

MILLBRAE ELEMENTARY SCHOOL DISTRICT
PARENT - STUDENT HANDBOOK

2023-2024



Millbrae Elementary School District Administration

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**MILLBRAE ELEMENTARY SCHOOL DISTRICT
BOARD OF EDUCATION**



Ms. Lynne Ferrario, Board President



Ms. Maggie Musa, Vice President



Mr. Frank Barbaro, Trustee



Ms. Karen Chin, Trustee

Vacancy



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

MILLBRAE ELEMENTARY SCHOOL DISTRICT DIRECTORY

Green Hills Elementary School

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Millbrae, CA 94030
650-588-6485
Fax: 650-583-8052
Kerry Dees, Principal
Kathi Woodall, School Administrative Assistant

Lomita Park Elementary School

200 Santa Helena
San Bruno, CA 94066
650-588-5852
Fax: 650-873-8014
(TBD), Principal
Tina Mondani, School Administrative Assistant

Meadows Elementary School

1101 Helen Drive
Millbrae, CA 94030
650-583-7590
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Catherine Waslif, Principal
Kellie Zahursky, School Administrative Assistant

Spring Valley Elementary School

817 Murchison Drive
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650-697-5681
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Gordon Hwee, Principal
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Taylor Middle School

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Millbrae, CA 94030
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Fax: 650-697-8435
Erin Zlatunich, Principal
Bill Romer, Assistant Principal
Christopher Nichols, Assistant Principal
Dianna Thomas, Office Manager
Pam Evans, Attendance Clerk

MESD COVID-19 Safety Plan

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:

[Covid-19 Safe Schools Framework](#)

If a student tests positive for COVID-19, please notify your site LVN or the District Nurse and immediately contact your healthcare provider.

COVID-19 Exposure Notifications

We have reached a time when COVID is no longer a prominent focus in our educational settings. With vaccination rates high and herd immunity playing a major role in drastically decreasing the number of cases and severity of COVID, the San Mateo County Office of Education adopted new guidelines in [August of 2023](#), the most recent to date, that remain our district's policy.

In compliance with the San Mateo County Framework, in lieu of individual classroom exposure notifications, we are letting you know that we are currently experiencing an elevated community transmission of COVID-19. There is an increased potential of being exposed to COVID-19 due to a rise in cases among school and community members.

Please monitor your families for COVID symptoms (runny nose, sore/scratchy throat, cough, unusual fatigue, fever, headache, abdominal pain), and test if there are symptoms. Free tests are available at all school sites in the front office. Please let your school's office assistant and LVN know if your student tests positive. San Mateo County Office of Education recommends that you keep your student home for 5 days following the onset of symptoms or positive test day, and may return on Day 6 if fever-free for 24 hours and symptoms are resolving. Masks should be worn for 10 days following symptom onset or positive test date.

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GENERAL INFORMATION

1. **Acceptable Use of Technology - EC 48980**

One of the adopted goals of the Millbrae Elementary School District is to assist in advancing the use of technology to enhance student learning. Access to Millbrae Elementary School District technology is a privilege, not a right, and students enrolled in District programs or activities must follow District guidelines and procedures regarding acceptable use of technology. All Millbrae Elementary School District students and their parents/guardians shall sign the Acceptable Use of Technology Agreement prior to using District technological resources. (Acknowledgement of the 2023-2024 Parent/Student Handbook meets this requirement). The Millbrae Elementary School District shall make a diligent effort to filter the inappropriate or harmful matter accessible through the Internet, and students shall also take responsibility not to initiate access to inappropriate or harmful matter while using District technology. Violation of this policy may result in disciplinary action and the loss of the privilege to use the technology and/or civil or criminal liability.

[Acceptable Use Agreement](#)

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[Chromebook and Google Apps for Education Account](#)

2. **Asbestos Management Plan**

The Millbrae Elementary School District maintains and annually updates its management plan for asbestos-containing material in school buildings. The plan is available upon request to all parents, teachers and employee organizations. For a copy of the asbestos management plan, please contact the Business Office at 697-5693 ext. 012.

3. **Before and After School Programs**

The After School Education and Safety Program (ASES) serves pupils in Grades TK through 5th grade at Lomita Park Elementary School. Programs that charge family fees shall not charge for a child who is experiencing homelessness or placed in foster care. These students are also moved to the top of the waiting list. To request priority enrollment, please contact the Lomita Park Elementary Principal at (650) 588-5852.

4. **Civility on School Grounds - EC 32210**

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). 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.

5. **Custody Issues**

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to their child and/or school records. The only exception is when signed restraining orders or proper divorce 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 a child.

6. **Directory Information – EC 49073**

"Directory Information" includes one or more of the following items: student's name, address, telephone number, e-mail address, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent public or private school attended by the student. The District has determined that the following individuals, officials, or organizations may receive directory information: District Office, School PTA/PTO, Millbrae Education Foundation (MEF) and local law enforcement agencies upon request.

No information may be released to private profit making entity 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 may be disclosed without prior consent from the parent or legal guardian unless the parent or legal guardian submits a written notice to the school to deny access to their pupil's directory information. Directory information

regarding a pupil identified as a homeless child or youth shall not be released unless a parent, or eligible pupil, has provided written consent that directory information may be released.

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that the Millbrae Elementary School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless you have advised the district to include this type of information from your child's education records in certain school and/or district publications. Examples include:

- a) A playbill, showing your child's role in a drama production
- b) The annual yearbook
- c) Honor roll or other recognition lists
- d) Graduation programs
- e) Sports activity sheets

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent/guardian's prior written consent.

If you do not want the district to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing by August 31 of each school year.

7. Disaster Preparedness Education Materials - EC 32282.5

Natural and human-caused disasters affect everyone which is why it is important to be prepared at home, at school, at work, and in the community. Parents and guardians are encouraged to review the safety educational materials provided on the California Department of Education Web page at: <https://www.cde.ca.gov/ls/ss/cp/crisisresp.asp>. The materials are available in multiple languages and can be used to help families prepare for different types of emergencies and crisis.

8. Electronic Listening or Recording Device – EC 51512

The use by any person, including a pupil, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. Any person, other than the pupil, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation shall be subject to appropriate disciplinary action. This provision applies to SMART devices such as I-Watches, Android Wear, and/or cell phones.

9. Electronic Nicotine Delivery Systems (e-cigarettes) – PC 308

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.

10. Electronic Signaling Devices (i.e. cell phones)

The use by any person, including a pupil, of any electronic signaling device in any classroom without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. The only allowable use would be acceptable if it is determined by a licensed physician that the pupil must use for the health and safety of a pupil. Any pupil in violation shall be subject to appropriate disciplinary action.

Smartphone use may be prohibited by districts, charter schools, and county schools while a student is at a school site and under supervision and control of staff. There are health and special education limits or usage that may differ from the general student population, but must be in writing and kept on file in student records for confidential record keeping and reasons.

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.

11. Emergency Procedures

The Millbrae Elementary School District follows the guidance of the San Mateo County's Big 5 protocols.

[The Big Five Community Packet](#)

SAFETY OF SCHOOL BUILDINGS/MONTHLY DRILLS

Students are housed in buildings that meet Field Act specifications. They are built to be earthquake resistant and are among the safest buildings in the community. Our District and each school follow the San Mateo County Big Five School Emergency Guidelines Immediate Action Response and Hazard protocols with monthly drills for "shelter in place", "drop, cover and hold on", "secure campus", "lockdown/barricade", and "evacuation". Each school is also equipped with emergency supplies and equipment.

DURING AN EARTHQUAKE

Teachers will instruct students to "duck, cover and hold." Students and school personnel will remain under desks, or in other appropriate locations, until after the shaking ceases. When safe, teachers will lead their classes to pre-designated areas outside the buildings. They will remain outside until buildings are judged safe by qualified inspectors.

TELEPHONES/COMMUNICATIONS

If telephones are operational following a serious earthquake, their use will be restricted to reporting medical, fire, or other emergencies. Please do not call or come to the school. Information for parents will be released via the District's parent notification system (Parent Square, phone call and email). Please ensure that any changes to your contact information are reported to your school office as needed. Parents will be advised regarding school conditions, dismissal times, and procedures.

DISMISSAL

In the event of a major earthquake, STUDENTS WILL REMAIN UNDER SUPERVISION OF SCHOOL AUTHORITIES UNTIL PROPER LOCAL AUTHORITIES PROVIDE DIRECTION FOR DISMISSAL.

PICKING UP YOUR STUDENT

Students will be released to:

1. All individuals listed on the child's emergency form
2. A person with parent/guardian written permission to release the student

Signature, identification, destination, phone number, and address of any person signing a child out will be required before the child is released.

If any of the above are judged to be in doubt, the student will remain in the care of the school.

Please minimize the possibility of a traffic jam and facilitate the smooth release of students by walking to school when possible.

Important Note:

SMC Alert (San Mateo County's Alert System) is a software application used to send emergency alerts, notifications and updates to your cell phone, mobile device, home phone, work and/or email account. In the event of an emergency, public safety agencies such as police and fire will be able to provide emergency information directly to you. SMC Alert is free (your carrier may charge you a fee to receive alerts on your wireless device) and is available in all cities and towns in San Mateo County. SMC Alert is managed by the San Mateo County Sheriff's Office of Emergency Services.

To create an free account, please visit:

<https://member.everbridge.net/index/892807736723485#/login>

Questions can be directed to smcalert@smcgov.org

12. Extended School Year - Migrant Education

Students who are identified as a "migrant child" in grades TK-6 may be allowed to enroll in two public schools during summer, winter, or other intersessions – both the school in which they last attended and the next intended school to be entered upon the migration with parents from one agricultural work site to another.

13. Harm or Destruction of Animals

Any pupil with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, must inform his or her teacher of the objection. Objections must be substantiated by a note from the pupil's parent or guardian.

A pupil who chooses to refrain from participation in an education project involving the harmful or destructive use of an animal may receive an alternative education project, if the teacher believes that an adequate alternative education project is possible. The teacher may work with the pupil to develop and agree upon an alternative education project so that the pupil may obtain the knowledge, information, or experience required by the course of study in question.

14. Health Care Coverage – EC 49452.9

Your child and family may be eligible for free or low-cost health coverage. For information about health care coverage options and enrollment assistance, contact 1-800-300-1506 or go to www.CoveredCA.com. Additionally, California law allows all low-income children under 19 years old, regardless of immigration status, to enroll in Medi-Cal at any time in the year. Families can apply in person at their local county human services office, over the phone, online, with a mail-in application, or at a local health center. For more information about Medi-Cal enrollment, visit www.health4allkids.org.

15. Medical or Hospital Service – EC 49472

The Millbrae Elementary School District does not provide or make available medical and hospital services for pupils who are injured in accidents related to school activity or attendance. In accordance with EC 49472, the Millbrae Elementary School District does offer a voluntary, low cost medical/dental accident insurance program.

The Millbrae Elementary School District does not provide medical, accident or dental insurance for pupils injured on school premises or through school activities. In accordance with Education Code Section 49472, the District is making available a low cost medical/dental accident insurance program through [Pacific Educators](http://PacificEducators.com).

Accident Only Plans

The purpose of these plans is to provide assistance at a minimum cost to meet some of the expenses for accidental injury.

Plan costs are available online at www.peinsurance.com (click on Products, then Student Insurance). Please read the Student Benefits Plan Brochure to select the plan that best meets your needs.

Health Insurance Plans

Pacific Educators can now assist people in applying for health insurance plans that meet the guidelines of the Affordable Care Act and help you avoid potential tax penalties. These penalties will be increasing each year from 2014-on. Some may qualify for tax savings and government assistance. Please call the number below or visit our website at www.peinsurance.com click 'products' and then 'health insurance'.

Since the district does not provide medical/dental accident insurance, we urge that consideration be given to these programs. If you have further questions, please contact Pacific Educator's directly at (800) 722-3365 or (714) 639-0962.

16. Megan's Law – PC 290

Information about registered sex offenders in California can be found on the California Department of Justice's website, <http://meganslaw.ca.gov/>. The website also provides information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

17. Minimum and Pupil-free Staff Development Days - EC 48980(c)

The school calendar is 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 advance notice.

[2023-2024 School Calendar](#)

18. Pupil Swimming Safety

Our school is committed to safety for all our students at our planned events, including around swimming pools. There is already a requirement for pool sport coaches to be fully-trained in CPR in case of accidental drowning in the pool. If there is any event on-campus or hosted at a swimming pool facility, at least one adult with a valid certification of CPR training will be present throughout the duration of the event.

19. Ralph M. Brown Act: Required Notices and Agendas for Open Public Meetings: GC 54954.2, 54956, 54956.5, 54954.2, 54954.5, 54957.1, 54957.7, and 54954.2(b)

REGULAR MEETINGS: Agenda items in 20 words or less, posted within 72 hours of meeting.

SPECIAL MEETINGS: Twenty-four hour notice must be provided to members of legislative body and media outlets including brief general description of matters to be considered or discussed.

EMERGENCY MEETINGS: One hour notice in case of work stoppage or crippling activity, except in the case of a dire emergency.

CLOSED SESSION AGENDAS: All items to be considered in closed session must be described in the notice or agenda for the meeting. The body must orally announce the subject matter of the closed session. If final action is taken in closed session, the body generally must report the action at the conclusion of the closed session.

AGENDA EXCEPTION: Special procedures permit a body to proceed without an agenda in the case of emergency circumstances, or where a need for immediate action came to the attention of the body after posting of the agenda.

20. Rights of Parents and Guardians to Information - EC 51101

The parents and 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 the public schools, to be informed by the school, and to participate in the education of their children, as follows:

1. Within a reasonable period of time after making the request, to observe their child's classroom(s).
2. Within a reasonable time of their request, to meet with their child's teacher(s) and the principal.
3. 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.
4. To be notified on a timely basis if their child is absent from school without permission.
5. 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.
6. To request a particular school for their child, and to receive a response from the school district.
7. To have a school environment for their child that is safe and supportive of learning.
8. To examine the curriculum materials of their child's class(es).
9. 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.
10. To have access to the school records of their child.

11. To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.
12. To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.
13. To receive information about any psychological testing the school does involving their child and to deny permission to give the test.
14. To participate as a member of a parent advisory committee, school site council, or site-based management leadership team.
15. 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.
16. 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.

21. School Visiting Procedures – EC 51101(a)(12)

For the safety of our staff and students, visitors to our schools must sign in at the school office upon entering the campus. You will find a sign posted where to sign in at each entrance to our school sites.

22. Surveys – EC 51513 and 51514

Anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students if the parent is notified in writing that 1) this test, questionnaire, or survey is to be administered, 2) the student's parent is given the opportunity to review the test, questionnaire, or survey, and 3) the parent consents in writing. Questions pertaining to the sexual orientation and gender identity of a student shall not be removed from a survey that already includes them.

23. Tobacco-free Campus - BPC 22950.5

The use of tobacco and nicotine products is prohibited on school or district grounds, buildings, and vehicles, and within 250 feet of a youth sports event. Tobacco products include, but are not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, or an electronic device (e.g., electronic cigarette, cigar, pipe, or hookah) that delivers nicotine or other vaporized liquids.

PARENT ENGAGEMENT

1. Classroom and School Visitation Procedures

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.

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. 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 school office. 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)

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.

2. Gun Safety

This is a reminder that firearms are to be safely stored away from children and teens. The accidental shooting of children and youth is the third leading cause of death following accidents and suicide. California public schools are mandated to remind families to keep their home safe from such potential dangers. If there is a threat or perceived threat, then the public schools will cooperate with local law enforcement to conduct an immediate threat assessment.

Assembly Bill 452 - Pupil Safety: Parental Notification, Firearm Safety Laws

Section 48986 has been added to the California Education Code and requires that beginning on July 1, 2023, all kindergarten through grade twelve school districts, county offices of education, and charter schools shall annually inform parents and guardians of California's child access prevention laws and laws relating to the safe storage of firearms at the beginning of the first semester or quarter of the regular school term. You will find Assembly Bill 452 on the California Legislative Information web page at https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB452.

Senate Bill 906 - School Safety: Homicide Threats

Sections 49390 through 49395 are added to the Education Code. This bill seeks to address homicidal threats in middle and high schools and applies only to **local educational agencies that serve pupils in any grades from 6-12 as part of a middle school or high school**. LEAs serving these pupils must include information about child access prevention laws and laws relating to the safe storage of firearms in the annual notifications to parents/guardians at the beginning of the first semester or quarter of the regular school term. The law states that school officials are required to report homicidal threats or perceived threats, as defined, to law enforcement who must conduct an immediate investigation and threat assessment, as defined. You can find SB 906 on the California Legislative Information web page at https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB906.

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

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the Millbrae Elementary School District of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.^[1]
 - Note: The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian unless reasonable action is taken to secure the firearm against access by the child, even where a minor never actually accesses the firearm.^[2]
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.^[3]
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.^[4]

Note: Your county or city may have additional restrictions regarding the safe storage of firearms.

Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

Sincerely,
Debra French
Date published: August 1, 2023
California Department of Education

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

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

^[3] See California Civil Code Section 29805.

^[4] See California Civil Code Section 1714.3.

3. 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 at least 2 additional local contacts who are 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.

4. Open Meetings: Public Comments: Translation – GC 54954.3

As a parent, you have a right to participate in open meetings with the school district or charter school. If you require a translator, one will be provided to you with the time allotment doubled to allow for both English and primary language translation.

5. Parent Engagement- School Accountability – EC 11500, 11501, 11502, 11503

To participate in the district offerings of parent education and to provide parental input to the local training programs for parents, please contact Terry Brenner, Director of Educational and Administrative Services for more information on how you may contribute.

6. Parent Guardian Actions on School Grounds

It is unlawful for any person, except the parent/guardian acting toward their 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 Educational and Administrative Services, Terry Brenner, (650) 697-5693 ext. 021, 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.

7. Parent Participation in School Meetings and Conferences - LC 230.8

If the parent's employer has 25 or more employees, the parent must be allowed to attend school meetings and events for your 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 and reimbursement for lost income or benefits. See Labor Code 230.8 for more details.

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 their employer. (E.C. §48900.1)

9. Title I, Part A Funds

The Millbrae Elementary School District 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 the Millbrae Elementary School District 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". The Millbrae Elementary School District 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, the District 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.

10. 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.

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.

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.**

[Student Attendance Agreement](#)

1. 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.

2. Arrest of Truants/School Attendance Review Boards - EC 48263 and 48264

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).

3. 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)

4. Attendance Options/Permits - EC 48980(g)

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 interdistrict permit is required. Exceptions are for charter school, home school or other private school enrollments, and other online charter school options.

Residency: 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 Director of Educational and Administrative Services for more information on the protections afforded these students per California laws.

Interdistrict: An interdistrict agreement is signed by both the releasing and accepting districts. When denied, there are appeal processes according to the local district policies. The education rights holder may appeal to their County Office of Education for an appeal process within 30 days of a final denial from either district.

5. 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.

6. 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.

7. Chronic Absenteeism (EC 60901)

A student is considered a chronic absentee when they are 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) [AR 5113.1: Chronic Absence & Truancy](#)

8. Excused Absences - EC 46014 and 48205

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).

[AR 5113: Absences and Excuses](#)

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, including an absence for the benefit of the pupil's mental or behavioral health.
- (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) For the purpose of participating in a cultural ceremony or event.
- (12)(A) For the purpose of a middle school or high school pupil engaging in a civic or political event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence.
 - (B) (i) A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one school day-long absence per school year.
 - (ii) A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision (c) of Section 48260.
- (13) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.
 - (a) 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.
 - (b) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
 - (c) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
 - (d) "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.

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.

9. 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))

10. Home Hospital Instruction

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:

- a. Provide a Home Hospital Request Form which includes: Diagnosis and anticipated length of confinement (three weeks minimum).
- b. A doctor's release (indicating an exact return date) is required before the student may return to school.
 - The release must be taken to the student's school of attendance with a copy sent to the Education 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.

11. 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.

12. Instruction for Pupils with Temporary Disabilities – EC 48206.3, 48207, and 48208

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)

A pupil with a temporary disability which makes attendance in the regular day classes or the alternative educational program in which the pupil is enrolled impossible or inadvisable may receive individualized instruction provided in the pupil's home for one hour a day. Please contact Terry Brenner, Director of Education Services at TBrenner@millbraesd.org

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 (5) 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.

13. Notification of Minimum Days and Student-Free Staff Development Days

The school calendar is 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 advance notice. (E.C. § 48980(c))

[2023-2024 School Calendar](#)

14. 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))

15. Truancy Definitions - EC 48260, 48262 and 48263.6

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.

16. 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 Director of Educational and Administrative Services, Terry Brenner at (650) 697-5693 ext. 021 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.

17. 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

TRANSFER PROCEDURES

1. Residency Requirements (EC 48200, 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. For more information on the protections afforded these students per California laws, School of Origin – EC 48204 and 48853.5, et. al., please contact your school site principal.

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.

2. Inter-District Attendance – EC 46600

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 Board Policy. Transfers will be approved based on this policy and MUST be renewed annually by April 30. 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 they are 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 Educational and Administrative Services at (650) 697- 5693 ext. 021. (E.C. §48307)

An interdistrict agreement is signed by both the releasing and accepting districts. When denied, there are appeal processes according to the local district policies. The education rights holder may appeal to their County Office of Education for an appeal process within 30 days of a final denial from either district.

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.

Regardless of whether an agreement exists or a permit is issued, the school district of residence cannot prohibit the transfer of a pupil who is a child of an active military duty parent to a school district of proposed enrollment if that district approves the application for transfer. Nor may a district prohibit an interdistrict permit release when no intradistrict permit options are available to a victim of bullying. 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.

A student who is appealing a decision for an interdistrict permit approval through the County Office of Education may be eligible for provisional admission to the desired district in grades TK through 12, while continuing through the process of appeal, if space is made available by the desired district, not to exceed two months.

A pupil who has been determined by personnel of either the school district of residence or the district of proposed enrollment to have been the victim of an act of bullying, as defined in EC 48900(r), shall, at the request of the parent or legal guardian, be given priority for interdistrict attendance under any existing agreement or, in the absence of an agreement, be given additional consideration for the creation of an interdistrict attendance agreement.

Interdistrict permits shall not be denied for release from district of residence, but may require the same entrance requirements from desired districts. 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. Coursework and graduation requirements are exempted for children of active military.

Each school district shall post their interdistrict policy agreements and local district caps on their district and/or school websites. Reasons for approval and denial of interdistrict transfer requests must be updated on the district website according to board policies. The County appeals process will be offered with the final denial in writing by the school district. The County appeal process may take up to a maximum of two months. If you have any questions about the interdistrict process, please call the district office at (650) 697-5693 ext. 021 or call the County Office at (650) 802-5354.

3. Inter-District 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.

4. Inter-District Transfer Approval Criteria

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 the school environment for reasons of personal and social adjustment.

5. Intra-District Attendance Procedures

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

6. Intra-District Transfer - Victim of a Violent Crime – 20 USC 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, including a public charter school, 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 Superintendent's office.

7. Intra-District Transfer - 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 the Millbrae Elementary School District. 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.

8. Intra-District/Intra-District Revocation Criteria for 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

9. 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 Millbrae Elementary School District Board of Trustees makes the final decision. (E.C. 48980(m), 48929)

10. Notice of Alternative Schools - EC 58501

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.

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

1. **Availability of Prospectus – EC 49063, 49091.14**

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 Educational and Administrative Services department for a copy of the prospectus.

2. **California Healthy Youth Act – EC 51930-51939**

The California Healthy Youth Act requires school districts to provide pupils with integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention education at least once in middle school and once in high school. It is intended to ensure that pupils in grades 7-12 are provided with the knowledge and skills necessary to:

- a. protect their sexual and reproductive health from HIV, other sexually transmitted infections, and unintended pregnancy;
- b. develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family; and
- c. have healthy, positive, and safe relationships and behaviors. It also promotes understanding of sexuality as a normal part of human development.

Parents or legal guardians have the right to:

- a. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV prevention education.
- b. Request in writing that their child not receive comprehensive sexual health or HIV prevention education.
- c. Request a copy of Education Code sections 51930 through 51939, the California Healthy Youth Act.
- d. Be informed whether the comprehensive sexual health or HIV prevention education will be taught by district personnel or outside consultants.
- e. 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.
- f. When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV prevention education, be informed of: a) The date of the instruction, and b) The name of the organization or affiliation of each guest speaker.

3. **Camera Surveillance on School Property - PC 647(j)**

For the safety of our students, staff and visitors, the Millbrae Elementary School District employs camera surveillance equipment for security purposes. This equipment may or may not be monitored at any time.

Surveillance cameras will generally be utilized only in public areas where there is no “reasonable expectation of privacy.” Public areas may include school buses; building entrances; hallways; parking lots; front offices where students, employees and parents come and go; gymnasium during public activities; cafeterias; and supply rooms. However, it is not possible for surveillance cameras to cover all public areas of District buildings or all District activities.

District surveillance cameras will not be installed in “private” areas such as restrooms, locker rooms, changing areas, private offices (unless consent by the office owner is given), or classrooms.

4. **Career Counseling & Course Selection – EC 221.5(d)**

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

5. **Internet Safety**

The Millbrae Elementary School District prides itself on providing a safe learning environment for its students. An emerging national concern is the inappropriate use of the Internet by students. This problem has the potential to be harmful, and we ask your support in assisting us with this challenge.

Across the nation, schools have seen an increase in negative student behavior as a result of messages written using electronic technology, posted to popular social networking Web sites. Many sites contain instant messaging components that allow students to chat with other students and to post statements that ordinarily would not be said in a face-to-face conversation.

The popularity of these Web sites seems to be growing. FaceBook.com, for example, is said to have millions of members and has become one of the most popular "message exchange" sites among students nationwide.

Unfortunately, some of these websites are being used by child predators, "cyber bullies," and con artists. To our knowledge, there are no adults officially responsible for monitoring the content on such Web sites, and some students use the sites to participate in online bullying or to threaten harm to other students. The so-called "cyber bullies," mostly children between the ages of 9 and 14, use the anonymity of the Web to hurt others without witnessing the consequences. Students who are bullied online sometimes do not report these occurrences for fear that they will be barred from using the Internet.

Outside of our schools, there have been instances of adults posing as youths and gaining access to student chat rooms. In some cases, these contacts have led to tragedy. Some unsuspecting students post enough personal information that predators are able to locate students' home or school addresses, thereby becoming easy targets for predators.

The Millbrae Elementary School District has blocked the use of these social networking Web sites from our school computers. We will continue to block objectionable material as we deem appropriate.

Parents should be aware of what their children are writing on the Internet and what others are posting in reply. These Websites are public domain, and anything posted there can be seen by anyone who has Internet access. Although most of what is written is not immoral, offensive, or illegal, some of it is. If you choose to do so, you may investigate this site by personally logging on to the site. The services are free, and users may register using an e-mail address. Once you have registered, you can search by name and email address to see if your child is registered. You can narrow the search results by entering the name of your city. You will be able to view the kinds of personal information, messages, diaries, and photographs that students post to this Web site

Helpful Tips and Resources

We encourage you to talk with your student about the potential danger of the Internet. Ask if they have an account with Facebook, Instagram, Snapchat, or similar Websites. If your child is using such a site with your permission, you may want to review his or her profile to ensure that no personal and identifiable information has been posted. We also encourage you to establish rules and guidelines to ensure the safety of your child while on the Internet. The Millbrae Elementary School District will continue to provide Internet security within our schools. It is important that parents also monitor Internet use at home. Thank you for your support and cooperation in keeping our students safe.

6. 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.

7. Sexual Abuse and Sex Trafficking Prevention – EC 51950 and 51900.6

Our schools provide age-appropriate instruction for students in kindergarten through grade 12, in sexual abuse, sexual assault awareness, sex trafficking, strategies to reduce their risk, techniques to set healthy boundaries, and how to safely report an incident through prevention education. Parents or guardians may submit a written request to excuse their child from participation in any class and assessments related to that education.

8. Student Success Teams (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.

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.

Parents/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)

AVAILABLE LANGUAGE PROGRAMS AND LANGUAGE ACQUISITION PROGRAMS MILLBRAE ELEMENTARY SCHOOL DISTRICT PARENT NOTICE

The Millbrae Elementary 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 Elementary 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 9 • 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 & 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 Debi Knecht, (650) 697-5693 x 033 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

1. 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).

2. 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).

3. Placement

The Millbrae Elementary School District 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 consists of the following:

- Program Coordinator
- School Psychologists
- Administrative Assistant
- Occupational Therapist
- Speech & Language Pathologists
- Teachers
- Behavior Services Supervisor
- Board Certified Behavior Analyst
- Behavioral Specialist
- Paraprofessionals

The Special Education 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 Specialist helps build individualized and classroom based behavior supports and strategies, and the

Boars Certified Behavior Analyst oversees the direct service for behavior intervention services throughout the school district, and the Behavior Services Supervisor oversees behavior supports district wide and develop district wide trainings . 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.

4. 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 Millbrae Elementary School school sites or at specific locations throughout the county.

5. Qualifying for Special Education

The Millbrae Elementary School District 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)

6. Child Find System – 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.

All parents have the right to initiate a referral for an assessment to determine if their child meets the Federal eligibility for one of the 13 educational disabilities. A referral for Special Education Programs and/or services may be initiated by placing a request, in writing, to the school principal. The District has written procedures in place for a continuous child-find system which addresses the relationship among identification, screening, referral, assessment, planning implementation, review, triennial assessment, and parents' rights and is extended to children with disabilities who are homeless or wards of the state. Any student with exceptional needs who is eligible to receive education instruction, related services, or both, will receive such services at no cost to the parent or guardian. (EC §56030) Anyone who has a concern that the District may be in non-compliance with any state or federal laws governing special education may file a complaint against the District. Procedures are available at the District Office. (EC Title 5, §3080 and 3081)

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 San Mateo County SELPA 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, please contact the 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.

7. Section 504 – 29 USC 794, 34 CFR 104.32

Section 504 of the Rehabilitation Act of 1973 is a federal law which prohibits discrimination against persons with a disability. The Millbrae Elementary School District provides a free and appropriate public education to all pupils regardless of the nature or severity of their disability. The District has a responsibility to identify, evaluate, and if eligible, provide pupils with disabilities the same opportunity to benefit from education programs, services, or activities as provided to their non-disabled peers. To qualify for Section 504 protections, the pupil must have a mental or physical impairment which substantially limits one or more major life activities. For additional information about the rights of parents of eligible pupils, or questions regarding the identification, evaluation, and eligibility of Section 504 protections, please contact the Special Education Department at (650) 697-5693 ext. 020.

8. 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))

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.

9. 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.

10. Special Education – Use of Assistive Technology – EC 56040.3

Assistive technology is kept at school for regular maintenance and updates. Upon exiting the school district, students may continue to use the assistive technology devices provided by the school as determined by the IEP team offer for a maximum of two months until a replacement or comparable device is obtained.

STUDENT RECORDS

1. 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)

2. Pupil Records – EC 49063, 49069.7, 49070

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm or other means, must be maintained on the history of a pupil's development and educational progress. The District will protect the privacy of such records.

Parents/guardians have the right to 1) inspect and review the pupil's educational record maintained by the school, 2) request that a school correct records which they believe to be inaccurate or misleading, and 3) have some control over the disclosure of information from educational records. School officials with legitimate educational interests may access pupil records without parental consent as long as the official needs to review the records in order to fulfill his/her professional responsibility. Upon request from officials of another school district in which a pupil seeks or intends to enroll, the District shall disclose educational records without parental consent.

Parents' request to access their pupil's educational records must be submitted in a written form to their current school and the school will have five (5) business days from the day of receipt of the request to provide access to the records. Copies of pupil records are available to parents for a fee of \$.20 per page.

Any challenge to school records must be submitted in writing to the Superintendent. A parent challenging school records must show that the records are 1) inaccurate, 2) an unsubstantiated personal conclusion or inference, 3) a conclusion or inference outside the observer's area of competence, 4) not based on the personal observation of a named person with the time and place of the observation noted, 5) misleading, or 6) in violation of the privacy or other rights of the pupil. 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

3. Pupil Records Obtained from Social Media – EC 49073.6

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 turns 18 years old or one year after the student is no longer enrolled, whichever comes first.

4. 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 & text 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)

5. 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)

EDUCATIONAL SERVICES

1. Child Abuse And Neglect Reporting

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 reasonable suspicion abuse or neglect has occurred. District employees may not investigate to confirm a suspicion. All complaints must be filed through a formal report, over the telephone, in person, or in writing, with an appropriate local law enforcement agency (i.e., Police or Sheriff's Department, County Probation Department, or County Welfare Department/County 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 a 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 Superintendent's Office at (650) 697-5693 ext. 029.

Child abuse does not include an injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school to stop a disturbance threatening physical injury to people or damage to property;

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

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.

2. 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 Terry Brenner, Director of Educational and Administrative Services (650) 697-5693 ext. 021. 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.

3. 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 Terry Brenner, Director of Educational and Administrative Services (650) 697-5693 ext. 021. 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)

[Student Housing Questionnaire](#)

4. 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)

5. Mental Health - EC 49428

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

Our district will notify parents/guardians at least twice per year. This is one time through our Annual Notifications, we will also notify you again a second time this school year through ParentSquare.

6. School Counseling and Guidance Program

The Millbrae Elementary School District 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.

7. Search of School Lockers – EC 49050

School lockers remain the property of the Millbrae Elementary School District, even when assigned to students. The lockers are subject to search whenever the District finds a need to do so. The use of the school locker for other than school-related purposes is prohibited. Improper use of school lockers will result in disciplinary action.

8. 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. Local Districts were required by California law to provide suicide prevention education, according to age-appropriate and sensitive local policies, for grades 7 to 12. Legislators have determined that training in mental health and coordination around improved services is extended to our elementary students. A shared goal by all staff educators is to keep a safe place to learn, free from harm to any of our students.

9. 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

1. General Information

Millbrae Elementary School District currently employs a District Nurse and LVNs that work as a team with school administration, and staff to provide support to help children learn. 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.

2. 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 an Emergency Seizure Medication Authorization form 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)

3. 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.

4. Confidential Medical Services – EC 46010.1

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.

5. Confidentiality of Medical Information Act - CC 56.10

School linked service coordinators will have access to health care information which complies with federal health insurance

Requirements. The coordinator must be credentialed and service with confidentiality requirements per licensed school nurses, marriage and family therapists, and clinical counselors.

6. 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.

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.

8. Emergency Treatment for Anaphylaxis – EC 49414

EC 49414 requires school districts to provide epinephrine auto-injectors to school nurses and trained personnel and authorizes them to use epinephrine auto-injectors for any student who may be experiencing anaphylaxis, regardless of known history. Anaphylaxis is a severe and potentially life-threatening allergic reaction that can occur after encountering an allergic trigger, such as food, medicine, an insect bite, latex or exercise. Symptoms include narrowing of the airways, rashes or hives, nausea or vomiting, a weak pulse and dizziness. It is estimated that approximately 25% of the anaphylactic reactions occur during school hours to students who had not previously been diagnosed with a food or other allergy. Without immediate administration of epinephrine followed by calling emergency medical services, death can occur. Being able to recognize and treat it quickly can save lives.

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.

9. Entrance Health Screening – HSC 124085

State law requires that the parent or legal guardian of each pupil provide the school within 90 days after entrance to first grade documentary proof that the pupil has received a health screening examination by a doctor within the prior 18 months. 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. Pupils 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.

[Report of Health Exam for School Entry](#)

10. 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.

11. Health Office

The Licensed Vocational Nurse (LVN) is a member of the multidisciplinary team, under the guidance of a District Nurse (RN, MS, CPNP-PC) 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.

12. 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 specialists 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 Lucille 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.

13. Immunizations - EC 49403, 48216

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.

Per California Senate Bill 277, beginning January 1, 2016, parents of students in any school will no longer be allowed to submit a personal beliefs exemption to a currently required vaccine. A personal beliefs exemption on file at school prior to January 1, 2016 will continue to be valid until the student enters the next grade span at kindergarten (including transitional kindergarten) or 7th grade.

Students are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunizations records for these students to their schools. The immunization requirements do not prohibit students from accessing special education and related services required by their individualized education programs.

A student not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed to a specified disease and whose documentary proof of immunization status does not show proof of immunization against one of the communicable diseases described above.

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

- (a) All new students, in transitional kindergarten through grade 12, 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.

Free- or low-cost immunizations for children are available at:

[San Mateo County Health Exam and Immunization Clinic Schedule - English](#)

[San Mateo County Health Exam and Immunization Clinic Schedule - Spanish](#)

Information about a medical exemption or personal beliefs exemption from immunizations for your student is available at CAIR ME. For more information on medical exemptions, please visit the following website: <https://cair.cdph.ca.gov/exemptions/home>.

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.

Additional immunization information can be found at:

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/School/shotsforschool.aspx>

14. Immunizations - Seventh (7th) Grade

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.

15. Medication Regimen – EC 49423, 49480

The parent or legal guardian of any pupil taking medication on a regular basis must inform the district nurse and school principal of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian, the district nurse may communicate with the physician and may counsel with school personnel regarding the possible effects of the medication on the pupil.

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 [Parent/Physician Authorization and Release for the Administration of Medication at School](#) form. 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.

Any pupil who is required to take, during the regular school day, medication prescribed by a physician may be assisted by the district nurse or other designated school personnel if the school district receives both a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken requesting the district

nurse to assist the pupil with prescribed medication as set forth in the physician statement.

Student may carry and self-administer auto-injectable epinephrine or inhaled asthma medication if the school district receives both a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken and a written statement from the parent or guardian requesting that the student self-administer. All requests are to be approved by the district nurse prior to use. A [Parent/Physician Authorization and Release for the Self-Administration of Medication at School](#) form must be completed by their physician and signed by the student and their parent on file in the health office.

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)

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.

The Millbrae Elementary School District 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.

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1. Talk to your child's doctor about making a medicine schedule so that your child does not have to take medicine while at school.
 2. If your child is regularly taking medicine for an ongoing health problem, even if he or she only takes the medicine at home, give a written note to the school nurse or other designated school employee at the beginning of each school year. You must list the medicine being taken, the current amount taken, and the name of the doctor who prescribed it (EC 49480).
 3. If your child must take medicine while at school, give the school a written note from you and a written note from your child's doctor or other health care provider, who is licensed to practice in California. Provide new, updated notes at the beginning of each school year and whenever there is any change in the medicine, instructions, or doctor (EC 49423).
 4. As parent or guardian, you must supply the school with all medicine your child must take during the school day. You or another adult must deliver the medicine to school, except medicine your child is authorized to carry and take by him or herself. All controlled medicine, like Ritalin, must be counted and recorded on a medicine log when delivered to the school. You or another adult who delivered the medicine should verify the count by signing the log.
 5. Each medicine your child must be given at school must be in a separate container labeled by a pharmacist licensed in the United States. The container must list your child's name, doctor's name, name of the medicine, and instructions for when to take the medicine and how much to take.
 6. Pick up all discontinued, outdated, and/or unused medicine before the end of the school year.
 7. Medicinal cannabis may be administered at school by parent according to local district adopted policy, which must include: no disruption of educational environment or exposure of cannabis to other students, parent administration only – no staff members to administer cannabis, removal of any remaining cannabis and packaging from school site, parent method to sign in and out for administration and medical recommendation to be kept on file according to confidential health records. The use of smoke or vape forms of cannabis is expressly forbidden on school campus.
 8. Know and follow the medicinal policy of your child's school. The school board may amend or rescind any of their policies for any reason in a public board meeting.

Please email District Nurse Julie Lustig with any questions at jlustig@millbraesd.org.

16. Oral Health Assessment – EC 49452.8 (K-8)

Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. Dental assessments must be completed in the 12 months prior to entry or by May 31st of the pupil's first school year. 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)

[Oral Health Assessment](#)

17. Pesticide Products

The Healthy Schools Act of 2000 requires all California school districts to notify parents and guardians of pesticides they expect to apply during the year. We intend to use the following pesticides in your school this year:

Name of Pesticide (Common Name)

Bifenthrin and similar bifenthrin-based products

Active Ingredient(s)

bifenthrin (synthetic pyrethroid)

You can find more information regarding these pesticides and pesticide use reduction at the Department of Pesticide Regulation's Web site at <http://www.cdpr.ca.gov/>

Parents or guardians may request prior notification of individual pesticide applications at their school site. If you would like to be notified at least 72 hours before a scheduled pesticide application at your school site, please contact the Maintenance Department at rcorrea@millbraesd.org to request a Pesticide Application Notification Form.

If you have any questions, please contact Ralph Crame, Chief Business Official by email at rcrame@millbraesd.org.

[Integrated Pest Management Plan](#)

18. Physical Examination – EC 49451

A parent or guardian may file annually with the school principal a written statement, signed by the parent or legal guardian, withholding consent to a physical examination of the pupil. However, whenever there is good reason to believe that the pupil is suffering from a recognized contagious or infectious disease, the pupil shall be sent home and shall not be permitted to return until school authorities are satisfied that the contagious or infectious disease no longer exists.

19. 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.

20. TB Tests

It is recommended that all children registering for the first time to a California Public School, if the student is from out of the country or out of the state, or the student is registering for the first time in Transitional Kindergarten or Kindergarten, negative TB results taken within the last 12 months or a California Pediatric Tuberculosis Risk Assessment must be completed by a licensed practitioner. 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.

[California Pediatric Tuberculosis Risk Assessment](#)

21. 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.

CHILD NUTRITION SERVICES

1. Meal Service for the 2023-2024 School Year

For the 2023-2024 school year, **ALL** students who participate in our meal program will be provided with one breakfast and one lunch each school day, **FREE OF CHARGE**, through California's Universal Meals Program. MESD participates in the National School Lunch and School Breakfast Programs which require compliance with strict nutritional guidelines, ensuring students are fed nutritious meals, appropriate for their age/grade level. The Child Nutrition Department strives to provide meals that students will enjoy, will sustain them throughout the school day and will aid in their learning process to achieve academic success. For more information on the benefits of participating in our school meal program, visit the Child Nutrition Services website at <https://mesdk8childnutrition.org/>.

As COVID challenges are ongoing, our department may continue to modify our typical meal service style to ensure we prioritize the health and safety of our students and staff. These modifications may include the following, based on the needs of the department: pre-bagged fresh fruits or vegetables in lieu of a self-serve salad bar or providing wrapped utensils for our meal service. COVID continues to affect our supply chain, resulting in challenges sourcing and securing products, as well as impacting delivery of goods and services. These issues may continue to affect our menu offerings and menu changes may be made without notice. 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.

2. Free and Reduced-Price Meals - EC 49510 et. seq

Commencing in SY 2022–23, *Education Code (EC)* 49501.5 requires public school districts, county offices of education, and charter schools serving students in grades TK–12 to provide two meals free of charge (breakfast and lunch) during each school day to students requesting a meal, regardless of their free or reduced-price meal eligibility.

3. Meal Applications- **IT'S MORE THAN A MEAL APPLICATION!**

Submitting a meal application is essential as these applications ensure the district receives additional funding to support student learning, enhancing their educational opportunities - a direct impact on your student(s). Additionally, completing these forms may directly provide families with a variety of discounted services! ***All information provided on free & reduced meal applications remains confidential and are only used to determine meal eligibility.*** Applications are available online and can be accessed by visiting <https://www.myschoolapps.com/Application>. Additional information on the importance of completing a meal application and instructions on how to apply are provided on our Child Nutrition Services website. Please submit ***ONE application per family, per school year.***

4. Direct Certification Notification

If a student(s) in your household has qualified for Direct Certification, you will be notified by mail indicating that your child(ren) have been automatically approved. ***You do not need to complete a free & reduced meal application in this case.*** If there are other siblings in the household that are not listed on the letter, please contact Child Nutrition Services at 650-697-5693 x354 - missing students will be added without need for another application.

5. 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 Special Meal Accommodations 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 Nurse.

6. Child Nutrition Website/Menu Information

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

7. Wellness Policy

The District strives to provide students with a healthy school environment as there is a direct link between health and learning. A Student Wellness policy (BP5030) has been adopted by the Board of Education outlining the district's efforts to provide a healthy school environment. The Child Nutrition Department contributes to this healthy environment by providing school meals that meet required federal nutrition standards for [breakfast](#) and [lunch](#) set by the United States Department of Agriculture (USDA) and state nutrition standards set by the California Department of Education (CDE). All meals served include a variety of fresh fruits and/or vegetables, whole grains, low-fat or non-fat milk choices and meet sodium, fat and calorie standards.

Fundraising events, classroom/school celebrations and school rewards in which food items are provided to students must ensure compliance with these [USDA/CDE nutrition standards](#). **The district strongly encourages the use of non-food items for these events.** If food items are provided to students outside of the school meal program, they must be held after school dismissal unless the meal provided has been planned in coordination with Rachel Gekas, Director of Child Nutrition services, to ensure that all USDA/CDE nutrition standards have been met. For additional information, visit the Wellness Policy section of the Child Nutrition Services webpage.



STUDENT BEHAVIOR

1. 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.

2. Safe Place to Learn Act – EC 234 and 234.1

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, or association with a person or group with one or more of these actual or perceived characteristics. All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any student who engages in acts of discrimination, harassment, violence, intimidation, or bullying related to school activity or school attendance occurring within a school of the school district may be subject to disciplinary action up to and including expulsion. To report an incident and/or to receive a copy of the district's antidiscrimination, anti-harassment, anti-intimidation, and anti-bullying policies, please contact the Director of Educational and Administrative Services.

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.

3. Student Dress Code (TK-8th Grade)

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.

In order to create a productive educational environment for all students, it is important that student dress be suitable for school attendance. Good grooming, cleanliness, and appropriate dress are necessary to reduce distraction and promote student health. Extremes in dress and personal appearance, which tend to cause distractions or cause health problems, are never appropriate at school.

Listed below are Millbrae School District regulations for TK-8 student dress at all schools. Students who are not dressed appropriately for school will be sent home and not readmitted until suitably dressed.

- Clothing must not advertise, promote, or encourage the use of alcohol, drugs, tobacco, sex, or violence, nor have markings or language that is offensive, obscene, suggestive or promote disruptive or illegal activity.
- Clothing that is "gang-like" is never acceptable. Items such as marked baseball caps, sagging pants, tagged belts, bandanas, or other gang-related items will be at the discretion of the administration.
- No tank, halter, or crop tops, spaghetti straps, or garments that reveal underwear, cleavage, or stomachs.
- No revealing shirts or shorts.
- Make-up is not appropriate in grades TK-5.
- Athletic shoes and socks are required for participation in PE (K-8) and are necessary for play equipment safety (TK-5). For safety purposes, flip flops are not appropriate for recess play or PE.

4. 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)

5. Duty Concerning Conduct of Student

Every teacher in 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.

6. 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)

7. 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.

8. Grounds For Suspension and Expulsion

School safety continues to be a high priority in the Millbrae Elementary School District. We work closely with the Millbrae Sheriff's Department to ensure that we maintain the highest standards of safety possible, both in our schools and in our city. These measures are implemented to ensure the safety of your child. Grounds for Suspension and Expulsion, per Education Code 48900 et. seq can be found here:

[School Safety/Student Conduct](#)

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 Millbrae Elementary School District 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.

9. 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.

10. School Safety: Bullying

The Millbrae Elementary School District is committed to the prohibition of discrimination, harassment, intimidation, and bullying including cyberbullying on social media. 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 our district counseling liaison available to assist you in identifying and stopping this behavior at: (650) 697-5693 ext. 021.

11. 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)).

12. 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.

13. 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.

14. Property Damage – EC 48904

Parents or guardians may be held 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.

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))

15. 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."

16. School Safety: Bullying

The Millbrae Elementary School District is committed to the prohibition of discrimination, harassment, intimidation, and bullying. 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 school site principal immediately. Our district counseling liaison available to assist you in identifying and stopping this behavior at: (650) 697-5693 ext. 021. 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.

17. Cyber Sexual Bullying

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

18. Walking or Riding a Bicycle to School - VC 21212

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 upon 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.

DISCRIMINATIONS, PROTECTIONS, COMPLAINTS & PROCEDURES

1. Nondiscrimination Statement – EC 221.8

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 (e.g., athletic teams, sports competitions, and field trips) and to use facilities consistent with their gender identity. The District assures that lack of English language skills will not be a barrier to admission or participation in 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, please contact Terry Brenner, Director of Educational and Administrative Services at tbrenner@millbraesd.org

2. Educational Equity: Government Instruction Conferences - EC 224

The Sex Equity in Education Act exempts any discrimination based on male or female identity for pupils who seek to participate in state or national conferences, therefore, furthering California's goal of providing an equal educational opportunity to all students by prohibiting the use of public resources when a program discriminates based on gender.

3. 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)

4. 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 the Millbrae Elementary School District'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.

5. Williams Complaint Policy and Procedure - EC 35186

Every school must provide 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. School facilities must be clean, safe, and maintained in good repair. There should be no teacher vacancies or mis-assignments. 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 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. Notice of the Williams Policy and Complaint procedures are posted in all classrooms.

6. Sexual Harassment – EC 231.5, 48980(f)

The Millbrae Elementary School District is committed to maintaining a learning and working environment that is free from sexual harassment. Any student who engages in sexual harassment of anyone in or from the district may be 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. For a copy of the district's sexual harassment policy or to report incidences of sexual harassment, please contact your students principal.

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

7. Title IX Notifications – EC 221.61

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, please visit our website at <https://www.millbraeschooldistrict.org/Page/183>.

8. Uniform Complaint Procedures

The Uniform Complaint Procedures (UCP) complaint is a written and signed statement by a complainant alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation, bullying or charging pupil fees for participation in an educational activity or non-compliance. The person who receives the complaint shall respond to the parent in writing within 60 days. The parent may appeal to CDE within 15 days if not in agreement with the final report.

Please contact Terry Brenner, Director of Educational and Administrative Services at tbrenner@millbraesd.org if you would like more information on how to file a complaint with the school or district, prior to appealing to the CDE. For more information you may go to the CDE website: <https://www.cde.ca.gov/re/cp/uc/ucpmonitoring.asp>

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/Page/448](https://www.millbraeschooldistrict.org/Page/448) 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.

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:

Terry Brenner
Director of Educational and Administrative Services
555 Richmond Drive, Millbrae, CA 94030
(650) 697-5693 ext. 021
tbrenner@millbraesd.org

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

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, at (650) 697-5693 ext. 021 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 Educational and Administrative Services at (650) 697-5693 ext. 021.

NOTIFICATION OF DISTRICT DOCUMENTS

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

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

School Accountability Report Cards (SARC):	https://www.millbraeschooldistrict.org/domain/83
Local Control Accountability Plan (LCAP):	https://www.millbraeschooldistrict.org/domain/83
Expanded Learning Opportunities Plan:	https://www.millbraeschooldistrict.org/Page/432
Strategic Plan:	https://www.millbraeschooldistrict.org/Page/294