary School

1101 Helen Drive
Millbrae, CA 94030
650-583-7590
Fax: 650-588-5461
Catherine Waslif, Principal
Kellie Zahursky, Secretary

Lomita Park Elementary School

200 Santa Helena
San Bruno, CA 94066
650-588-5852
Fax: 650-873-8014
Scott Carson, Principal
Tina Mondani, Secretary

Spring Valley Elementary School

817 Murchison Drive
Millbrae, CA 94030
650-697-5681
Fax: 650-697-2931
Gordon Hwee, Principal
Denise Coffaro, Secretary

Taylor Middle School

850 Taylor Boulevard
Millbrae, CA 94030
650-697-4096
Fax: 650-697-8435
Erin Zlatunich, Principal - 6th grade
Terry Brenner, Principal - 7th grade
Rob Slauson, Principal - 8th grade
Dianna Thomas, Office Manager
Pam Evans, Attendance Clerk

COVID-19

The health of students and families is of the utmost importance. The guidelines below will reduce the risk of spreading illness and should be followed while in school buildings. Guidelines for school return are subject to change. Symptoms of COVID-19 include:

Common Symptoms of COVID-19 (CDPH)

- Headache
- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue (tiredness)
- Muscle or body aches
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

Resources for Families:

[San Mateo County Pandemic Recovery Framework](#)

[MESD COVID-19 Safety Plan](#)

If a household member tests positive for COVID-19, please notify your site LVN or the District Nurse. The District will follow protocols for ensuring the individual has medical care and understands the guidance for quarantining, report the case to San Mateo County Health, clean and disinfect the area, notify impacted students, staff and school community.

If a student tests positive for COVID-19, the District Nurse will work with you to identify close contacts and inform you of next steps for your child and family. The isolation period for a positive case is 10 days from symptom onset or test date if asymptomatic.

MESD Nursing Team

District Nurse	Julie Lustig, RN, MS, CPNP Extension 008 jlustig@millbraesd.org
Green Hills Elementary School	Jerwin Canta, LVN jcanta@millbraesd.org
Lomita Park Elementary School	Claudette Cantiller, LVN ccantiller@millbraesd.org
Meadows Elementary School	Sierra Hickman, LVN shickman@millbraesd.org
Spring Valley Elementary School	Aashna Chand, LVN achand@millbraesd.org
Taylor Middle School	Ronel Castillo, LVN rcastillo@millbraesd.org

PARENT ENGAGEMENT

Classroom & School Visitation

Due to the current COVID procedures, at this time the MESD is not allowing visitors on campus. We hope to revisit this policy, as we believe our parental support is imperative to our school campus, in mid-September.

When visitors and volunteers are allowed on campus, parents/guardians are encouraged to visit the schools and view their child's educational program. To ensure minimal interruption of the regular program, the visit should be arranged with the Principal or designee and the teacher at least 24 hours prior to the intended visitation.

To ensure the safety of all students and staff and avoid potential disruptions, all visitors shall register with the office immediately upon entering any school building or school grounds when school is in session. A photo I.D. is required when registering as a visitor in the office. All visitors must have a visible means of identification when on the school's premises, such as a visitor's badge or name tag issued by the office.

No electronic listening or recording device may be used by students or visitors when on campus, including in the classroom, without permission from the teacher and Principal (E.C.§ 51512).

Any parent/guardian or other person whose conduct in a place, where a school employee is required to be in the course of his or her duties, materially disrupts class work or extracurricular activities or involves substantial disorder is guilty of a misdemeanor and may be barred from the campus or school-related activities for a specified period of time at the request of the Principal. If you do not register in the office, you may be considered trespassing on school grounds which could result in police contact.

CIVILITY ON SCHOOL GROUNDS

Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500). Any person found loitering, trespassing, or expressing threats of bodily harm to any school to suit personnel will be in violation of Penal Code 601, 602, 602.1, 653g and 647b.

It is unlawful for any person, except a parent/guardian acting toward his/her minor child, to intentionally or to attempt to injure, intimidate, interfere by force, threat of force, physical obstruction, or nonviolent physical obstruction with any person attempting to enter or exit any public or private school grounds.

EMERGENCY INFORMATION

Parent(s)/guardian(s) shall furnish the school with the current information specified below: 1) Home address and telephone number; 2) Parent/ guardian's business address and telephone number; 3)

Name, address and telephone number of a relative or friend who is authorized by the parent/guardian to care for the student in cases of emergency when the parent/guardian cannot be reached; and 4) Local physician to call in case of emergency.

Under Education Code §49407, no school district shall be held liable for the reasonable treatment of a student without the consent of the parent/guardian when the student requires medical treatment and the parent/guardian cannot be reached, unless a written objection to medical treatment has been filed with the school district.

OPEN MEETINGS: PUBLIC COMMENT

The Board of Trustees, when allowing for public comment, will provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency. However, when possible, if simultaneous translation equipment is available that enables the Board of Trustees to hear the translated public testimony simultaneously, the requirement to provide twice the allotted time is not necessary.

PARENT INVOLVEMENT

To support parent involvement and engagement, the MESD adopted a Parent Involvement Policy in the 2021-2022 school year. This policy solidifies the district's commitment to a continued home-school partnership.

PARENT/GUARDIAN ACTIONS ON SCHOOL GROUNDS

It is unlawful for any person, except the parent/guardian acting toward his/her minor child, to intentionally or to attempt to injure, intimidate, interfere by force, physical obstruction, or nonviolent obstruction with any person attempting to enter or exit any school grounds. If a parent/guardian has a concern with a parent or student, that concern shall be reported to the school principal for the principal to address. If the concern remains, please contact the Director of Student Services, Tara Keith, (650) 697-5693 ext. 025, for further assistance. Any person who willfully disturbs any public school or public school meeting is guilty of a misdemeanor. If an incident of this nature occurs, the district may request a police response.

PARENT/GUARDIAN RIGHTS

The parents/guardians of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within public schools, to be informed by the school, and to participate in the education of their children as follows:

- Within a reasonable period of time after making the request, to observe their child's classroom(s).
- Within a reasonable time of their request, to meet with their child's teacher(s) and the principal.
- To volunteer their time and resources for the improvement of school facilities and school programs under the supervision of district employees, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher.
- To be notified on a timely basis if their child is absent from school without permission.

- To receive the results of their child's performance on standardized tests and statewide tests and information on the performance of their child's school on standardized statewide tests.
- To request a particular school for their child, and to receive a response from the school district.
- To have a school environment for their child that is safe and supportive of learning.
- To examine the curriculum materials of their child's class(es).
- To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child.
- To have access to the school records of their child.
- To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.
- To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.
- To receive information about any psychological testing the school does involving their child and to deny permission to give the test.
- To participate as a member of a parent advisory committee, school site council, or site-based management leadership team.
- To question anything in their child's record that the parent feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school.
- To be notified, as early in the school year as practicable, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal a decision to retain or promote their child.

PARENT PARTICIPATION

If the parent's employer has 25 or more employees, the parent must be allowed to attend school meetings and events for their children, up to a maximum of 40 hours each year without discrimination or fear of job loss. Purposes to attend child-related activities include: enrollment in grades 1-12, to address child care or school emergencies, behavior or discipline problems that require immediate parent attention, sudden school closure, or natural disaster. (Parent" means a parent, guardian, stepparent, foster parent, or grandparent of, or a person who stands in.) If an employer discharges, threatens to discharge, demotes, suspends or otherwise discriminates against the parent, the employee may be entitled to reinstatement. The school will provide a note for your employer upon request. (LC 230.8)

REQUIREMENT OF PARENT/GUARDIAN SCHOOL ATTENDANCE

Teachers may require the parent or guardian of a student who has been suspended by a teacher to attend a portion of that school day in his or her student's classroom. The attendance of the parent or guardian will be limited to the class from which the student was suspended. A written notice will be sent to the parent or guardian regarding implementation of this requirement. Employers are not allowed to apply sanctions against the parent or guardian for this requirement if the parent or guardian has given reasonable notice to his/her employer. (E.C. §48900.1)

SCHOOL VISITING PROCEDURES

Parents/guardians are encouraged to visit their child's school to help foster a mutually supportive and respectful partnership with school staff to maximize their child's success. Prior to entering any school

site, all visitors, including parents/guardians are required to sign-in, with a photo I.D., at the school's office. The office will issue you a visitor badge that must be worn at all times when you are on campus. If you wish to meet with your child's teacher, a conference must be scheduled in advance. Conferences can be scheduled through the teacher. However, you may observe your child's class by providing a minimum of 24 hours advance notice to the principal and your child's teacher. Classroom observations are a maximum of 20 minutes unless prior arrangements have been made with the teacher and principal. (EC §51101 (a), P.C. 627.6)

TITLE I. SCHOOL/PARENT COMPACT

Each school receiving funding under Title I, Part A of the ESEA must develop a written school/parent compact jointly with parents for all students participating in Title I, Part A activities, services and programs. The compact must outline how parents, school staff and students will share responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards.

TITLE I. PART A FUNDS

MESD offers Title I services to all eligible students attending designated Title I schools. Title I refers to federally funded resources used to support students with their academic needs especially in the areas of English/Language Arts, math, and English Language Development. The goal of Title I at MESD is to ensure that our students have a fair, equal and significant opportunity for a high quality education.

Parent involvement is vital in the implementation of the Title I program. According to the Elementary and Secondary Education Act (ESEA) 1118 - parent involvement is defined as the "participation of parents in regular, two-way and meaningful communication involving student academic learning and other school activities". MESD's Board Policy 6020 stipulates that the Superintendent shall ensure that the parents/guardians of Title I schools will be consulted and participate in the planning, design, implementation and evaluation of the parent involvement program. Parents will have a voice in the development of their schools' parent involvement policy, participate in signing a school compact and determine how the district's Title I funds will be allocated to support parent involvement activities.

In carrying out the Title I parental involvement policy, MESD will provide full opportunities for the participation of parents with limited English proficiency, parents with students of disabilities, and parents of foster and homeless youth; including ensuring that all communications are in an understandable and uniform format in a language parents understand. Parents of students served in Title I, Part A schools will be involved in decisions about how the Title I, Part A funds reserved for parental involvement will be allotted, and will ensure that the schools are appropriately funded.

ATTENDANCE

There is a direct correlation between good attendance and student achievement. Students must participate in school in order to take advantage of the educational program, keep up with their lessons and maintain good grades. Each day's lessons build on those from the previous day's; missing one day makes it more difficult for children to catch up with their studies.

For the 2021-2022 school year, the district is not receiving funding based on attendance. We are required to monitor and enforce attendance rules to ensure that students are receiving the highest quality instruction and when they are struggling; interventions are provided. **We encourage your continued support to promote good school attendance and student achievement.**

COMPULSORY EDUCATION

Compulsory Education law states that students must enroll in school in the school district in which the residence of either the parent or legal guardian is located. If a parent is seeking a change in a public district outside of the resident district, then an inter-district permit is required. Exceptions are for charter school, home school or other private school enrollments, and other online charter school options.

ABSENCES

The Governing Board believes that regular attendance plays a key role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children aged six to 18 are obligated to send their children to school unless otherwise provided by law. The Board shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absences or truancy.

AVOIDING ABSENCES, WRITTEN EXCUSES

The Millbrae Elementary School District urges parents to make sure their children attend school regularly and to schedule medical, dental, counseling and other appointments after school, on the weekend if possible or during school holidays. The district also asks that travel or other absences be avoided during the time that school is in session. The higher the district's daily attendance rate, the more a student will learn and the greater the amount of funding that the district will receive from the state for classroom instruction and academic programs. The school calendar is designed to minimize problems for families which plan vacations around traditional holiday periods, and thereby minimize student absences. Following an absence, a parent/guardian is required to provide a written excuse or a phone call within 3 days of the student returning to school. Illnesses, and doctor and dental appointments are considered excused absences. Absences without a written excuse are recorded as unexcused.

ATTENDANCE OF SUSPENDED CHILD'S PARENT/GUARDIAN FOR PART OF SCHOOL DAY

The Board of Trustees has adopted a policy pursuant to education code authorizing teachers to require that the parent or guardian of a student who has been suspended by a teacher to attend a portion of that school day in his or her classroom. The attendance of the parent or guardian will be limited to the class from which the student was suspended. A written notice will be sent to the parent

or guardian regarding the implementation of this requirement. Employers are not allowed to apply sanctions against the parent or guardian for this requirement if the parent or guardian has given reasonable notice to his/her employer (Labor Code 230.7, 230.8, E.C.§ 48900.1)

CHRONIC ABSENTEE

A student is considered a chronic absentee when he/she is absent on 10% or more of the school days in one school year, from the date of enrollment to the current date. Chronic absenteeism includes all absences – excused and unexcused – and is an important measure because excessive absences negatively impact academic achievement and student engagement. (EC §60901)

GRADE REDUCTION; LOSS OF ACADEMIC CREDIT

No student shall have his/her grade reduced or lose academic credit for any excused absence(s) or absences pursuant to Education Code § 48205; if missed assignments and tests can reasonably be provided and are satisfactorily completed within a reasonable period of time, this includes absences due to suspension. The student shall be given full credit for the assignments that are completed. The teacher of the class from which the student is absent shall determine which assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the absence. (E.C. 48980(j))

INACTIVE PROCEDURE FOR NON-ATTENDEES

Students who are removed from school or who fail to attend school without a valid reason are considered truant from school (EC §48260). Students, who are removed from school for vacations, travel, or other reasons not approved by the district, and have not made arrangements for independent study or other approved interventions prior to the absence, are considered truant. Students in grades kindergarten through eighth grade who are not in attendance at school for eleven consecutive days without an approved excuse or have not made contact with the school during that time will be considered inactive. The school will notify the parent in writing of the absentee problem and the intent to place the student on the inactive list. After the eleventh day and the mailing of the parent notification, the family will not be guaranteed the same classroom placement, class schedule, or even school site if the school's enrollment is impacted. The student will be allowed to reenter the school without going through the enrollment process unless the student has missed more than 20 consecutive school days. The parent may be required to go to the enrollment process when the site has met its enrollment limit to be placed at an alternate site.

RELIGIOUS INSTRUCTION

Pupils, with written consent from their parents/guardians, may be excused from school in order to participate in religious exercises or to receive religious instruction at their respective places of worship or other suitable places away from school property designated by the religious group, church or demonization. Absences are at the discretion of the Board of Education, by Board Resolution, as an excused absence after the student has attended school for a minimum day and for no more than four (4) school days per month. Prior notice is required. (EC §46014).

ATTENDANCE WARNING LETTER

A parent or guardian of a student of six years of age or more who is in kindergarten or any grades 1 to 8, inclusive, and who is subject to compulsory full-time education or compulsory continuing education, whose child is a chronic truant as defined in Section 28263.6 of the California Education Code, who has failed to reasonably supervise and encourage the student's school attendance, and who has been offered language accessible support services to address the student's truancy, is guilty of a misdemeanor punishable by a fine not exceeding two thousand dollars (\$2,000) or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment (PC 270.1). (cf. 5112.1 - Exemptions from Attendance) (cf. 5112.2 - Exclusions from Attendance) (cf. 5121 - Grades/Evaluation of Student Achievement)

Truancies may result in a student being subject to suspension, restrictions, or delay of the student's driving privilege pursuant to Section 13202.7 of the California Vehicle Code.

The County may be contacted and any aid you may be receiving may be stopped. Local Law Enforcement and Child Protective Services may also be contacted. As the student's parent/guardian, you are obligated by law to compel the attendance of your child at school until she/he has reached the age of 18 or has graduated.

EXCUSED ABSENCES

At the beginning of the first semester or quarter of the regular school term, the governing board of each school district shall notify the parent or guardian of a minor pupil regarding the right or responsibility of the parent or guardian under Sections 46014 and 48205. (EC 48980(a))

No pupil may have his or her grade reduced or lose academic credit for any absence or absences excused under EC §48205, if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (EC 48980 (j))

Note: Ten (10) excused absences is considered to be excessive. A physician's verification is required by School Board AR 5113 (4) (b) after a pattern of absenteeism for illness. A student who has ten (10) or more absences due to illness is subject to the **SARB** process to determine if an alternative education program is appropriate.

ACCEPTABLE REASON FOR EXCUSED STUDENT ABSENCE

California Education Code §48205 defines excused absences:

Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

- (1) Due to the pupil's illness.
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
- (4) For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.

- (5) For the purpose of jury duty in the manner provided for by law.
- (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
- (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
- (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
- (9) For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- (10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
- (11) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- (e) "Immediate family," as used in this section, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

TRUANCY

A student is considered truant after three absences or three tardies of more than 30 minutes each time or any combination thereof and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year and the district has made a conscientious effort to meet with the family, the student is considered a habitual truant. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within EC §48205.

The school attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is found away from their home and who is absent from school without valid excuse within the county, city or school district. A student who is a habitual truant may be referred to a School Attendance and Review Board (SARB).

TRUANT CONSEQUENCES

Any student who is identified as “Truant” may be assigned as a ward of the court, if the available community resources do not resolve the students’ continued problem of truancy, by a Probation Officer or Deputy District Attorney. (EC §48263, §48267, §48268, and §48269; WIC 236, 601, 601.3, 653.5, 654, and 651.5)

Unexcused absences are all absences that do not fall within Education Code §48205. The text of education code §48205 is provided above in the section titled, “Acceptable Reasons For Excused Student Absence.” Once a student has been declared a truant, the school may refer the student and parent/guardian to the District’s School Attendance Review (SARB) Board. Once a family is at SARB, the student may be placed on a contract, the parent may be given a citation or misdemeanor charges may be filed.

If your child is having attendance issues, the school and/or District can help. Contact your child’s teacher, principal or the District’s Student Services Director, Tara Keith at (650) 697-5693 ext. 025 for assistance.

The Superintendent or designee shall implement positive steps to reduce truancy, such as communication, MTSS interventions, tutoring, afterschool programs, the use of student study teams and more.

Students who are habitual truants or habitually insubordinate or disorderly during attendance at school may be referred to the county probation department for interventions. When the student’s attendance problems cannot be resolved or the student and parent/guardian have failed to respond to directives to correct the problem, a student who has been classified as truant may be referred to the district attorney or probation officer for truancy mediation.

UNEXCUSED ABSENCE

If your child is absent from school, during the school year, for any of the reasons listed below, the school is not able to excuse the absence. The student will be marked as “Truant” if the student initiates the absence and marked as “Unexcused” if the parent/guardian requires the student to be absent.

REASONS NOT ACCEPTABLE FOR BEING ABSENT FROM SCHOOL

1. Going to work with parent or other family member
2. Going to the beach, lake, river, mountains or desert
3. Going to a concert
4. Getting ready for a date
5. Babysitting, taking care of other family members

6. Under the influence of alcohol or other drugs
 7. Joyriding or partying
 8. Personal problems
 9. Repairing car or household items
 10. Waiting for service or repair people to come
 11. Shopping
 12. Camping
 13. Attending a sporting event
 14. Other reasons not included in Acceptable Reasons for Excused Student Absences
-

TARDINESS

Children should be encouraged to be prompt as part of developing good habits. They are expected to be at school on time. If a child is late, the child should bring an excuse from home to the school office. A student will be classified as truant if they are tardy or absent for more than a 30-minute period during the school day without a valid excuse on three occasions in one school year. **(E.C. §48260 (a))**

NOTIFICATION OF MINIMUM DAYS AND STUDENT-FREE STAFF DEVELOPMENT DAYS

The school calendars are included with this annual notification. If minimum or pupil-free staff development days are scheduled after the start of the school year, the school will notify parents and guardians of affected pupils as early as possible, with at least one-month advanced notice. (E.C. § 48980(c))

HOME HOSPITAL INSTRUCTION

In accordance with Millbrae Elementary School District Administrative Regulation AR 6183, a student with a temporary disability which makes school attendance impossible or inadvisable, shall receive individual instruction in the student's home, in a hospital, or other residential health facility, excluding state hospitals for up to five hours per week. Per Education Code, one hour of instruction is equivalent to one day of in-school attendance. This instruction applies to students incurring a temporary physical, mental or emotional disability after which they can reasonably be expected to return to regular day classes or an alternative education program without special intervention. It does not apply to students identified as individuals with exceptional needs pursuant to Education Code 56026. (Education Code § 48206.3)

If your child requires Home Hospital, or if your student will be returning to school from home hospital, we require documentation. Please review the following:

1. Provide a Home Hospital Request Form which includes: Diagnosis and anticipated length of confinement (three weeks minimum).
2. A doctor's release (indicating an exact return date) is required before the student may return to school.
 - a. The release must be taken to the student's school of attendance with a copy sent to the Student Services office (The exception is when the exact return date is stated on the original doctor's prescription request for home instruction).

Home hospital is intended for a temporary disability. All requests for home hospital end at the end of the school year. Students must reapply and meet the eligibility criteria each year. If you have any questions contact Tara Keith, Student Services, (650) 697-5693, extension 025.

PRESENCES OF STUDENT WITH TEMPORARY DISABILITIES: NOTICE BY PARENT:
COMMENCEMENT OF INSTRUCTION

It is the responsibility of the parent/guardian to notify the school district in which the hospital or other residential facility is located of the presence of the student with a temporary disability. Upon receiving the notification, the district will, within 5 school days, determine whether the student will be able to receive home hospital instruction, and if so begin the instruction within the next 5 days or less. If the student is in the hospital in another city, the student has established residency for the district in which the hospital or facility is located and that district is responsible for providing the home hospital services. (E.C. §48208, §48207, and §48206.3)

STUDENTS WITH TEMPORARY DISABILITIES: INDIVIDUAL INSTRUCTION

A pupil with a temporary disability which makes attendance in the regular day school or the alternative educational program in which the pupil is enrolled impossible or inadvisable may receive individual instruction in the pupil's home for five hours per week. Please contact the Student Services Department at extension 10286. (E.C. §48206.3) As a pupil begins to recover, a transition plan that allows for the pupil to attend school on a part-time basis while still receiving home hospital services may be possible. The total days of instruction may not exceed five (5) days per week and will be individualized based on the doctor's orders.

TRANSFER PROCEDURES

RESIDENCY REQUIREMENTS (EC 4800, 48204, and 48204.3):

A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence of either the parent or legal guardian is located. A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions Code; a pupil who is a foster child who remains in his or her school of origin; an emancipated pupil who resides within the boundaries of the school district; a pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district; a pupil residing in a state hospital located within the boundaries of the school district; or a pupil whose parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order. Students in military and migrant families may remain in their school of origin and shall have waived residency restrictions due to the frequency of movement of their families. Connect with the enrollment office at Millbrae Elementary School District for more information on the protections afforded these students per California laws. School of Origin – EC 48204 and 48853.5, et. al. You may find more information regarding school of origin protections located in this document regarding notifications to parents or guardians under the titles of: foster, homeless, migrant, military, juvenile court, etc. in Section 3.

The school must accept enrollment applications by electronic means, and the parent must provide proof of residence within 10 days after the published arrival date provided on official documentation.

A student may also comply with the residency requirements for school attendance in a school district if he or she is any of the following:

- Placed within the boundaries of the school district in regularly established licensed children's institution or licensed foster home, or a family home following a commitment or placement under the Welfare and Institutions Code.
- A foster child who remains in his or her school of origin.
- An emancipated youth who resides within the boundaries of the school district.
- Living in the home of a caregiving adult that is located within the boundaries of the school district.
- Residing in a state hospital located within the boundaries of the school district.
- If his or her parent is transferred or is pending transfer to a military installation within the boundaries of the school district while on active military duty pursuant to an official military order.

TEMPORARY DISABLED RESIDENCY

A pupil with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, may be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.

It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less.

A pupil with a temporary disability may remain enrolled in the district of residence or charter school and may attend regular classes when not confined to the hospital setting, the total days of instruction may not exceed the maximum of five days with both school settings and attendance may not be duplicated. If necessary, the district of residence may provide instruction in the home for the days not receiving instruction in the hospital setting, depending upon the temporary doctor orders. The supervisor of attendance shall ensure that absences from the regular school program are excused until the pupil is able to return to the regular school program.

CHOOSING YOUR CHILD'S SCHOOL *A Summary of School Attendance Alternatives in California*
California law (Education Code §48980(g)) requires all school boards to inform each student's parents/guardians at the beginning of the school year of the various ways in which they may choose schools for their children to attend other than the ones assigned by school districts. Students that attend schools other than those assigned by the districts are referred to as "transfer students" throughout this notification. There is one process for choosing a school within the district in which the parents/guardians live (intra-district transfer) and a different process for selecting a school in another district (inter-district transfer). If you are not satisfied with the outcome of your transfer request, there is a process to appeal within the Millbrae Elementary School District. You may then appeal to the Superintendent of Schools.

INTRA-DISTRICT ATTENDANCE PROCEDURES

The Millbrae Elementary School District, pursuant to Board Policies 5112.1 and 5116.1 have developed several options that allow parents/guardians options to request transfers for their student(s) to a school other than their school of residence within the district.

Transfer for the Victim of a Violent Crime: Students that have been the victim of a violent crime of the school that the student attends shall be offered the option of a transfer to an eligible school within the District by the Principal or designee within 14 days of the incident. Primary examples of violent criminal offenses in the Penal Code include attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, and hate crimes. If the parent/guardian accepts, the transfer shall be completed as soon as practicable.

Intra-district Transfer for a Victim of Bullying: A student who has been determined to be the victim of bullying shall be allowed an intra-district transfer to another school in the district, if space is available, at the same grade level. If there is no "intra-district" space to attend, the student may seek an

“inter-district” permit to another district without any delay in release from MESD. Being released by our district does not guarantee entrance to another district. The process to enter another school district will be according to the desired district’s transfer policies.

- A “victim of an act of bullying” means a pupil that has been determined to have been a victim of bullying by an investigation pursuant to the complaint process described in Section 234.1 and the bullying was committed by any pupil in the school district of residence, and the parent of the pupil has filed a written complaint regarding the bullying with the school, school district personnel, or a local law enforcement agency. “Bullying” means any severe or pervasive physical or verbal communication made in writing or by means of an electronic act directed toward one or more pupils that results in placing a reasonable person in fear of harm of self or property. It may cause a substantially detrimental effect on physical or mental health, interfere with academic performance or the ability to participate in or benefit from the services, activities, or privileges provided by a school, and may be done in person or online. Bullying may be exhibited in the creation or transmission of bullying online, on or off the school site, by telephone or other device in a message, text, sound, video, or image in a post on a social network internet website or burn page that creates a credible impersonation of another student knowingly and without consent for the purpose of bullying. Sharing or forwarding messages contributes to the act of bullying.
- Other Intra-District Open Enrollment: Applications for intra-district transfers will be processed between August 15 and April 15 of each school year. Transfers received prior to August 15 for the current school year will be held until the district is able to determine that there is space at the school requested. Priority will be given for new transfers if siblings are already enrolled at the school requested.
 - Applications are available at millbraeschooldistrict.org All transfer requests must be submitted through the Student Services Department.
 - **IMPORTANT INFORMATION FOR ALL APPROVED TRANSFERS** You must confirm your child’s enrollment within 10 school days of being accepted. Transportation is the parent/guardian’s responsibility. There is no appeal process for intra-district transfers.

INTER-DISTRICT ATTENDANCE PROCEDURES

Parents/guardians desiring to enroll their student in another district need to be released from the home district by requesting an inter-district transfer permit. A specific criterion for approving inter-district transfers is listed in Millbrae Elementary School District's Board Policy. Transfers will be approved based on this policy. Many districts approve an inter-district transfer for a period up to 5-years though there are still some that require you to renew it annually. The agreement must specify the terms and conditions for granting or denying transfers, and may contain standards of reapplication and specify the terms and conditions under which a permit may be revoked. Unless otherwise specified in the agreement, a pupil will have to reapply for an inter-district transfer, and the school board of the district of enrollment must allow the pupil to continue to attend the school in which he/she is enrolled. It is the parent/guardian’s responsibility to monitor the renewal date and to request the district process a renewal. For more information, contact the Director of Student Services at (650) 697- 5693. (E.C. §48307) Both the parent and student must understand that the transfer may be revoked at any time by either school district. For active military families, pending transfer orders, may have ten days to produce documents after the family has relocated. Once orders are in writing, they may be forwarded to the intended resident district or charter to start the enrollment process and avoid delays.

DEFINITION OF BULLYING

"Bullying" means any repeated, severe or pervasive physical or verbal communication made in writing or by means of an electronic act directed toward one or more pupils that results in placing a reasonable person in fear of harm of self or property. It may cause a substantially detrimental effect on physical or mental health, interfere with academic performance or the ability to participate in or benefit from the services, activities, or privileges provided by a school, and may be done in person or online. Bullying may be exhibited in the creation or transmission of bullying online, on or off the school site, by telephone or other device in a message, text, sound, video, or image in a post on a social network internet website or burn page that creates a credible impersonation of another student knowingly and without consent for the purpose of bullying. Sharing or forwarding messages contributes to the act of bullying.

CRITERIA TO APPROVE A TRANSFER

- When the student has been determined by staff of either the district of residence or district of proposed attendance to be a victim of an act of bullying as defined in Education Code 48900(r), shall, at the request of the parent/legal guardian, be given priority on an inter-district transfer.
- To meet the child care needs of the student. Such a student may be allowed to continue to attend District schools only as long as he/she continues to use a child care provider within District boundaries.
- To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel.
- The student has a sibling attending school in the receiving district.
- To allow the student to complete a school year when his/her parents/guardians have moved out of the district during that year or to allow the student to remain with a class graduating that year from an elementary, middle, or senior high school.
- When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the year in the district
- When recommended by the school attendance review board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence.
- When there is valid interest in a particular educational program not offered in the district of residence.
- To provide a change in school environment for reasons of personal and social adjustment.

CRITERIA TO REVOKE ANY DISTRICT APPROVED TRANSFER

- Student is exhibiting behavior issues at school or school related activities.
- Student is not meeting the 95% attendance requirement (includes absences, tardies and early release days).
- Student's grades are not satisfactory.
- Enrollment becomes impacted at the school site.

APPEAL

Within 30 days of a request for an inter-district permit, the Superintendent or designee shall notify the parent/guardians of a pupil who is denied interdistrict attendance regarding the process for appeal to the County Board of Education. (BP/AR 5117) Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance decisions while expulsion proceedings are pending or during the term that they are expelled.

INVOLUNTARY TRANSFERS

A school administrator may recommend an involuntary transfer of a student if convicted of a violent crime, if the victim attends the same school. Parents must be notified in writing and have the right to a meeting with the administration. The school will first attempt to resolve any conflict prior to transferring. Periodic reviews will be considered for returning to the school site if there is no on-going danger to either student or others on campus. The school board of Millbrae Elementary School District Board of Trustees makes the final decision. (E.C. 48980(m), 48929)

VICTIM OF A VIOLENT CRIME (20 U.S.C. 7912)

A pupil who becomes a victim of a violent crime while in or on the school grounds must be offered the opportunity to transfer to a safe public school within the school district, within ten calendar days. If there is not another school within the area served by the district, the district is encouraged, but not required, to explore other appropriate options such as an agreement with a neighboring school district to accept pupils through an interdistrict transfer. Primary examples of violent criminal offenses in the Penal Code include attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, and hate crimes. For more information, please contact the Director of Student Services at (650) 697-5693 ext. 025. (20 U.S.C. 7912)

NOTICE OF ALTERNATIVE SCHOOLS

California state law authorizes all school districts to provide for alternative schools. Education Code §58500 defines alternative school as a school or separate class group within a school which is operated in a manner designed to:

- (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- (b) Recognize that the best learning takes place when the student learns because of his/her desire to learn.
- (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects.
- (d) Maximize the opportunity for teachers, parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including, but not limited to, the community in which the school is located.

In the event any parent, student, or teacher is interested in further information concerning alternative schools, the county superintendent of schools and the administrative office of this District, have copies of the law available for your information.

This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. (EC 58501)

STATEWIDE TESTING NOTIFICATION

California students take several mandated statewide tests. These tests provide parents/guardians, teachers, and educators with information about how well students are learning and becoming college and career ready. The test results may be used for local, state, and federal accountability purposes.

The California Assessment of Student Performance and Progress (CAASPP) tests consist of the following:

Smarter Balanced Assessment Consortium Assessment

The Smarter Balanced computer adaptive assessments are aligned with the Common Core State Standards (CCSS). English language arts/literacy (ELA) and mathematics tests are administered in grades three through eight and grade eleven to measure whether students are on track to college and career readiness.

California Science Test (CAST)

The computer-based CAST measures students' achievement of the California Next Generation Science Standards (CA NGSS) through the application of their knowledge and skills of the Science and Engineering Practices, Disciplinary Core Ideas, and Crosscutting Concepts. The CAST is administered to all students in grades five and eight and once in high school.

California Alternate Assessment

Only eligible students—students whose individualized education program (IEP) identifies the use of alternate assessments—may participate in the administration of the CAAs. Test examiners administer the computer-based CAAs for ELA, mathematics, and science one-on-one to students. Students in grades three through eight and grade eleven will take the CAA for ELA and mathematics. Test items developed for ELA and mathematics are aligned with the CCSS and are based on the Core Content Connectors.

Students in grades five and eight and once in high school will take the CAA for Science. The CAA for Science embedded performance tasks are based on alternate achievement standards derived from the CA NGSS. Students taking the CAA for Science will take three embedded performance tasks. Pursuant to California Education Code §60615, parents/guardians may annually submit to the school a written request to excuse their child from any or all of the CAASPP assessments.

English Language Proficiency Assessment for California

California has transitioned the California English Language Development Test (CELDT) to the English Language Proficiency Assessments for California (ELPAC). The ELPAC is aligned with the 2012 California English Language Development Standards. It consists of two separate English Language Proficiency (ELP) assessments: one for the initial identification of students as English learners and the other for the annual summative assessment to identify students' English language proficiency level and to measure their progress in learning English.

Physical Fitness Test

Students in grades five, seven, and nine take the fitness test. The main goal of the test is to help students in starting lifelong habits of regular physical activity.

ACADEMIC SERVICES

CURRICULUM PROSPECTUS

Each school must annually compile a prospectus of the curriculum to include titles, descriptions and instructional goals for every course offered by the school. Please contact the Academic Services Department for a copy of the prospectus. (E.C. 49063, 49091.14)

GATE SCREENING

The District provides a Gifted and Talented Education (GATE) Program for students with high academic potential. The Millbrae Elementary School District believes that gifted students should be educated in an environment that supports their unique needs. We also believe that gifted students must be provided with a rich, stimulating educational environment where learning potential is maximized and their abilities are challenged at all levels. All students enrolled in the District have an equal opportunity to be screened for the gate program. Parents/Guardians must grant permission for their student to be assessed. For more information about the District's GATE Program, contact Academic Services at (650) 697-5693 x025.

CAREER COUNSELING & COURSE SELECTION

Commencing grade 7, school personnel shall assist students with course selection or career counseling, exploring the possibility of careers, or courses leading to careers based on the interest and ability of the student and not on the student's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions. (EC §221.5(D))

INTERNET SAFETY

Parents are warned to supervise the internet use by their child. A letter from the California Department of Education is available with this notification.

FAMILY LIFE, HUMAN DEVELOPMENT and SEXUAL HEALTH EDUCATION

The California Healthy Youth Act requires school districts to provide students with integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention education at least once in middle school and once in high school. The purpose of the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act (Education Codes 51930 through 51939), in conjunction with the California Healthy Youth Act, is to provide every student in grades 7-12 with the knowledge and skills necessary to protect their sexual and reproductive health from unintended pregnancy and sexually transmitted diseases. Additionally, these laws intend to help youth develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family as well as have healthy, positive, and safe relationships and behaviors. No student is required to attend any class designated a sex education and/or family life if the instruction conflicts with religious training or beliefs. (EC §51932, §51933-§51939)

The Millbrae Elementary School District will provide instruction in comprehensive sexual health education, HIV/AIDS prevention education, and will conduct assessments on pupil health behaviors and risks in the coming school year. A component of this instruction includes sexual abuse and sex

trafficking prevention education which includes instruction on the frequency and nature of sexual abuse and sex trafficking, strategies to reduce their risk, techniques to set healthy boundaries, and how to safely report an incident.

Parents or guardians may:

- Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV/AIDS prevention education
- Request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education Request a copy of Education Codes 51930 through 51939
- Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by district personnel or outside consultants
- When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, to be informed of:
 - The date of the instruction
 - The name of the organization or affiliation of each guest speaker
- Instruction provided under the California Healthy Youth Act allows for parents to receive notice by mail or another commonly used method of notification no fewer than 14 days before the instruction is delivered if arrangements for the instruction are made after the beginning of the school year

PROMOTION/RETENTION

Students from grades K-8 will be considered for promotion or retention as early as possible in the school year and in a student's school career. The Superintendent or designee shall identify student who should be retained and who are at risk of being retained in accordance with law, board policy, administrative regulation and the following criteria: Students with disabilities who are identified at risk for retention based upon either: (a) STAR test results and minimum levels of proficiency as recommended by the State Board of Education; or (b) the student's grades and other indicators of academic achievement designated by the district, shall be referred to the IEP team for consideration of appropriate placement.

Students who are identified as LEP (Limited English Proficiency) or NEP (Non English Proficiency), who are identified at risk of retention or to be retained, shall be referred to the English Language Learners Coordinator for consideration of appropriate placement.

Parents are encouraged to carefully monitor their children's progress and speak with teachers about concerns as soon as they come up. Interventions implemented in November of the child's kindergarten year have a much higher chance of being successful than those implemented in May of their eighth grade year.

STUDENT STUDY TEAM (SST)

Sometimes academic development or social-emotional concerns are more serious or persistent over time and require the collaboration of a group of individuals. Working as a team, the teacher,

curriculum/ instructional specials, student, administration, parent/guardian, and experts can clarify concerns and identify ways to resolve learning difficulties. The SST process is available to all students and their parents/guardians. If you would like more information about this process, speak to your child's counselor or the school's principal.

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

(MESD/AR 6174)

DEFINITIONS

English learner, also known as a limited English proficient student, means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code §306)

English language classroom means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code §306)

English language mainstream classroom means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code §306)

Sheltered English immersion or structured English immersion means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code §306)

IDENTIFICATION AND ASSESSMENT

Upon enrollment, each student's primary language shall be determined through use of a home language survey. (5 CCR 11307)

Within 30 calendar days of their initial enrollment, students who are identified as having a primary language other than English, as determined by the home language survey, and for whom there is no record of results from an English language development test shall be assessed using the English Language Proficiency Assessment for California (ELPAC)

All students shall have sufficient time to complete the ELPAC as provided in the directions for test administration. (5 CCR 11516)

Any student with a disability shall take the ELPAC with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan that are appropriate and necessary to address the student's individual needs. (5 CCR 11516.5)

The district shall notify parents/guardians of their child's results on the ELPAC within 30 calendar days. (5 CCR 11511.5)

PARENTAL NOTIFICATIONS

State law requires that parents of English learners are to be notified annually if they are identified as one of the following: Long-term English Learner or English learner at risk of becoming a Long-term

English Learner. The school coordinator for English Language Development will be sending these notices at the beginning of each school year. (EC §313.2)

The district shall notify parents/guardians of their child's results on the ELPAC within 30 calendar days following receipt of the results. (5 CCR 11511.5) (cf. 5145.6 - Parental Notifications) At the beginning of each school year, parents/guardians shall be informed of the placement of their child in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309) Not later than 30 calendar days after the beginning of the school year, each parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title III funds shall receive notification of the assessment of his/her child's English proficiency.

The notice shall include all of the following: (Education Code §440; 20 USC 7012)

1. The reason for the student's classification as an English learner
2. The level of English proficiency
3. A description of the program for English language development instruction, including a description of all of the following:
 - a. The manner in which the program will meet the educational strengths and needs of the student
 - b. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards
 - c. The specific exit requirements for the program, the expected rate of transition from the program into classrooms not tailored for English learners, and the expected rate of graduation from secondary school if applicable
 - d. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
4. Information regarding a parent/guardian's option to decline to allow the student to be enrolled in the program or to choose to allow the student to be enrolled in an alternative program
5. Information designed to assist a parent/guardian in selecting among available programs, if more than one program is offered.

Parent/guardians also shall be notified of the results of any reassessments. (EC §52164.3)

LANGUAGE ACQUISITION PROGRAM

"Language acquisition program" refers to educational programs designed to ensure English acquisition as rapidly and as effectively as possible and provide instruction to students on the state-adopted academic content standards, including the ELD standards. The language acquisition programs shall be informed by research and must lead to grade level proficiency and academic achievement in both English and another language. (EC §306[c], 310[a]; 5 CCR Section 11309[c]) The district shall confer with school personnel, including teachers and administrators with authorizations required to provide or oversee programs and services for English learners, regarding the design and content of the language acquisition program. (5 CCR 11309)

Any language acquisition program provided by the district shall:

1. Be designed using evidence-based research and include both Designated and Integrated ELD;
2. Be allocated sufficient resources by the district to be effectively implemented, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals; and
3. Within a reasonable period of time, lead to:
 - a. Grade-level proficiency in English, and, when the program model includes instruction in another language, proficiency in that other language; and
 - b. Achievement of the state-adopted academic content standards in English, and, when the program model includes instruction in another language, achievement of the state-adopted academic content standards in that other language.
4. At a minimum, the district shall provide a program of Structured English Immersion for English learners, which includes Designated and Integrated ELD.
5. The district may provide language acquisition programs, including programs that integrate instruction for native speakers of English and native speakers of another language and meet the requirements of subdivision (c). (5 CR 11309)

Millbrae School District Parent Notice

Available Language Programs and Language Acquisition Programs

Millbrae School District offers the following language and language acquisition programs for student enrollment. Parents or guardians may choose a language acquisition program that best suits their child by submitting a written request to the Principal of their school site. Language acquisition programs are educational programs designed to ensure English acquisition occurs as rapidly and effectively as possible. They provide instruction to English learners based on the state-adopted academic content standards, including English language development (ELD) standards.

Language Acquisition Programs Offered:

Millbrae School District is required to only offer, at a minimum, a Structured English Immersion (SEI) program option. We only offer the following language acquisition program:

Structured English Immersion Program: A language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with curriculum and presentation designated for students who are learning English. At minimum, students offered Designated ELD and provided access to grade level academic subject matter content integrated ELD.

How to Enroll Your Child in a Language Acquisition Program:

Once parents have reviewed the available programs outlined in the Parental Notice, parents or legal guardians may choose a program that best suits their child.

***Waivers are no longer required.**

How to Request the Establishment of a New Program at a School: Schools in which the parents or legal guardians of 30 pupils or more per school or the parents or legal guardians of 20 pupils or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible. (EC Section 310[a].)

Parents Wishing to Request New Program:

Parents wishing to start a new language program may submit a verbal or written request at their local school office. The following process will be used to receive and track parents requesting a new language programs:

Each school is required to maintain written records of parent requests (including verbal requests) which include:

- Date of request
- Parent and child names
- Description of request
- Grade level

5 CCR section 11311 requires that schools:

- Assist parents in clarifying their request
- Maintain records of each request for three years
- Accept requests from students enrolled for the current year as well as the following school year
- Monitor the number of parent requests for language acquisition or language programs on a regular basis throughout the year
- Consider requests for a multilingual program model from parents of pupils enrolled in the school who are native speakers of English when determining whether a threshold is reached

Reaching a Threshold:

When the parents of 30 pupils or more enrolled in a school, or when the parents of 20 pupils or more in the same grade enrolled in a school, request the same or substantially similar type of a language acquisition or language program, the school responds by notifying the LEA immediately and taking the following three actions:

1. Communication

Within 10 school days of reaching a threshold described above, the LEA notifies the parents of pupils attending the school, the school's teachers, administrators, and the LEA's English learner parent advisory committee and parent advisory committee, in writing, of the parents' requests for a language acquisition program.

2. Cost and Resource Analysis

The LEA then identifies costs and resources necessary to implement any new language acquisition or language program, including but not limited to:

- Certificated teachers with the appropriate authorizations
- Necessary instructional materials
- Pertinent professional development for the proposed program
- Opportunities for parent and community engagement to support the proposed program goals

3. Determination

Having completed the costs and resource analysis, the LEA determines, within 60 calendar days of reaching a threshold described above, whether it is possible to implement the requested language acquisition or language program. At that time, the LEA provides notice, in writing, to parents of pupils attending the school, the school's teachers, and administrators of its determination.

Determination to implement a program at the school:

In the case that the LEA determines it can implement the requested program, the LEA creates and publishes a reasonable timeline of actions necessary to implement the program. As a part of the implementation, the LEA confers with school personnel, including administrators, and teachers with the authorizations required to provide or oversee programs and services for English learners, regarding the design and content of language acquisition programs.

Determination not to implement a program at the school:

In the case that the LEA determines it is not possible to implement the program requested by parents, the LEA provides a written explanation of the reason(s) why the program cannot be provided. Further, the LEA may offer an alternate option that can be implemented at the school. Each school follows the process described above, even if the LEA, at the time the threshold is met, provides the requested language acquisition or language program at another school.

Citations: EC sections 305 and 310; 5 CCR section 11311 and 11312.

About Language Acquisition Programs and Language Programs

Program Type	Characteristics
Language Acquisition Program (English Learners)	<p>The California Code of Regulations section 11309 requires that any language acquisition program provided by a school, district, or county shall:</p> <ul style="list-style-type: none"> • Be designed using evidence-based research and include both Designated and Integrated English Language Development; • Be allocated sufficient resources by the local educational agency (LEA) to be effectively implemented, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals; and • Within a reasonable period of time, lead to: <ul style="list-style-type: none"> ✓ Grade-level proficiency in English, and, when the program model includes instruction in another language, proficiency in that other language; and ✓ Achievement of the state-adopted academic content standards in English, and, when the program model includes instruction in another language, achievement of the state adopted academic content standards in that other language.

Parent and Community Engagement

Parents may provide input regarding language and language acquisition programs in the LEA or to be considered in the LEA during the development of the Local Control and Accountability Plan (EC Section 52062.) If interested in a different program from those listed above, please contact Christina Spicker, (650) 697-5693 to ask about the process.

PARENT PARTICIPATION

A School site with 21 or more ELs has a functioning EL Advisory Committee (ELAC) that must meet the following requirements:

- (a) Parent/guardian members are elected by parents or guardians of ELs. (5 CCR 11308[b]; EC 62002.5)
- (b) Parents/guardians of ELs constitute at least the same percentage of the committee membership as their children represent the student body. (EC 52176[b])
- (c) The school may designate an existing school level advisory committee, or subcommittee of such advisory committee to fulfill the legal responsibilities of ELAC, if the advisory body meets the criteria in (b). (EC 52176[b][c], 64001[a], 5 CCR 11308[d]) (a) (b) (d) (e) (f) (c)
- (d) The ELAC advises the school site council (SSC) on the development of the Single Plan for Student Achievement (SPSA) except for the Division of Special Education. (EC 64001[a])

- (e) The ELAC advises the principal and staff on the school's program for EL. (EC 52176[c])
- (f) The ELAC assists in the development of the school's:
 - a. Needs assessment Language
 - b. Census Report (R30-LC)
 - c. Efforts to make parents aware of the importance of regular school attendance (EC 52176[c])
- (g) The ELAC receives training materials and training, planned in full consultation with committee members, to assist members in carrying out their legal responsibilities. (5 CCR 11308[d])
- (h) Financial resources may be allocated for reasonable expenses (which may include transportation, child care, translation services, meals, and training) of parent advisory groups on bilingual-bicultural education, at the school and school district incurred in the course of their duties as members of the parent advisory groups. (EC 52168(b)(4).)
- (i) Each ELAC has the opportunity to elect at least one member to the District English Learner Advisory Committee (DELAC) or participants in a proportionate regional representation scheme when there are 31 or more ELACs in the district. (5 CCR 11308(b); EC 35147, 52176(a), 62002.5.)

A LEA with 51 or more English learners must have a functioning DELAC or a subcommittee in which at least 51 percent of the members are parents (not employed by the district) of English learners.

The DELAC advises on all of the following tasks:

- Development of a district master plan for educational programs and services for ELs that takes into consideration the Single Plan for Student Achievement (5 CCR 11308[c][1])
- Conducting of a PAU-wide needs assessment on a school-by-school basis (5 CCR 11308[c][2])
- Establishment of district program, goals, and objectives for programs and services for ELs (5 CCR 11308[c][3])
- Development of a plan to ensure compliance with any applicable teacher and instructional aide requirements (5 ccr 11308 (C)(4))
- Administration of the annual Language Census Report (5 CCR 11308[c][5])
- Review and comment on reclassification procedures (5 CCR 11308[c][6])
- Review and comment on the written notifications required to be sent to parents and guardians (5 CCR 11308[c][7])
- The LEA provides training materials and training, planned in full consultation with committee members, appropriate to assist members in carrying out their legal advisory responsibilities. (5 CCR 11308[d])

SERVICES FOR STUDENTS WITH EXCEPTIONAL NEEDS

SPECIAL EDUCATION PROGRAMS

In compliance with Federal and State laws, all students with disabilities residing within the boundaries of the Millbrae Elementary School District, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, evaluated and provided a free appropriate public education which is available to all students between the ages of three through 21. The District is served by the San Mateo County Special Education Local Plan Area (SMCSELPA).

Special Education is an integral part of the total public education system and provides education to promote maximum interaction and access between children with disabilities and children who are not disabled. Special education means specially designed instruction to meet unique needs of children with disabilities including instruction conducted in the classroom, in home, in hospitals and institutions, or other settings in the Least Restrictive Environment (LRE).

ELIGIBILITY

To be eligible for Special Education and related services; a child must be between birth and 22 years of age and meet criteria in two areas as outlined in the Title 34 Code of Federal Regulations § 300. First, the child must be identified as a child with a disability in one or more of the 13 categories. Second, the child's disability must adversely affect a child's educational performance. Children ages 0-3, are found eligible under Part C eligibility criteria. Children ages 3-21, are determined to be eligible under Part B eligibility criteria of the Individuals with Disabilities Education Act (IDEA).

PLACEMENT

MESD has a continuum of program options that are available to meet the needs of individuals with exceptional needs for Special Education and related services as required by IDEA. The continuum of program options shall include, but not necessarily limited to all or a combination of the following:

1. Regular education
2. A Resource Specialist program;
3. Designated Instructional Services
4. Special Day Class
5. Home/Hospital Program
6. Non Public, nonsectarian school services
7. Residential Placements
8. State Special Schools: Placement decisions are made by the IEP team based on the student's immediate needs. These placements are not permanent and must be reassessed at all IEP meetings. The IEP document must include language that addresses the students' needs to participate in the program.

The Millbrae Elementary School District Special Education Department works to ensure that all individuals with exceptional needs from birth through age 21 are correctly identified, assessed and provided a Free Appropriate Public Education (FAPE) with programs and services designed to meet

their unique needs in the Least Restrictive Environment. The Special Education Department consisted of the following:

- Director
- Coordinator
- Behavior Supervisor, BCBA
- Four School Psychologists
- One School Psychologist Intern
- Administrative Assistant
- One full time Occupational Therapist & one part time occupational therapist
- 6 speech & language pathologists
- Teachers
- Behavior Specialist
- Paraprofessionals

The Student Services Department is the main authority on Special Education matters in the district; therefore, provides technical assistance and training to Teachers and Administrators. Psychologists assigned specific sites within the school district. The Behavior Supervisor, building individualized and classroom based behavior supports and strategies, supervisor direct service for behavior intervention services throughout the school district. The Occupational Therapist(s) service all students in the District that qualify for services through the IEP assessment. Each school site has a designated speech and language pathologist to implement services for students that qualify with a speech and/or language impairment through the IEP assessment process. Each school site has an Educational Specialist to provide services to students with academic needs as determined by the IEP process. Paraprofessionals are placed at school sites, based on individual needs as determined through the SCIA (Special Circumstance Individual Assistance) (1:1) assessment process. Paraprofessionals may also be placed at school sites based on the needs of the special education classrooms on the school site campus. Each site has a designated administrator who supervises the Special Education program.

SPECIAL EDUCATION PROGRAM AT SITES

In addition to General Education, students are provided access to Specialized Academic Instruction (SAI) in the Mild to Moderate, Moderate to Severe and Severe Profound classrooms. The IEP determines the appropriate placement according to the disability and needs, students. They can be placed in the Resource Program (RSP) or the Specialized Academic Instruction (SAI) Classroom. Students who require a More Restrictive Environment due to academic, social-emotional or behavior needs, may be referred to a more restrictive placement. SAI classrooms are based on MESD school sites or at specific locations throughout the county.

QUALIFYING FOR SPECIAL EDUCATION

The MESD follows the federally mandated procedure for assessment and qualification for Special Education. Under the guidance of San Mateo County Special Education Local Plan Area (SMCSELPA), the district follows the federally mandated guidelines to qualify students for special education. The referral to Special Education begins per Child Find with a teacher, parent or guardian referring the student to the Student Success Team (SST) process, (see SST Process). During the

SST process the team implements interventions to provide support to the student. Upon completion of the process the results are shared with/by the SST team. If the team determines that the student is in need of additional support based on documented results the student is referred to Special Education for assessment by our qualified multi-disciplinary team. A school psychologist will contact the Educational Right holder for written permission before any assessment begins. Upon completion of assessment for special education students may be qualified for one or more of the federally identified disabilities:

- Intellectual Disability (210)
- Hard of Hearing (220)
- Deafness (230)
- Speech / Lang. Imp. (240)
- Visual Impairment (250)
- Emotional Disturbance (260)
- Orthopedic Impairment (270)
- Other Health Imp.
- (280) Est. Med. Disability (281)
- Spec. Learning Disability (290)
- Deaf / Blindness (300)
- Multiple Disabilities (310)
- Autism (320)
- Traumatic Brain Injury (330)

CHILD FIND SYSTEM

The Millbrae Elementary School District, in conjunction with the San Mateo County SELPA, assure an ongoing effort to identify all individuals with disabilities including preschool age children, children for whom English is not a primary language, students with low incidence disabilities, students attending private schools, children from families that are highly mobile, and children who are suspected of having a disability and in need of special education even though they are advancing from grade to grade. The SMCSELPA works closely with public agencies such as Golden Gate Regional Center, Head Start, California Children's Services, Behavioral Health, and others as appropriate in the identification of individuals with disabilities.

If you have or know of a child you feel needs special education services, contact the MESD Student Services Office or your site principal for information regarding the process. (EC §56301) Under state law, each public school system is responsible to find children with disabilities in its area.

FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

Each public school system is responsible for ensuring that each child with disabilities is served appropriately, at no expense to the parent in the least restrictive environment. (E.C. 56301; 20USC1401(3); 1412(a)(3); 34CFR300.111(c)(d))

LEAST RESTRICTIVE ENVIRONMENT

The Millbrae Elementary School District provides a range of program options designed to meet educational needs of students with disabilities in the least restrictive environment (LRE). The District

endorses the California Department of Education, "Policy Statement of Least Restrictive Environment." The State policy is based on the principle that students with disabilities should receive their education and chronologically age-appropriate environments with non-disabled peers.

The principal maintains that both non-disabled and disabled children are most successfully educated in a shared environment where qualities of understanding, cooperation, and mutual respect are nurtured. Children with disabilities are removed from the regular education environment only when the nature or severity of the disability is such that education in the regular education environment with supplementary aids or services cannot be achieved satisfactorily. The determination of LRE for students with disabilities is based on the Individualized Education Program (IEP) team's consideration of where the goals/objectives can be implemented most successfully.

It is the philosophy of the Millbrae Elementary School District, that all individuals with exceptional needs shall be provided a Free Appropriate Public Education (FAPE) in the least restrictive environment. This philosophy is in accordance with state and federal mandates and specifically includes changes that were made in the provisions of the Individuals with Disabilities Education Act (IDEA); which addresses the issues of education of students with disabilities in the least restrictive environment. The IEP team remains the primary decision-making body in determining the individual needs of students and the appropriate placement for them. If the IEP team determines support staff is necessary; then those services must be delineated in the student's IEP. If the IEP team determines that the student requires supplemental aides or services, then those services must be delineated in the student's IEP and provided to the student.

SECTION 504

The Rehabilitation Act of 1973 is a federal law which prohibits discrimination against persons with a disability. The School District provides a free and appropriate public education to all students regardless of the nature or severity of their disability. The District has a responsibility to identify, evaluate, and if eligible, provide students with disabilities the same opportunity to benefit from education programs, services, or activities as provided to their nondisabled peers. To qualify for Section 504 protections, the student must have a mental or physical impairment which substantially limits one or more major life activity. For additional information about the rights of parents of eligible students, or questions regarding the identification, evaluation, and eligibility of Section 504 protections, please contact the Section 504 Coordinator, the Director of Student Services at (650) 697-5693 ext. 025.

STUDENT RECORDS

STUDENT RECORDS - NOTIFICATION OF RIGHTS

In the course of your child's education, the school district will keep records as deemed necessary to provide programs to meet his/her needs and interests. A cumulative record, whether by handwriting, print, or other means, must be maintained on the history of a student's development and educational progress. Such records include health information, test information, summaries of parent conferences, records of academic progress, etc. The District will protect the privacy of such records. Parents/guardians or representatives have the right to inspect and review educational records relating to their child, request that a school correct records that they believe are inaccurate or misleading, and have some control over the disclosure of information from the educational records. Upon request from officials of another school district in which a student seeks or intends to enroll, the District shall disclose educational records without parent/guardian consent. School officials with a legitimate educational interest may also access the records without parental consent as long as the official needs to review the records in order to fulfill his/her professional responsibility. (E.C. §49069)

If the student is currently enrolled, a parent/guardian request to access their student's educational records must be submitted in writing to the site principal and the school has up to five (5) days of the initial request to provide access, and copies if desired are available to parents for a fee of \$0.20 per page. If the student is not enrolled, the request for records should be made through the last school of attendance. Parents may also request and receive within five (5) days, a list of the types and location of educational records collected, maintained or used by the district pertaining to their child (E.C. 49063, Title 5, CAC §431(e)).

COURT ORDER FOR RECORDS

In accordance with Education Code §49077, school officials are required to provide information concerning a student in compliance with a court order or lawfully issued subpoena. Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, make reasonable effort to notify the parent or legal guardian, and the student when appropriate, in advance of compliance with a lawfully issued subpoena and, in case of compliance with a court order, if lawfully possible within the requirements of the order. (E.C. §49077, Title 5 CCR 435)

PICTURES, PRESS RELEASES, AND PUBLICITY

The Millbrae Elementary School District works cooperatively with the local media and is working on developing an active social media presence to keep the community informed about school activities and student achievement. Directory-type information may be used to identify students in such news stories. Photographs of groups of students, such as at a school event, may also be published provided the students' names are not included and whose parents/guardians have requested no publication.

Directory information includes student's name, address, telephone number, email address, birthdate, attendance and awards, and the most recent school attended. No information may be released to private profit making entities other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. Directory information about a student identified as a homeless child or youth shall not be released without prior written consent stating that the directory information may be released about the student. Please review, sign, and return the "Release Form for Directory Information" to your child's school. This form is required annually. (E.C. §49073)

PUPIL RECORDS OBTAINED FROM SOCIAL MEDIA

Other than the school newspaper and yearbook, the school may gather information in the forms of video, photograph, blog, texts, and emails, to maintain school and student safety. All social media information gathered will be destroyed within one year after the student is no longer enrolled. (E.C. §49073.6)

REGULATIONS REGARDING STUDENT ACHIEVEMENT

The Board of Trustees believes good communication between parents and teachers is important in the educational process. All appropriate forms of communication should be used including but not limited to parent calls, Parent Square (email notification), letters home, conferences, and report cards. The progress report should reflect student progress in classwork and proficiency levels and indicate educational growth in relation to the student's ability, citizenship and effort. (EC §49067)

RELEASE OF JUVENILE INFORMATION

Juvenile court records should be confidential regardless of the juvenile's immigration status. Only if a court order is provided, will any student information be disseminated, attached or provided to federal officials. The court order must indicate prior approval of the presiding judge of the juvenile court. Otherwise, juvenile information is protected from distribution and remains private without a court order.

Whenever a pupil has been found by a court to have committed any felony or misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense, assault or battery, larceny, vandalism, or graffiti, the court will provide a written notice to the superintendent of the school district of attendance. The superintendent will then provide the information to the principal at the school of attendance, who will disseminate the information to any administrator, teacher, or counselor directly supervising or reporting on the behavior or progress of the pupil, allowing them to work with the pupil in an appropriate manner. (W.I.C. 827, 831)

SCHOOL ACCOUNTABILITY REPORT CARD (SARC)

State law requires all public schools receiving state funding to prepare and distribute a SARC. The purpose of the SARC is to provide parents/guardians and the community with important information in areas about each public school. The SARC includes the school's progress in achieving academic goals and the performance of its students on the state tests. SARCs are available on the district website at www.mesd.net. Copies are available upon request. (E.C. §35256).

SOCIAL SECURITY NUMBERS

Student data privacy is a priority because students and parents are at risk for identity theft when providing their security numbers. A school district, county office of education, or charter school is prohibited from collecting or soliciting social security numbers or the last four digits of social security numbers from students or their parents, unless otherwise required to do so by state or federal law.

STUDENT RECORDS CHALLENGE

A parent/guardian may challenge a student record, but the challenge must be submitted in writing to the principal of the school maintaining the record. The parent challenging the record must show that the records are inaccurate; unsubstantiated personal conclusion or inference; a conclusion outside the observer's area of competence; not based on personal observation of a named person with time and place of observation noted; misleading; or in violation of the privacy or other rights of the student. Parents have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202-4605.

WITHHOLDING OF GRADES FOR PROPERTY DAMAGE

Parents/guardians may be held financially liable if their child willfully damages school property or fails to return school property loaned to the child. If students lose or damage District instructional materials such as textbooks or Chromebooks, payment is required. The school may further withhold the grades, diploma, and transcript of the student until restitution is paid. The district shall notify the parent or guardian, in writing, of any damages before withholding grades, diplomas, or transcripts. When the student and parent/guardian pay for the damages, the grades, diploma, or transcripts will be released to the student. If the parent/guardian or student is unable to pay for the damages, the District shall provide a program of voluntary work for the student in place of payment. When a student transfers to another school district, that district will also withhold grades, diplomas, or transcript from the student and parent or guardian. (E. C. §4904, §48904.3 (a))

STUDENT SERVICES

SCHOOL COUNSELING AND GUIDANCE PROGRAM

The Millbrae Elementary School District (MESD) school counseling program is based on the National Standards developed by the American School Counselor Association (ASCA) and the California Standards of School Counseling that addresses Academic, Personal/Social, and Career Development. These standards serve as a framework for measurable student competencies that meet the needs and concerns of each site. Professional school counselors provide educational support through individual and group student planning, guidance curriculum, and responsive services such as personal counseling, conflict resolution, peer mediation, crisis intervention, and collaboration with parents, students, staff and administration. Referrals to outside agencies and resources are made for students with needs that require intensive intervention.

AFTER SCHOOL PROGRAM

Each elementary school site offers an after school program. Green Hills, Meadows and Spring Valley have a partnership with Happy Hall to provide services on site.

Lomita Park has an after school program funded by the ASES Grant. Students in grades K through grade 5 are eligible to participate based on spaced availability. Priorities for enrollment shall be determined based on the following:

- a) First priority shall go to pupils who are identified by the program as homeless youth, as defined in the federal McKinney-Vento Homeless Assistance Act, at the time that they apply for enrollment or at any time during the school year, and to pupils who are identified by the program as being in foster care;
- b) For programs serving middle school pupils, second priority shall go to pupils who attend daily.

However, current participants shall not be disenrolled to secure the enrollment of a pupil who has priority for enrollment. Students eligible to participate on the basis of being homeless or foster youth, shall be allowed to self-certify their eligibility.

For more information, contact the main office at your school site.

CUSTODY ISSUES

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to his/her child and/or school records. The only exception is when a signed restraining order or proper custody papers, specifically stating visitation limitations, are on file in the school office. Any student release situation which leaves the student's welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted and an officer requested to intervene. Parents are asked to make every attempt not to involve school sites in custody matters. The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up the child.

FOSTER YOUTH SERVICES

The district provides a foster liaison who is able to assist with counseling services for the foster youth. The foster liaison for the Millbrae Elementary School District is Tara Keith, Director of Student Services. She can be reached by contacting the Student Services Office at (650) 697-5693 ext. 025. The role of the Districts Foster Youth Liaison is to ensure that pupils in foster care received stable school placements which are in the best interests of the child, placement in the least restrictive educational program, access to academic resources, services, extracurricular and enrichment activities available to all pupils, full credit for course work taken, and meaningful opportunities to meet state student academic achievement standards.

HOMELESS YOUTH EDUCATION

The McKinney-Vento Homeless Assistance Act for Homeless Children and Youth entitles all homeless school-aged children to the same free and appropriate public education that is provided to non-homeless students. Every school district must appoint a liaison to assist these students. The liaison is Tara Keith, Director in the Student Services Office (650) 697-5693, ext. 025. The liaison is available to support the parents of homeless pupils to ensure that they are informed of the educational and related opportunities available to their children and they are provided with meaningful opportunities to participate in the education of their children.

A homeless student is defined as a person between the ages of birth (Early Head Start and Head Start Programs) and twenty-two (special education students) who lacks a fixed, regular, and adequate nighttime residence and may temporarily:

- Live in an emergency or transitional shelter; abandoned building, parked car, or other facility not designed as a regular sleeping accommodation for human beings;
- Live “doubled-up” with another family, due to loss of housing due to financial problems (e.g., loss of job, eviction or natural disaster);
- Live in a hotel or motel;
- Live in a trailer park or campsite with their family;
- Have been abandoned at a hospital;
- Be awaiting foster placement in limited circumstances;
- Reside in a home for school-aged, unwed mothers or mothers-to-be if there are no other available living accommodations; or
- Be an abandoned, runaway, pushed out or migrant youth that qualifies as homeless because they are living in circumstances described above.

A homeless student has the right to attend either the school of origin (the school that the student was last enrolled in or attended when last housed) or the school currently attending. If a dispute arises over school selection or enrollment, the parent/guardian has the right to dispute the enrollment

decision by contacting the district's homeless liaison and following the district's dispute resolution policy.

The law requires the immediate enrollment of homeless students, which is defined as "attending class and participating fully in school activities." Schools cannot delay or prevent the enrollment of a student due to the lack of school or immunization records, fees owed to prior school or because the student does not currently reside in the district's boundaries. It is the responsibility of the District homeless liaison to refer parents to all programs and services for which the student is eligible. Referrals may include, but are not limited to: free nutrition, special education services, tutoring, English Language Learners programs, Gifted and Talented Education program, programs for clothing (Operation School Bell and others), before and after school services or any other program offered by the school or District. The District shall ensure that transportation is provided, at the request of the parent/guardian/unaccompanied homeless youth, to and from the school of origin, if feasible. Additionally, the students are entitled to participate in all programs available at the school site for which they are eligible such as after school programs, AVID, sports, and many others. If there is a cost involved, the District can help.

Unaccompanied youth; such as teen parents not living with their parents or guardian, or students that are currently deemed to be runaway or also have been pushed out of their homes, have access to these same rights. (42 US 11432, EC 51225.1 and 51225.2)

JURISDICTION

Teaching staff shall hold pupils to strict account for their conduct on the way to and from school, on the playgrounds, or during recess. (E.C. §44807)

SCHOOL LOCKERS

School lockers remain the property of the Millbrae Elementary School District even when assigned to the students. The lockers are subject to search whenever the district finds the need to do so. The use of the school lockers for other than school related purposes is prohibited. Improper use of the school lockers may result in the loss of the privilege to use the lockers and possible consequences.

MENTAL HEALTH

In order to initiate access to available 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, visiting the District's personalized site: <https://www.caresolace.com/site/mesd/> or by calling the Student Services Department at (650) 697-5693 ext. 020. Our district will notify parents/guardians at least twice per year. This is one time through the Annual Notifications. We will also notify you again, a second time each school year, through ParentSquare.

SUICIDE PREVENTION

Student suicide rates are of concern to all members of the school community. One child, ages 12 and older, dies by suicide every five days in California. Taylor staff participated in Suicide Prevention

Training during the 2020-2021 school year. A shared goal by all staff educators is to keep a safe place to learn, free from harm to any of our students.

SUSPECTED CHILD ABUSE

When a social worker conducts an unannounced interview of a student during school hours, for the purpose of an investigation regarding a suspected child abuse referral, it is our responsibility to not interfere with the investigation process, while adhering to penal Code 11164-1174.3. Prior to the interview, the social worker must identify him or herself to school officials (picture ID) and inform them that the purpose of the visit is to interview a child. The social worker will request to have the child retrieved from the classroom, and should be directed to a private setting where interruptions will be minimal. The social worker should inform the school official that the child has the right to request a school employee to be present for the interview. The social worker shall not discuss the allegations of the referral with the school officials. Penal Code Section 11164-1174.3(a) stipulates that “whenever a representative of a government agency investigating suspected child abuse or neglect or the State Department of Social Services deems it necessary, a suspected victim of child abuse or neglect may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child’s home or out-of-home care facility. The child shall be afforded the option of being interviewed in private or selecting an adult who is a member of the staff of the school, including any certificated or classified employee or volunteer aide, to be present during the interviews.

WALKING OR RIDING A BICYCLE TO SCHOOL

No person under 18 years of age may operate a bicycle, non-motorized scooter, skateboard or wear in-line or roller skates, nor ride as a passenger on a bicycle, non-motorized scooter, or skateboard upon a street, bikeway, or any other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards. (V.C. 21212)

HEALTH SERVICES

GENERAL INFORMATION

Millbrae Elementary School District currently employs a District Nurse and five LVNs that work as a team with, school administration, and staff to provide support to help children learn. Millbrae Elementary School District also employs LVNs to maintain the health office at each school site. The District Nurse functions as the coordinator of the school health services team. The District Nurse collaborates with parents and/or other family members and serves as the liaison between school personnel, family, health-care providers and is the professional link between the education sector and public health.

Collaboration with San Mateo County Public Health is essential to providing accurate and timely information to families and community members on public health developments, working with schools and the school district to ensure that health protocols are understood and followed, and are just one of the many keys to successful planning and implementation of evidence based prevention and response practices – especially during community outbreaks and pandemics.

The rationale for placing nurses in school is based on the concept that a child with unmet health needs will have difficulty learning. Chronic medical conditions such as asthma, epilepsy, type I diabetes and other health problems can increase absenteeism and affect learning. As the number of children with increasingly complex medical problems has risen, our District Nurses have taken the primary role in providing policies and procedures that are aligned with current law and standards of practice by assessing students' health status, identifying barriers to educational progress, and developing individualized health care plans (IHPs) to help avoid school absences. The District Nurse can help manage the medical care of students who have chronic diseases, and promote education from the primary to the secondary school level.

HEALTH OFFICE

The Licensed Vocational Nurse (LVN) is a member of the multidisciplinary team, under the guidance of a District Nurse (RN) and/or the direct supervision of the school administrator. The health office is staffed by a LVN who manages and performs various health services and clerical duties for the purpose of improving and maintaining optimal student health. The LVN works with the parent to ensure all immunizations are up to date; administer(s) medications prescribed by a student's physician; assists with state mandated health screenings; and performs first aid services for injuries and illnesses that occur at school. The school has a District Nurse available during school hours via telephone and/or email.

When a child becomes ill at school, it is standard practice to try to contact a parent first. If we are unsuccessful, calls will be made to those persons listed on the child's emergency contact information.

It is absolutely imperative that health and emergency contact information be kept up to date. The health office is not equipped to take care of sick or injured students for any length of time. The district has the discretion to call emergency services when it deems necessary. Parents are responsible for their children and **MUST** pick up their student or have someone listed on the emergency contact information do so when this is requested by the school. If the health office calls you about your sick child for pick-up, please help us ensure the health of other students and school staff by picking up your child in a timely manner. Our expectation is for you to pick up your child in 30 minutes or less. If this isn't feasible, please communicate the time frame you will be able to pick up your child or arrange for someone on the emergency contact list to pick up your child. **Students may not be left in the health office for the school day.**

Sick children should not be sent to school. Symptoms such as fever or vomiting during the night or previous evening may indicate a contagious condition. The health office follows district guidelines on sending students home for temperature 100 degrees or higher, vomiting, diarrhea, persistent cough (to avoid classroom disruption), persistent toothache or earache, rash, or injury requiring medical attention. Students may return to school when they are free of symptoms for 24 hours. Students with fevers must be fever-free for 24 hours without the help of fever-reducing medications such as Ibuprofen or Acetaminophen. The District Nurse has the discretion to send a student home when they deem it medically necessary.

IMMUNIZATION FOR COMMUNICABLE DISEASE

With parental consent, districts may administer immunizing agents to students to prevent or control communicable diseases. However, the District's board policy does not provide for administration of immunizations. (EC §49403)

IMMUNIZATIONS

Immunization requirements are set by the State of California and San Mateo County Health Department. Children in California are required to receive certain immunizations in order to attend public and private elementary and secondary schools, child care centers and pre-kindergarten facilities. Schools, and pre-kindergarten facilities are required to enforce immunization requirements, maintain immunization records of all children enrolled, and submit reports. California Health and Safety Code, Sections 120325-120375

Students must be immunized against certain communicable diseases. Students are prohibited from attending school unless immunization requirements are met for age and grade. The school district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing.

California Senate Bill 277 is a California law that went into effect January 1, 2016 removing personal belief as a reason for an exemption from the vaccination requirements for entry to private or public elementary or secondary schools in California, as well as day care centers. Personal belief exemptions (PBEs) filed at a school before January 1, 2016 remain valid until the student enrolls in the next grade span, typically at kindergarten (or transitional kindergarten) or 7th grade.

Medical exemptions are still allowed. For school admissions on or after July 1, 2019, requirements for a medical exemption are as follows: a parent or guardian must submit a signed, written statement from a physician (MD or DO) licensed in California which states:

- The specific nature of the physical condition or medical circumstance of the child for which a licensed physician does not recommend immunization; each specific required vaccine that is being exempted; whether the medical exemption is permanent or temporary and if the exemption is temporary, an expiration date no more than 12 calendar months from the date of signing.
- Medical exemptions filed at a school before July 1, 2019 remain valid until the student enrolls in the next grade span, typically at kindergarten (or transitional kindergarten) or 7th grade.

In the event any student is diagnosed with any of the diseases for which immunizations are available, all students who are not protected by immunizations will be excluded from school for the duration of the incubation period (usually 10 to 21 days). Not only is this a State requirement, but your student's protection from certain diseases is dependent upon getting these immunizations.

State law requires the following immunizations before a child may attend school:

- (a) All new students, in transitional kindergarten through grade 8, to the Millbrae Elementary School District must provide proof of polio, diphtheria, pertussis, tetanus, measles, and mumps, rubella, and varicella immunizations.
- (b) All transitional kindergarten and kindergarten students must also provide proof of vaccination against hepatitis B.
- (c) All seventh grade students must also provide proof of a second measles-containing vaccine, and a pertussis booster vaccine.

7 th GRADE VACCINATIONS

All students entering 7th grade will need proof of adolescent Tdap (tetanus, diphtheria and pertussis aka whooping cough), varicella and MMR (Measles, mumps and rubella) booster shots before starting school. Students not receiving the vaccination prior to the first day of 7th grade will be excluded from school until they obtain the necessary vaccination. For additional information, please contact the District nurse, Julie Lustig 650-697-5693 ext. 008

TB TESTS

It is recommended that all children new to San Mateo County take a TB skin test. Any student with a positive TB skin test or who displays active symptoms of TB will require a current chest x-ray report and may require clearance from the San Mateo County Health Department.

PARENT CONSENT/PHYSICAL EXAMINATION

Parents/guardians having control or charge of any child enrolled in the public school may file annually with the principal of the school in which the student is enrolled in, a statement in writing, signed by the parent or guardian, stating that he/she will not consent to a physical examination of his/her child. Thereupon, the child shall be exempt from any physical examination; but, whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, the child shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist. (EC §49451)

PHYSICAL EXAMINATIONS

All students entering kindergarten and first grade must have a physical exam. This is the Child Health and Disability Program (CHDP) requirement. State law requires that the parent or legal guardian of each pupil provide the school proof that the pupil has received a health screening examination by a doctor within 90 days after entrance to first grade. The physical must be completed no earlier than 6 months prior to the first day of kindergarten and/or 18 months prior to starting first grade. All Transitional Kindergarten (TK) students must have an examination no more than twelve months prior to entering Transitional Kindergarten. The TK physical exam will also qualify for Kindergarten entry. TK students will need to submit a current physical exam prior to first grade entry. Students may be excluded up to 5 days from school for failing to comply or not providing a waiver. Free health screening is available for eligible students through the Child Health Disabilities Prevention Program (CHDP). For more information, you may contact the school's health office. (HSC 124085, 124100, 124105)

ORAL HEALTH ASSESSMENT

No later than May 31 of the relevant school year, the parent or guardian of a kindergarten or first grade student, who was not previously enrolled in kindergarten in a public school, shall certify that the student has received an oral health assessment (dental check-up). The oral health assessment shall have been performed by a licensed dentist or other authorized dental health professional no later than 12 months prior to the date of the student's initial enrollment. The parent or guardian shall submit to the Superintendent or designee a California Department of Education standardized form which has been completed and signed by the dental health professional. (EC §49452.8)

CONFIDENTIAL MEDICAL SERVICES

School authorities may excuse any pupil in grades 7 – 12 from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. (EC §46010.1)

CONTAGIOUS DISEASE

The parent shall notify the school immediately if your child has a contagious disease. You will be advised by the Licensed Vocational Nurse or District Nurse of what is required depending on the particular disease. Some contagious diseases require a written medical provider note for notification and for a release to return to school. If your child has a reportable contagious disease, the school will take steps to prevent a possible epidemic by notifying the health department.

HEAD LICE

Head lice is not an illness, but it is a public health nuisance. Our school district recognizes that head lice require treatment, but doesn't pose a risk of transmitting disease. Students with live (crawling) lice will be removed from school. Head lice should be properly treated at home, and the child back in school no later than one day after detection. Parents are to make every effort to remove nits from the child's hair. In order to return to school, the parent/guardian must accompany the child to the school health office, for re-admission check. The school health office or a district nurse is available to provide families with treatment and eradication recommendations. The District Nurse will have discretion as to the need for a child to be excluded or readmitted to school.

PHYSICAL LIMITATIONS

Students who have any medical assisted devices for use on campus grounds, such as casts, splints, use of crutches, knee scooter, etc. have had serious injuries or recent operations will not be allowed access to playground use, recess, or PE until released by a written doctor note for regular physical activity. **To ensure the safety of your child, a student may not bring any medical assist devices for use at school without a doctor's written permission.** This is necessary to minimize any further injury and maintain maximum safety for each student. Please notify the health office if your child has

any physical limitations as stated above. As a safety precaution and to honor parental requests, we are asking parents of students who are recovering from an injury or illness to complete the student playground participation form, which will indicate student's participation on the playground. For K-5th grade, the student playground participation form can be picked up at your child's health office. For grades 6-8th, the student campus grounds participation form can be picked up at your child's health office. Please return the completed form to the health office to assist us in caring for your child.

CONCUSSION AND HEAD INJURIES

A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. A school district that elects to offer athletic programs must immediately remove said athlete from a school-sponsored athletic activity for the remainder of the day for athletes who are suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from a licensed healthcare provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

EMERGENCY TREATMENT FOR UNDIAGNOSED ANAPHYLAXIS

Anaphylaxis is a severe and potentially life-threatening allergic reaction that can occur after encountering an allergic trigger, such as food, medicine, insect bite, latex, or in some cases, exercise. It is estimated that 25% of anaphylactic reactions occur during school hours to students who have *not* been previously diagnosed with a food or other severe allergy. Without immediate administration of epinephrine and activation of emergency medical services, death can occur. Being able to recognize and treat anaphylaxis quickly can save lives.

EC §49414 requires school districts to provide emergency epinephrine auto-injectors to District Nurses and trained school personnel as a safeguard for those undiagnosed individuals; and authorizes them to administer it for emergency situations to those experiencing the signs and symptoms of anaphylaxis.

If your child has a known allergy, or an epinephrine auto-injector for a known allergy, please alert the school health office and complete the appropriate forms so they may have their epinephrine auto-injector at school (see more detailed instruction below). District guidelines maintain that if your child has a prescribed epinephrine auto-injector for a known allergy at school, they will not be allowed to participate in any off-campus activities without their own emergency medication.

MEDICATION AND ADMINISTRATION

State law requires that parents/guardians notify the school when their child is taking any medication while at school; whether it is prescribed, over the counter, given as needed, or on a regular basis. With physician and parent/guardian authorization, the school nurse or other designated school employee will administer the prescribed medication during school hours. Parents/guardians who wish their child to receive medication at school must obtain and complete the "Authorization for Prescribed and Over the Counter Medication Administration at School" form from the school. Once this form is completed by the student's physician, and signed by the parent/guardian, return it to your child's school Health Office. A new form must be completed each new school year (not calendar year); and for any changes such as dosage and/or time given, or specific physician instructions.

MESD is not permitted to store or administer CBD oil at school; however, should your child require it, please make arrangements with your school principal and health office; parents/guardians, or individuals they assign, may arrange to come and administer the oil during the school day. (EC §49480 and §49423)

ADMINISTRATION OF PRESCRIBED MEDICATION

Written permission from both the parent and physician is needed before any prescribed or over the counter medication can be administered at school. Students are never to carry syringes or other medication on campus; have it in their backpack or locker. This includes Aspirin, Tylenol, Motrin, or any over-the-counter allergy and cold remedies. Whenever possible, medications should be taken outside of school hours. Medications ordered three times a day can be given before and after school and at bedtime. If your child needs medication at school, it must be dispensed according to physician's orders by the District Nurse, licensed vocational nurse, or other designated school employee. All medications must be kept in a locked cabinet in the school Health Office; and dispensed from the original prescription bottle according to physician orders.

To administer medication at school, the district must have a completed "Authorization for Prescribed and Over the Counter Medication Administration at School" form completed by the physician, and signed by the parent, on file in the health office. Please note that some physicians prefer to use their own forms; this is acceptable if it contains instructions from the physician detailing the medication, times to be taken, route of administration, and dosage, along with any special instructions and direct contact information. The physician's form will be attached to the district/county form and the parent will sign the district/county form authorizing the school to administer the ordered medication to their child.

Students on a traditional Middle School campus in grade 6-8, with a severe anaphylactic history are urged to carry and self-administer their auto-injectable epinephrine medication at school provided they have been instructed in the proper use; and have an Authorization for Medication Administration "Self-Carry" form completed by their physician and signed by the student and their parent on file in the health office.

Students on a traditional Middle School campus in grade 6-8, are encouraged to carry and self-administer prescribed inhaled asthma medication at school provided they have been instructed in the proper use; and have an Authorization for Medication Administration "Self-Carry" form completed by their physician and signed by the student and their parent on file in the health office. These forms are available in the health office. A new form must be completed each new school year (not calendar year); and for any changes such as dosage and/or frequency of administration, or specific physician instructions.

A student may be subject to disciplinary action if that student uses auto-injectable epinephrine or prescription inhaled asthma medication in a manner other than as prescribed. (EC §49423, §49423.1, §48900)

ADMINISTRATION OF EMERGENCY SEIZURE MEDICATION

Emergency Seizure Medications are used for seizures that are difficult to control. They are used to interrupt a cluster of seizures or seizures lasting longer than advised. If your child has a seizure disorder, and their physician prescribes an emergency seizure medication for school, please contact the school health office. Your physician will need to complete the "Emergency Seizure Medication Authorization"; once completed by the physician, and signed by the parent/guardian, staffing needs

will be determined according to the medication prescribed. For oral and/or nasal route emergency seizure medications, designated school employees will be trained by the District Nurse to administer the emergency seizure medication as prescribed and outlined by the physician should it be needed at school. A new form must be completed each school year (not calendar year); and for any changes such as dosage and/or specific physician instructions. (CE 49414.7)

DISASTER PREPAREDNESS – MEDICATIONS AT SCHOOL

An earthquake or other disaster may make it necessary for your child to remain at school for an extended period of time, up to three days. If your child has a life-threatening condition that requires medication or a special procedure daily at home, it is important that the school have on hand a three-day supply of medications or supplies in this category. Drugs in this category might include insulin/Glucagon, heart medication, seizure medication, or asthma inhalers or other medication. If this situation pertains to your child, please advise the health office at your child's school. The Licensed Vocational Nurse and/or District Nurse will give you further instructions on how to prepare.

USE OF PESTICIDES

To obtain a copy of all pesticide products and expected use at the school facility during the year, please contact the Millbrae Elementary School District Facilities Department. The notice will identify the active ingredient(s) in each pesticide product and an internet address on pesticide use and reduction.

VISION AND HEARING SCREENING

According to California state mandates, the District School Nurses conduct vision and hearing screenings that seek to identify those students who may have either vision or hearing concerns. Students in certain grades; students in Special Education; students new to California; and those referred by their teachers, school staff, and/or parents are screened. If any potential concerns are discovered, parents will be given written notification.

HOME AND HOSPITAL INSTRUCTION

The District provides a program of instruction in the home or hospital setting for students unable to attend their regular instructional program for a period that will be at least two weeks or more as a result of a temporary disability that is not covered under Special Education provisions.

Regarding students who have IEPs, Millbrae Elementary School District follows California Title 5 Code regulations 3051.4 for instruction in the Home or Hospital setting.

(a) Special education and related services provided in the home or hospital for school age pupils is limited to those pupils who have been identified as individuals with exceptional needs in accordance with Section 3030 and for whom the IEP team recommends such instructions or services, following receipt of sufficient medical information and a referral from the Student's doctor.

(b) Instructions may be delivered individually, in small groups or by tele class.

(c) For those individuals with exceptional needs with a medical condition such as those related to surgery, accidents, short-term illness or medical treatment for a chronic illness, the IEP team shall review, and revise, if appropriate, the IEP whenever there is a significant change in the pupil's current medical condition.

(d) When recommending placement for home hospital instruction, the IEP team shall have in the assessment information a medical report from the attending physician and surgeon or the report of the psychologist, as appropriate, stating the diagnosed condition and certifying that the severity of the condition prevents the pupil from attending a less restrictive placement. The report shall include a projected calendar date for the pupil's return to school.

The IEP team shall meet to reconsider the IEP prior to the projected calendar date for the pupil's return to school.

(e) Instruction in the home or hospital shall be provided by a regular class teacher, the special class teacher, if applicable, if the teacher or specialist is competent to provide such instruction and services and if the provision of such instruction and services by the teacher or specialist is feasible. If not, the appropriate related services specialist shall provide such instruction.

(f) The teacher providing the home hospital instruction shall contact the pupil's previous school and teacher to determine:

- (1) The course work to be covered;
- (2) The books and materials to be used;
- (3) Who is responsible for issuing grades and promoting the pupil when appropriate

Note: Authority cited: Sections 56100 and 56366.1, Education Code. Reference: Sections 56001 and 56363, Education Code; and 34 C.F.R. Sections 300.34 and 300.156(b)(1).

Hospitalized students are considered residents of the school district in which the hospital is located, which means if the student is hospitalized at Lucielle Packard, we may not be able to serve the student because they are deemed a student of the Palo Alto Unified School District. Parents in need of these services must contact the site administrator or health office to obtain a Request for Home and Hospital Instruction form. Schools have an obligation to verify illnesses with the medical provider. The disability must be diagnosed and verified in writing by the student's treating provider who also must be a licensed physician/medical provider qualified to diagnose and prescribe medication for the condition. Parents are responsible for notifying the school district regarding their pupil's presence in a hospital located within the District's jurisdiction. Home and Hospital Instruction will not be assigned later than 20 school days prior to the end of the school year. Summer school is not offered through Home and Hospital Instruction.

While on Home and Hospital Instruction, the student may not participate in extra/co-curricular activities. If a student is able to leave the home for activities, go to school for a couple of hours, play outside, etc. then home hospital may not be the most appropriate program and the parent/guardian should contact the Director of Student Services to discuss additional options.

A physician's clearance to return to school must be submitted prior to the student's return to school. (EC §48206.3, §48207, §48208)

A pupil with a temporary disability may remain enrolled in the district of residence and may attend regular classes when not confined to the hospital setting, the total days of instruction may not exceed the maximum of five days with both school settings and attendance may not be duplicated. If necessary, the district of residence may provide instruction in the home or via tele classes, for the days not receiving instruction in the hospital setting, depending upon the temporary doctor's orders.

The supervisor of attendance shall ensure that absences from the regular school program are excused until the pupil is able to return to the regular school program.

An honorary promotion diploma which is clearly distinguishable from the regular diploma of promotion may be awarded to a pupil who is terminally ill, from the resident governing school board.

MANDATED REPORTERS

The Millbrae Elementary School District is committed to protecting all students in its care. All employees of the District are considered mandated reporters, required by law to report cases of child abuse and neglect whenever there is a reasonable suspicion, abuse, or neglect has occurred. District employees may not investigate to confirm the suspicion.

All complaints must be filed through a formal report over the telephone, in person, or in writing, with an appropriate law enforcement agency (i.e. Police Department, County Probation Department, or County Welfare Department/Child Protective Services). Both the name of the person filing the complaint and the report itself are confidential and cannot be disclosed except to authorized agencies.

Parents and guardians of students also have the right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. Complaints may be filed with the local law enforcement agency; you may also notify the District of an incident by contacting the principal or the District's Student Services Department.

Child abuse does not include an injury caused by any force that is reasonable and necessary for a person employed by or engaged in school:

1. To stop a disturbance threatening physical injury to people or damage to property.
2. For purposes of self-defense.
3. To obtain possession of weapons or other dangerous objects within the control of a student.
4. To exercise the degree of control reasonably necessary to maintain order, protect the health and safety of pupils, and maintain proper conditions conducive to learning.

CUSTODY ISSUES

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to his/her child and/or school records. The only exception is when signed restraining orders or proper divorce papers, specifically limiting parental access to the child, are on file in the school office. Any student release situation which leaves the student's welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted and an officer requested to intervene. Parents are asked to make every attempt not to involve school sites in custody matters. The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up a child.

CHILD NUTRITION SERVICES

FREE MEALS FOR ALL

All schools in the district offer healthy meals every school day because children need healthy meals to learn. For the 2021-2022 school year, all students will be provided with one free breakfast and one free lunch each school day.

In lieu of a meal application, the district provided each family with an Alternative Household Income Form to complete to ensure the district receives essential funding to support student learning. Without these completed forms, the district may lose \$1,643 - \$1,785 per student in state instructional funding. Only one form per family needs to be completed this school year. Please see website <http://mesdk8childnutrition.org/> for school site programs and policies.

MEAL ACCOMMODATIONS

If your child has a food sensitivity, food allergy, or other medical condition requiring an accommodation(s), such as food substitutions or other meal modifications, for breakfast and/or lunch, you are required to have your child's healthcare professional complete The Meal Accommodation Form and include the provider's contact information. This form is mandatory and is located on the Child Nutrition website <http://mesdk8childnutrition.org/>. No meal modifications will be allowed without a signed form from a licensed health care provider. Completed Meal Accommodation forms can be submitted to your school site office. For questions related to medications, contact the district Registered Nurse.

CHILD NUTRITION WEBSITE/MENU INFORMATION

Visit the Child Nutrition website for information about our school meal program, to obtain monthly menus, nutritional information and receive nutrition education information for the entire family. You can elect to "go green" and have menu information emailed to you on a monthly basis.

Every school meal provided meets stringent USDA requirements based on the Dietary Guidelines. Your students will enjoy meals that are made with whole grains, are lower in sodium, and will be able to choose from a variety of fresh fruits and vegetables - they can build their meals just the way they'd like to eat them!

As we continue to experience COVID challenges, our department has modified our typical meal service style to ensure we prioritize the health and safety of our students and staff. To begin the school year, we will not be offering a self-serve salad bar nor will we utilize unwrapped utensils for our meal service. While we will continue to offer fresh fruits and vegetables, these items will be pre-packaged until we are safe to return to self-serve operations. Furthermore, COVID has created unanticipated challenges in regards to product availability and deliveries. We continue to experience increased vendor shortages and/or substitutions. These shortages/substitutions will impact our menu offerings. We apologize for any inconvenience caused if the menu item listed is not what is offered. We kindly thank you for your understanding and continue to work closely with our vendors to receive products the students will enjoy.

Homemade foods shall not be sold on school premises or provided for class parties. (Education Code §51520) Snack foods which may be sold shall be of good nutritional quality, as are nuts, dried and fresh fruit, yogurt, juices, cheese, seeds, sandwiches, and milk. Such foods should contain no more than a moderate amount of salt, sugar or fat. (Education Code §51520)

STUDENT BEHAVIOR

STUDENT BEHAVIOR

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.

SAFE PLACE TO LEARN ACT

The Millbrae Elementary School District is committed to maintaining a learning environment that is free from discrimination, harassment, violence, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC §220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, immigration status or association with a person or group with one or more of these actual or perceived characteristics. Annual training will be provided to all staff who work with students, to prevent bullying and cyberbullying. You may find a list of education resources provided by the California Department of Education (CDE) at <https://www.cde.ca.gov/ls/ss/se/bullyres.asp>. If you or your child should experience any bullying on campus, at school events, or on the way to or from school, please contact your school's principal to assist you in identifying and stopping this behavior. For additional assistance, you can contact the Director of Student Services at (650) 697-5693 ext. 025.

DRESS CODE/GANG APPAREL

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process. 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. (E.C. §35183)

DUTIES OF STUDENTS

Students are required to conform to school regulations; obey all directions; be diligent in study and respectful to teachers and others in authority; and refrain from the use of profane and vulgar language. (5 CCR §300). Teaching staff shall hold students strictly accountable for their conduct on the way to and from school, on the playgrounds, or during recess. (EC §44807)

DUTY CONCERNING CONDUCT OF STUDENT

Every teacher in the public schools shall hold students to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess. (E.C. §44807)

Prohibited student conduct includes, but is not limited to:

1. Behavior that endangers staff and/or students.
2. Behavior that disrupts the orderly classroom or school environment.
3. Harassment of students or staff, including bullying, intimidation, "cyber bullying," hazing or initiation activity, ridicule, extortion, or any other verbal written or physical conduct that causes or threatens to cause bodily harm or emotional suffering. Damage or theft of property

belonging

to the district, staff, or students.

4. Possession or use of laser pointers, unless used for a valid instructional or other school-related purpose, including employment. (Penal Code 417.27)
5. Profane, vulgar or abusive language.
6. Plagiarism or dishonesty in schoolwork or on tests.
7. Inappropriate dress.
8. Tardiness and unexcused absence from school.
9. Failure to remain on school premises in accordance with school rules.

ELECTRONIC LISTENING OR RECORDING DEVICE

The use by any person, including a student, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal is not allowed as it disrupts the teaching process and discipline in the schools. Any person, other than the student, willfully in violation shall be guilty of a misdemeanor. Any student in violation shall be subject to appropriate disciplinary action (EC §51512). This provision applies to SMART devices such as I-Watches, Android Wear, and/or cell phones.

ELECTRONIC SIGNALING DEVICES (i.e. CELL PHONES)

The use of these devices during instructional time without the permission of the teacher, or in a disruptive manner in the school setting is not allowed. Cell Phones and Mobile Communication Devices that ring, vibrate excessively, are used as a listening device, or in any other way disrupt the educational process of a class, are grounds for confiscation of the device by school staff or personnel and will only be returned to the parent at the end of the school day. Repeated violations of the district policy may result in disciplinary action.

Students are permitted to have Cell Phones and Mobile Communication Devices, including SMART Watches, while on school grounds but they should be turned off once the student comes on to the campus. Use of a cell phone or other communication device, such as texting and video chatting, while walking through hallways and around campus poses a safety concern and is not allowed. Use of such devices in classrooms, without the permission of the teacher, will be restricted and violations will result in confiscation of the device. Texting while walking through hallways is a safety concern and therefore not allowed.

No student shall use a Cell Phone or Mobile Communication Device to violate any Student Code of Conduct, including Computer Usage Agreements, and/or Bullying Policies. Examples of unacceptable usage can include but are not limited to: in restrooms or hallways during instructional time, bypassing

the nurse or attendance to leave school, cheating, cyber bullying, sexting, taking pictures or videos, etc. Each teacher has the right to permit the use of Cell Phones and Mobile Communication Devices for instructional purposes. Contents of cell phones may be reviewed and searched if there exists a reasonable suspicion that it may have been used in an activity prohibited by the Code of Conduct. **The student assumes all risks in bringing such devices onto school property or to school related functions. The school or district is not responsible for lost or stolen electronic items.**

No student will be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician to be essential for the health of the student and the use of which is limited to the student's health.

ELECTRONIC NICOTINE DELIVERY SYSTEM (E-CIGARETTE)

The Millbrae Elementary School District prohibits the use of electronic nicotine delivery systems (ENDS) such as e-cigarettes, hookah pens, cigarillos, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products on all district property and in district vehicles at all times. ENDS are often made to look like cigarettes, cigars and pipes, but can also be made to look like everyday items such as pens, asthma inhalers and beverage containers. These devices are not limited to vaporizing nicotine; they can be used to vaporize other drugs such as marijuana, cocaine, and heroin.

Section 119405 of the Health and Safety Code prohibits the sales of e-cigarettes to minors which means that students should not be in possession of any such devices. Students using, in possession of, or offering, arranging or negotiating to sell ENDS can be subject to disciplinary action, particularly because ENDS are considered drug paraphernalia, as defined by 11014.5 of the Health and Safety Code.

TOBACCO-FREE CAMPUS

The use of tobacco and tobacco products, and related paraphernalia such as cigarettes, cigars, chewing tobacco, pipe tobacco, snuff or an and electronic device that delivers nicotine (e.g. electronic cigarette, cigar, pipe or hookah) or other vaporized liquid are prohibited on all school sites, all district owned property and in any district vehicles (ex. Busses or district cars) even outside of school hours. All sites have signs posted stating, "Tobacco use prohibited." Additionally, HSC 104495, prohibits smoking cigarettes, cigars and other related products and the disposal of cigarette butts or other tobacco related waste within 25 feet of playgrounds or other areas where children play and within 250 feet of a youth sports event. The Millbrae Elementary School District encourages parents and staff to set positive, healthy examples for our students when it comes to choices about tobacco and related products.

LASER POINTERS: PROHIBITIONS ON SALES, POSSESSION AND USE

State law prohibits possession of a laser pointer by any student on any elementary or secondary school premises, unless possession is for valid instruction. Further prohibits directing the beam of a laser pointer into the eyes of another or into a moving vehicle or into the eyes of a guide dog. (Penal Code (PC) § 417.27)

OTHER DANGEROUS OBJECTS

It is a crime for any student to possess a laser pointer on any elementary or secondary school premise, unless the possession is for a valid instructional or other school-related purpose. (PC 417.27) A BB device, such as an airsoft gun or BB gun, can be considered an imitation firearm. The Penal Code makes it a criminal offense to openly display or expose any imitation firearm in a public place, including a public school. (PC 12550, 12556)

Students in possession of dangerous objects at school will have the objects confiscated and they will be disciplined, up to and including suspension and/or expulsion. Additionally, possession of such objects may require the school administrator to notify law enforcement.

GROUND FOR SUSPENSION AND EXPULSION

Students may be suspended or recommended for expulsion when the Superintendent or designee, principal, or principal's designee of the school in which the student is enrolled determines that the student has committed any of the following violations: (EC §48900)

- (a) 1. Caused, attempted to cause, or threatened to cause physical injury to another person, or
2. Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance as defined in the Health and Safety Code 11053 et seq., alcoholic beverage, or an intoxicant of any kind. (cf. 5131.6)
- (d) Unlawfully offered or arranged or negotiated to sell any controlled substance as defined in Health and Safety Code 11053 et seq alcoholic beverage, or intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as a controlled substance, alcoholic beverage, or intoxicant (placebo).
- (e) Committed or attempted to commit robbery or extortion
- (f) Caused or attempted to cause damage to school property or private property
- (g) Stole or attempted to steal school property or private property
- (h) Possessed or used tobacco, or any products containing tobacco or nicotine products including, but not limited to cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a student of his or her own prescription products
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity
- (j) Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in 11014.5 of the Health and Safety Code
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
(2) Except as provided in Section 48910, a student enrolled in kindergarten or any grades 1 to 8,

inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a student enrolled in kindergarten or any of the grades

1 to 12, inclusive, to be recommended for expulsion. Commencing July 1, 2020, the bill would additionally prohibit the suspension of a pupil enrolled in a school district or charter school in grades 4 and 5 for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties. The bill, from July 1, 2020, until July 1, 2025, would prohibit the suspension of a pupil enrolled in a school district or charter school in any of grades 6 to 8, inclusive, for those acts. (l) Knowingly received stolen school property or private property.

(m) Possession of an imitation firearm. "Imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

(n) Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288a, or 289, or committed a sexual battery as defined in Section 243.4 of the Penal Code

(o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness, or both

(p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

(q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

(r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

(1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more students that has or can be reasonably predicted to

have

the effect of one or more of the following:

(A) Placing a reasonable student or students in fear of harm to that student's or those students' person or property

(B) Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health

(C) Causing a reasonable student to experience substantial interference with his or her academic performance

(D) Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school

(2) (A) "Electronic act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone,

or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, video, or image

(ii) A post on a social network Internet Web site, including, but not limited to:

(I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).

(II) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in paragraph.

(1). "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1).

(1). "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(3) "Reasonable student" means a student, including, but not limited to, an exceptional needs student, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

Bullying via an electronic act is defined as the creation or transmission of a message, text, sound, image, or post on a social network Internet Web site via an electronic device. This bill adds videos to that definition. Videos are a form of image that can be transmitted via an electronic device. As such, principals and superintendents are already likely able to suspend or recommend expulsion of a pupil who makes or shares a video to harass or bully another student. Nevertheless, a video is consistent with a message, text, sound, or image. Taking a video in and of itself would not constitute grounds for suspension, but using or sharing the video to harass or humiliate another student would.

(s) A student may be suspended or expelled for any of the acts enumerated unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the Superintendent or principal or occurring within any other school district. A student may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to any of the following:

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus
4. During or while going to or coming from a school-sponsored activity.

- (t) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may suffer suspension, but not expulsion, pursuant to the provision of this section, except that a student who has been adjudged by a juvenile court to have committed, as an aider or and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a)
- (u) "School property" includes, but is not limited to, electronic files and databases
- (v) A Superintendent or principal may use his or her discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a student subject to discipline under this section
- (w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed on any student who is truant, tardy, or otherwise absent from school activities.

48900.2 & 212.5 – Sexual harassment as defined in Education Code 212.5, provided that the conduct is considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the victim's academic performance or to create an intimidating, hostile or offensive educational environment. This ground for suspension/expulsion shall not apply to students enrolled in kindergarten or grades one 1 through 3 three. (Please note: The conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive as to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment.)

48900.3 – Students in grades 4-12 that have used force or the threat of force to intimidate or injure a person or person's property because of that person's race/ethnicity, color, ancestry, religion, national origin, disability, gender, or sexual orientation

48900.4 – Harassment, Threats or Intimidation Students in grades 4-12 who intentionally engage in harassment, threats or intimidation, directed against school district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of either school personnel or students by creating an intimidating or hostile educational environment may be suspended from school or recommended for expulsion.

48900.5 – Limitations on Imposing Suspension Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a student, including an individual with exceptional needs, as defined in Section 56026, may be suspended for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or Superintendent of schools determines that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process.

48900.7 – Terroristic Threats

(a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, 48900.4, a student

may be suspended from school or recommended for expulsion if the Superintendent or principal of the school in which the student is enrolled determines that the student has made terroristic threats against school officials or school property, or both.

(b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of \$1,000, with the specific

intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it

out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonable cause to be in sustained fear for his/her own safety or for his/her immediate family's

safety, or for the protection of school district property, or the personal property of the person threatened or his/her immediate family. (Added Stats. 1997, Ch. 405, Sec. 1)

While Suspended A Student SHALL:

1. Complete any assignments and tests missed during the suspension if required by teacher(s).
2. Have the right to request to appeal the suspension within 10 days.
3. Have the right to have access to his or her records.

While Suspended A Student MAY NOT:

1. Loiter/be on or around any school grounds during the days in which he/she is suspended without the permission of the principal.
2. Participate in any school activities (after school program, sports, clubs, or other events during or after school hours).

DUE PROCESS

All suspensions should be preceded by an informal conference between the student and a school administrator during which the student shall be informed of the reason for the suspension and the evidence that supported the action. The student will be given the opportunity to present his/her version and evidence in his/her defense. In emergency situations, this opportunity may not be afforded, but a conference shall be held within 72 hours or as soon as possible. It is the policy of the school to telephone parents at the time of suspension, but in all cases, a notice is mailed within 24 hours.

SUSPENSION CONFERENCE WITH PARENTS

A parent conference is requested to take place as soon as is practicable. (Parents or guardians are requested to respond to such conferences.) Suspended students may be allowed to complete all assignments and tests missed during suspension that can be reasonably provided and, upon satisfactory and timely completion of the work, shall be given full credit. Please allow 24-48 hours for the teacher to prepare work for the student to complete while absent.

APPEAL PROCESS FOR SUSPENSIONS

To appeal a suspension, the parent or guardian of a suspended student must request a meeting with the Principal of the student's school within 10 ten days of the offense. If the parent/guardian is not satisfied with the Principal's decision, the decision may be appealed to the Director of Student Services within ten days of the date the parent/guardian was notified of the Principal's decision. (E.C. §48914)

LIMITS ON SUSPENSION

The total number of days for which a student may be suspended from school shall not exceed 20 schooldays in any school year, unless for purposes of adjustment, a student enrolls in or is transferred to another regular school, an opportunity school or class, or a continuation education school or class, in which case the total number of school days for which the student may be suspended shall not exceed 30 days in any school year. If a student moves to the Millbrae Elementary District from another school district during the school year, the MESD may count suspensions that occur while the student was enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year.

SEARCH AND SEIZURE

The Board of Education recognizes the need to ensure a safe environment for students. Therefore, school properties including lockers may be inspected by school authorities in the interest of maintenance, health, and safety. Inspections for the location of weapons and dangerous instruments are matters relating to health and safety and may be regarded as reasonable purposes for inspection by school administrators. Students and their property may be searched when there is reasonable suspicion of a student being in possible possession of an item they should not have or if they have engaged in behaviors that would raise suspicion that the student may be in possession of a contraband item. Students should be searched in the presence of an administrator or designee and parents must be contacted, in a timely manner, after a search is conducted.

POLICE COMING ON CAMPUS

Just as crimes can occur anywhere in the state, and just as criminal law is applicable everywhere in the state (Pen. Code, S 777), so does the power and authority of law enforcement officers extend to any place in the state – including school grounds (Pen. Code, S 830.1). While law enforcement officers are often called onto campus, rather than coming on their own initiative, their authority to enter the campus is in no way conditioned upon their being summoned. School officials must not delay officers in the discharge of their duties on campus, nor must they ever attempt to resist or obstruct them. (Pen. Code, S 148). It should also be noted that the authority of the police to be on campus is not dependent upon the jurisdiction or lack of jurisdiction of school security or school police officers. (Ed. Code, S 39670; Pen. Code, S 830.4 (g)).

NOTIFICATION OF LAW ENFORCEMENT; ASSAULT; CONTROLLED SUBSTANCE VIOLATIONS; CIVIL OR CRIMINAL IMMUNITY

The principal or designee shall, prior to the suspension or expulsion of any student, notify the appropriate law enforcement authorities of the county or city in which the school is situated, of any act of the student which may violate Section 245 of the Penal Code.

ANNUAL ADJUSTMENT TO LIABILITY/ LIMIT OF PARENT OR GUARDIAN FOR WILLFUL STUDENT MISCONDUCT

California Education Code Section 48904(a)(1) provides that the parent or guardian of a minor is liable for all damages caused by the willful misconduct of the minor that results in the injury or death of any student, school district or school volunteer. The parent or guardian is also liable for damages to

real or personal property belonging to the school district or personal property belonging to a school employee, resulting from the willful misconduct of the minor.

Education Code Section 48904(a)(1) also specifies that the parent or guardian of a minor is liable for any reward offered by a local agency for information leading to the identification and apprehension of any person who willfully damages or destroys property, or whose willful misconduct results in injury or death to any person.

PROPERTY DAMAGE

The Millbrae Elementary School District may hold the parent or guardian financially liable if their child willfully damages school property or fails to return school property loaned to the child. The school may further withhold the grades, diploma, and transcript of the pupil until restitution is paid. (EC §48904)

GROUND FOR EXPULSION

Pursuant to Education Code §48915, the principal of a school may recommend the expulsion of a student if he or she determines that the student has committed an offense that requires suspension as defined in Education Code §48900, and it is determined that the violation is serious enough to warrant the removal of that student from the schools of the district for a period of two semesters or one-calendar year, depending on the level of the violation.

MANDATORY EXPULSION VIOLATIONS [EC 48915 (c)]

The principal or Superintendent shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a student that he or she determines has committed any of the following acts at school or at a school activity off school grounds. **The governing board shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c):**

10. Possessing, selling or otherwise furnishing a firearm only if the possession is verified by an employee of a school district. This subdivision does not apply to an act of possessing a firearm if the student had obtained prior written permission to possess the firearm from a certificated school employee.
11. Brandishing a knife at another person. [EC 48915 (g): as used in this section, "knife" means dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.
12. Unlawfully selling a controlled substance, listed in Chapter 2, (commencing with 11053) of Division 10 of the Health/Safety Code.
13. Committing or attempting to commit a sexual assault, as defined in subdivision 48900(n), or committing a sexual battery as defined in subdivision 48900(n).
14. Possession of an explosive. [EC 48915 (h): as used in this section, the term "explosive" means "destructive device" as described in section 921 of Title 18 of the United States Code.

MANDATORY EXPULSIONS [EC 48915 (a) (1)]

Except as provided in EC 48915 (c) and (e), the principal or superintendent of schools shall recommend the expulsion of a student that he or she determines has committed any of the following acts at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct. If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the student does not lose instructional time. [EC 48915 (a) (2)]

- A. Causing serious physical injury to another person, except in self-defense.
- B. Possession of any knife or other dangerous object of no reasonable use to the student.
- C. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with 11053) of Division 10 of the Health and Safety Code, except for either of the following:
 - (i) The first offence for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis
 - (ii) The possession of over-the-counter medication for use by the student for medical purposes or medication prescribed for the student by a physician.
- D. Robbery or extortion.
- E. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon a school employee.
 - a. Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil committed an act listed in paragraph (1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel shall be based on a finding of one or both of the following:
 - (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
 - (2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

ALLOWABLE EXPULSIONS [EC 48915 (b) and (e)]--

48915(b): Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a student expelled upon finding that the student committed an act listed in paragraph (1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel a student for any of those acts shall be based on a finding of one or both of the following:

- (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) Due to the nature of the act, the presence of the student causes a continuing danger to the physical safety of the student or others.

48915(e): Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a student expelled upon finding that the student, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

- (1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others.

BEHAVIOR EMERGENCY PROCEDURES

Interventions by way of “reasonable and necessary” force may be used if staff deem a student’s behavior poses a clear and present danger of serious harm to persons or property. The California Education Code recognizes that reasonable and necessary force may be appropriate, and provides the following: “An amount of force that is reasonable and necessary for a person employed by or engaged in a public school to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain possession of weapons or other dangerous objects within the control of the pupil, is not and shall not be construed to be corporal punishment within the meaning and intent of this section.” Said reasonable and necessary force does not include corporal punishment. California Education Code Section 49001 provides, in relevant part: “For purposes of this section ‘corporal punishment’ means the willful infliction of, or willfully causing the infliction of, physical pain on the pupil.” The District has clearly established guidance as to when reasonable and necessary force, not amounting to corporal punishment, may be used against a student. The appropriate use of this force is reasonable and necessary, and therefore protected when used:

- To protect the health and safety of pupils, including the student
- To quell a disturbance threatening physical injury to persons
- To quell a disturbance threatening physical injury to property
- For purposes of self-defense
- To maintain order
- To maintain proper and appropriate conditions conducive to learning
- To obtain possession of weapons or other dangerous objects within the control of the pupil

Similarly, the California Code of Regulations (CCR) sets forth the appropriate use of Behavioral Emergency Interventions by schools and school staff. Title 5 of the CCR, Section 3052 discusses “Designated Positive Behavioral Interventions.” Section 3052(i) states: “Emergency interventions may only be used to control unpredictable, spontaneous behavior which poses clear and present danger of serious physical harm to the individual or others and which cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior.”

PERSISTENTLY DANGEROUS SCHOOLS

A persistently dangerous school is defined as one which has more than a certain number of violent offenses on campus over a three-year period. No Millbrae Elementary School district schools are considered “dangerous” schools under this definition. Federal legislation requires that students be allowed to transfer from a persistently dangerous school.

BULLYING

The Board of Education prohibits bullying at any location or school-related activity. Annual training will be provided to all staff who work with students, to prevent bullying and cyberbullying. You may find a list of education web pages describing the staff training at:

<https://www.cde.ca.gov/ls/ss/se/bullyres.asp> If you or your child should experience any bullying on campus, at school events, or on the way to or from school, please contact your site principal immediately. The district has counselors available to assist your child learn skills to identify and stop this behavior. The counselors are available by contacting Student Services at (650) 697-5693 ext. 025 or by contacting your school's principal.

Any student who engages in bullying will be subject to appropriate disciplinary action. All schools are expected to create an environment where the school community understands that bullying is inappropriate and will not be tolerated by developing and incorporating anti-bullying procedures into behavior and discipline codes which will be reviewed and revised annually, as appropriate. Students and/or staff are expected to immediately report incidents of bullying to the principal or designee. Each complaint of bullying will be promptly investigated. If the complainant or the parent of the student feels that an appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the Principal or the Student Services Department. The school system prohibits retaliatory behavior against any complainant or any participant in the complaint process. Teachers shall discuss this policy with their students and assure all students understand the criteria and definition of bullying, and assure them that they need not endure any form of bullying.

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.ccrcca.org>

DISCRIMINATIONS, PROTECTIONS, COMPLAINTS & PROCEDURES

NONDISCRIMINATION POLICY

The Millbrae Elementary School District is committed to providing a safe school environment where all individuals in education are afforded equal access and opportunities. The District's academic and other educational support programs, services and activities shall be free from discrimination, harassment, intimidation, and bullying of any individual based on the person's actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. Specifically, state law prohibits discrimination on the basis of gender in enrollment, counseling and the availability of physical education, athletic activities and sports. Transgender students shall be permitted to participate in gender-segregated school programs and activities (ex: athletic teams, sports competitions and field trips) and to use facilities consistent with the gender identity. The District assures that lack of English language skills will not be a barrier to admission to district programs. Complaints of unlawful discrimination, harassment, intimidation, or bullying are investigated through the Uniform Complaint Process. Such Complaints must be filed no later than six months after knowledge of the alleged discrimination was first obtained. For a complaint form, or additional information, contact the Superintendent's Office, 555 Richmond Drive, Millbrae, CA 94030, (650) 697-5693

EDUCATIONAL EQUITY: IMMIGRATION AND CITIZENSHIP STATUS

The Equity in Higher Education Act, states that all persons, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other specified characteristic such as hairstyles, equal rights and opportunities and adds this opportunity to apply for financial aid for higher education to also be equitable, and an application may not be denied of a student based on their immigration status. This does not guarantee any final eligibility, but simply an ability to apply for financial aid just like any other student, without discrimination. (E.C. 200, 220, and 234.1 adding Article 5.7 to EC 234.7, EC 66251, 66260.6, 66270, and 66270.3)

RIGHT OF ALL STUDENTS TO A PUBLIC EDUCATION

The Millbrae Elementary School District is committed to the success of all students regardless of their immigration status or citizenship, and asserts that every school site should be a welcoming place for all students and their families. It is MESD's policy that all students have a right to attend school free of bullying, intimidation, and discrimination. All students have a right to a free K-12 public education, regardless of immigration status or religious beliefs.

WILLIAMS COMPLAINT POLICY AND PROCEDURE

The Millbrae Elementary School District provides every school and every student with sufficient textbooks and instructional materials. Every student, including English learners, must have textbooks or instructional materials, or both, to use at home or after school. All District and school facilities are clean, safe, and maintained in good repair. The Human Resources Department works diligently to fill all teacher vacancies and ensure that staff are not misassigned.

If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint form may be obtained at the school site or on the District web-site at <https://www.millbraeschooldistrict.org/>, by downloading from CDE's website at www.cde.ca.gov/re/cp/uc, or by coming into the District office. Parents, students, teachers or any member of the public may submit a complaint regarding these issues. However, it is highly encouraged that individuals express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns. Complaints may be filed anonymously. Notice of the Williams Policy and Complaint Procedures are posted in all classrooms.

SEXUAL HARASSMENT

Millbrae Elementary School District is committed to maintaining a learning and working environment free from sexual harassment. Any student who engages in sexual harassment of anyone in or from the district, including another student or employee, maybe subject to disciplinary action up to and including expulsion. Any employee who permits, engages in, or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. To report incidences of sexual harassment, please contact your student's principal. (E.C. 48980 (g)(1) and E.C. 231.5)

Board Policy 5145.7 states that prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions: (Education Code 212.5; 5 CCR 4916) (see page 28 for additional definition)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available

at or through any district program or activity.

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions.
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion

TITLE IX NOTIFICATIONS

Title IX of the Education Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in educational programs and activities that receive federal funding. Specifically, Title IX protects male and female pupils and employees, as well as transgender pupils and pupils who do not conform to sex stereotypes, against discrimination based on sex, including sexual harassment. California law also prohibits discrimination based on gender, gender expression, gender identity, and sexual orientation. Under Title IX, pupils may not be discriminated against based on their parental, family, or marital status, and pregnant and parenting pupils may not be excluded from participating in any educational program, including extracurricular activities, for which they qualify. For more information about Title IX, or how to file a complaint of noncompliance with Title IX, contact the Director of Student Services at (650) 697-5693, ext. 025.

UNIFORM COMPLAINT PROCEDURES

The Millbrae Elementary School District annually notifies our students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of our Uniform Complaint Procedures (UCP) process. The UCP Annual Notice is available on our website at <https://www.millbraeschooldistrict.org/>. We are primarily responsible for compliance with federal and state laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities that are subject to the UCP. Programs and Activities Subject to the UCP:

- Accommodations for Pregnant and Parenting Pupils
- Adult Ed
- After School Education and Safety

- Agricultural Career Technical Education Technical and Technical Education and Career Technical and Technical Training Programs
- Child Care and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content
- Discrimination, harassment, intimidation, or bullying against any protected group as identified under sections 200 and 220 and Section 11135 of the Government Code, including any actual or perceived characteristic as set forth in Section 422.55 of the Penal Code, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.
- Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district
- Every Student Succeeds Act
- Local Control and Accountability Plans (LCAP)
Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Plans for Student Achievement School Safety Plans
- Schoolsite Councils
- State Preschool
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing

And any other state or federal educational program the State Superintendent of Public Instruction (SSPI) of the California Department of Education (CDE) or designee deems appropriate.

FILING A UCP COMPLAINT

A UCP complaint shall be filed no later than one year from the date the alleged violation occurred.

For complaints relating to Local Control and Accountability Plans (LCAP), the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by our agency.

A pupil enrolled in any of our public schools shall not be required to pay a pupil fee for participation in an educational activity. A pupil fee complaint may be filed with the principal of a school or our superintendent or their designee.

A pupil fee or LCAP complaint may be filed anonymously, that is, without an identifying signature, if the complainant provides evidence or information leading to evidence to support an allegation of noncompliance.

RESPONSIBILITIES OF MILLBRAE ELEMENTARY SCHOOL DISTRICT

We shall post a standardized notice, in addition to this notice, with educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district.

We advise complainants of the opportunity to appeal an Investigation Report of complaints regarding programs within the scope of the UCP to the Department of Education (CDE).

We advise complainants of civil law remedies, including injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

Copies of our UCP procedures shall be available free of charge.

Contact Information Complaints within the scope of the UCP are to be filed with the person responsible for processing complaints: *[LEA staff to complete the next section with the person at the LEA in which UCP complaints are filed and investigated. USE SAME INFORMATION AS ON CURRENT UCP POLICIES AND PROCEDURES DOCUMENT]*

**Director of Student Services
Millbrae Elementary School District
555 Richmond Drive
Millbrae, CA 94030
(650) 697-5693 ext. 025**

The above contact is knowledgeable about the laws and programs that they are assigned to investigate in Millbrae Elementary School District.



MILLBRAE *Elementary School District*

2021-2022 NOTICE REGARDING HOMELESS EDUCATION

(Applicable Only for the Current School Year)

The McKinney-Vento Homeless Assistance Act for Homeless Children and Youth entitles all homeless school-aged children to the same free and appropriate public education that is provided to non-homeless students. Every school district must appoint a liaison to assist these students.

A homeless student is defined as a person between the ages of birth (Early Head Start and Head Start Programs) and twenty-two (special education students) who lacks a fixed, regular, and adequate nighttime residence and may temporarily:

- Live in an emergency or transitional shelter; abandoned building, parked car, or other facility not designed as a regular sleeping accommodation for human beings;
- Live “doubled-up” with another family, due to loss of housing stemming from financial problems (e.g., loss of job, eviction, or natural disaster);
- Live in a hotel or motel;
- Live in a trailer park or campsite with their family;
- Have been abandoned at a hospital;
- Be awaiting foster placement in limited circumstances;
- Reside in a home for school-aged, unwed mothers or mothers-to-be if there are no other available living accommodations; or
- Be abandoned, runaway, or pushed out youth or migrant youth that qualifies as homeless because he/she is living in circumstances described above.

A homeless student has the right to attend either the school of origin, defined as the school that the student was last enrolled or attended when last housed or any school attended in the past fifteen (15) months; or the current school of residence. If a dispute arises over school selection or enrollment, the parent/guardian has the right to dispute the school's decision by contacting the district's McKinney Vento Liaison, the Director of Student Services at (650) 697-5693 ext. 025 and following the district's dispute resolution policy.

The law requires the immediate enrollment of homeless students, which is defined as "attending class and participating fully in school activities". Schools cannot delay or prevent the enrollment of a student due to the lack of school or immunization records or other documentation usually required for enrollment. It is the responsibility of the district homeless liaison to refer parents to all programs and services for which the student is eligible. Referrals may include, but are not limited to: free nutrition, special education services, tutoring, English Language Learners programs, Gifted and Talented Education program, preschool, before and after school services or any other program offered by the school or district. The district shall ensure that transportation is provided, at the request of the parent/guardian/unaccompanied homeless youth, to and from the school of origin, if feasible.

Unaccompanied youth; such as teen parents not living with their parent or guardian or students that have runaway or have been pushed out of their homes, have access to these same rights.

A homeless student that transfers schools after the second year of high school, and is greatly deficient in credits may be able to graduate within four years with reduced state requirements. School districts are required to issue and accept partial credit for courses that have been satisfactorily completed.

If you have questions or would like more information about the programs and services available to homeless students and families within the Millbrae Elementary School District, or if you qualify and need assistance, please contact the Director of Student Services, at (650) 697-5693 ext. 025



MILLBRAE *Elementary School District*

2021-2022 Notification of District Documents

To locate the following documents please navigate to the District's website:

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

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

LCAP: <https://www.millbraeschooldistrict.org/domain/83>

Expanded Learning Opportunities Plan: <https://www.millbraeschooldistrict.org/Page/293>

Strategic Plan: <https://www.millbraeschooldistrict.org/Page/294>

