

**SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT**  
**Minutes of the Board of Trustees' Special Meeting of October 12, 2021**

This meeting included closed captions which required the Board to provide a break, for the stenographer's benefit, after approximately every 1.5 hours.

**OPEN SESSION - 7:02 p.m.**

**B. ROLL CALL**

Board Members:	Mr. John Baker - Present Dr. Chialin Hsieh - Present Ms. Daina Lujan - Present Mrs. Patricia Murray - Present Mrs. Mina Richardson - Present Ms. Samantha Avila Gomez, Student Board Member - Present
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Cabinet Members:	Dr. Shawnterra Moore, Superintendent - Present Mr. Keith Irish, Assistant Superintendent, Educational Services and Categorical Programs - Present Mr. Ted O, Assistant Superintendent, Business Services - Present Dr. Jay Spaulding, Assistant Superintendent, Human Resources and Student Services - Present
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**C. PLEDGE OF ALLEGIANCE**

**D. LAND ACKNOWLEDGEMENT STATEMENT**

We acknowledge that the South San Francisco Unified School District is located on the unceded ancestral homeland of the Ramaytush Ohlone peoples who are the original inhabitants of the San Francisco Peninsula.

We wish to pay our respects by acknowledging the Ancestors, Elders, and relatives of the Ramaytush Community and by affirming their sovereign rights as First Peoples.

**E. COMMUNICATIONS**

Public comments were submitted in advance of the meeting, were read by all Board members and posted on the District's website before the meeting.

The following were live comments made in-person or through Zoom:

Russell Lee, an alumnus, commented on the small community presence at this meeting. He supports current and previous students who had to deal with police brutality or being criminalized by the SSF police. Many students, parents, and other community members do not feel comfortable with having the SLO program on campus. "SLOs are responsible for criminal law issues, not school discipline or poor behavior issues." "There is no way to foster real positive relationships between police and kids because at the end of the day, a cop's job is to employ punitive methods for systemic social issues. Their lessons, quote-unquote, always conclude with threats of arrest and incarceration, with no real analysis of why people do bad things or kids." He asked the Board to end the SLO program.

Andrea Sims, an alumna, spoke in support of ECHS and SSFHS students who have asked to remove SLO's on campus and not have an MOU. Recently, an SLO officer illegally killed a Long Beach USD student on campus. This occurrence has made students fearful of what the SLO officers in the District will do. She said students have told the Board that SLO's are not trained or equipped to work with students on the levels needed and more counselors, staff, and teachers are needed. She urged the Board to end the SLO program and encourage City Council to reallocate those funds back into the District. She said other districts have successfully removed SLO's.

Lilliana Rivera said she is disappointed that the Board is moving to in-person comments only, which will increase the barriers for public participation. She sees this as a step backwards for the equity they care about and urged the Board to retain Zoom comments. She encouraged the Trustees to end the SLO program. Since the program was suspended, there have been several occasions when police still came onto campus. If police do not adhere to rules, how can they be good examples to students. Ms. Rivera said the SLO program does not work and wants the District to invest in restorative justice programs. She told the Board to "...actually look at what the data says, even if it makes you uncomfortable, if it's going to make your cop friends mad at you, you need to do what's right by the students."

Joliza Gomez, a SSFHS student, requested that the Board reject the MOU, end the SLO program, and urge City Council to reinvest those funds into efforts that will truly benefit students. This program only creates an environment of fear for students and there is no place for cops on campuses. Instead of approving the MOU and formalizing the school-to-prison pipeline, the money could be spent on hiring counselors to listen to students and help them through their problems. She noted that the District is out of compliance with State law about implementing composting since janitors are understaffed and underpaid and cannot do that work.

Joseph Lopez, a recent graduate, urged the Board to vote no on the MOU and discontinue the SLO program. "Students must have the ability and freedom to

learn in an environment without the oppressive gaze of police officers. Police officers do not ensure security on school campuses. They induce fear and angst. The resources wasted in the SLO program should go directly to the schools, to the janitors, teachers, new counselors and educational programs that students desperately need.”

Brenda Gonzalez, a SSFHS student, said the Board “...should end the SLO program because for the past decades, it has been a reinforcement of the school-to-prison pipeline, a way for students to be threatened and criminalized, and a symbol to students that the Board sees as a hazard.” Since the program was suspended, cops are still showing up on campus. She said an SLO presence is harmful to students and suggesting the police, as figures of oppression, build relationships with students is cruel. Actual counselors, trained and educated on working with students, are needed. The Board should prioritize having staff that is trained on de-escalation and police should only be called for emergencies. The District needs to invest in restorative justice. “It's time that you get to the root of the issues in our schools rather than continue to fund a program that disciplines students in ways that are ineffective (and) harmful...”

DeVante Jewett said having police on campus does not benefit the growth and education of students. The SLO program inflicts fear and re-enforces the school-to-prison pipeline. Instead of keeping the program, he wants funding for counselors and those who are actually contributing to students' learning. He said cops are rooted in white supremacy and oppressing marginalized communities. It is a false narrative that the program will make things more equitable while it is creating more disparity and inequalities.

Eddy Holman, an alumnus, spoke about discontinuing virtual public comments. He noted a mostly empty gym at this meeting and asked if that is the participation and democracy the District wants. The Board does not want to hear what the community has to say. He said an MOU, between the District and the police which preserves the role of the SLO's, is a continuation of the school-to-prison pipeline. “You don't want to change your opinion because you're afraid to admit that you could have been wrong, and all we're asking you to have, have the courage to do the right thing, to do right by our students.” Mr. Holman read the conclusion of an ACLU letter which was sent to the Board and City Council which stated: “We urge you to join the growing list of school districts that have eliminated school police programs to achieve authentic student well-being, safety and equity.” He asked the Board to listen to the students and the community.

Aristel De La Cruz spoke about the SLO program. He said students presented data about how the program is harmful and has been waiting for a response from the Board and Cabinet to debunk the data. The current version of the MOU is similar to what was submitted months ago and does not include edits which were going to be made. He said this encourages apathy and discourages the community from participating in Board meetings since none of their input was

taken into account. The MOU does not represent student voices. Mr. de la Cruz said the Chief admitted police officers do not have the skillset to help students as someone with actual training. If the District wants to be equitable and disrupt mass incarceration ending the SLO program and not having a relationship with police officers unless there is an emergency is the first step.

Hector Camacho spoke about the role of student voices in all conversations throughout California. He said the experts on student experiences are the students themselves who can speak on what they experience on a day-to-day basis. His personal goal, as that of several board members, is hearing students, understanding where they are coming from, and using that to help inform decision-making. He supports students and the Board for their difficult decision ahead.

Cesar Rodriguez spoke in support of educators who deserve to see competitive salaries and also to support continuing remote participation in meetings. The Board should continue to facilitate ease of participation from the public. Regarding the SLO program, he said students have called for an end to the program and have provided evidence-based research to illustrate the dangers of having police on campus. He said cops in school are detrimental to migrant students and those with disabilities. Mona Rodriguez was shot and killed by a school resource officer, which is a comparable program. Mr. Rodriguez said there are alternatives which he has shared with the Board.

President Daina Lujan asked Superintendent Shawnterra Moore to comment on the \$500K for the SLO program and clarify who manages the funding and whether the District has any authority over the money. Dr. Moore said part of the relationship means that the City of SSF funds the School Resource Officers/School Liaison Officers and the District does not manage the money or have control over how it is being utilized and spent.

President Lujan also asked for information on reports that police are still coming onto campus. The Superintendent replied there have been situations when leadership may have had to call CPS or social services for a situation and they oftentimes also call the police to come to the campus and help address the situation. She added that District staff have had to contact the police based on a mandatory Ed Code requirement where they have to come in and provide support, but that has happened infrequently. It was because a social worker or CPS called them, it was not because District staff did.

## **ACTION**

### **1. ADMINISTRATION**

- a. Approval of SSFUSD and SSF PD School MOU for Resource/Liaison Officers on School Campuses**

Superintendent Moore introduced the item and provided some background on the MOU process to date. Last year, it was realized that no formal MOU between the SSFUSD and the SSF PD, regarding the SLO program, existed. Since that time, District staff was directed to conduct study sessions, and the Board held several meetings to determine whether or not to maintain the SLO program. The Superintendent also held several student focus groups to elicit their feedback and listen to stories of their experiences with diverse perspectives represented. After reporting out to the Board, District personnel were asked to work with City staff and proceed in developing an MOU with specific guidelines and agreements for continuing the SLO program on campus. This July, an updated MOU was presented at a City Council meeting. Several changes to the MOU were made by City Councilmembers. On this version, number 11, along with version 10, previously approved by the City Subcommittee, was then reviewed by the Board on August 4. At that time, the Trustees determined they were not in agreement with either version and chose to make additional changes before approval. They provided their proposed changes to Dr. Moore who integrated them into version 12 of the MOU. The Board discussed this MOU and determined the next steps.

President Lujan said the Trustees were looking at version 12 with highlighted changes. A productive way to start the conversation would be to have a straw poll to see if the Board wanted to move forward with an MOU, and if so, reach consensus on proposed changes they wanted to see.

Trustee Chialin Hsieh asked about the process and if once the Board agreed on the MOU at this meeting, whether it would then go to the City for their changes and come back again to the Board. Dr. Moore said if the District submits the updated MOU (version 13) to the City and they approve it, then it would not need to come back to the Board. However, if the City disagrees with the new changes, then the MOU would come back to the Board to discuss and determine if they agreed with any City edits. The Superintendent said that once the Board approves version 13, she would work with legal counsel to make sure everything is good and it would then be sent to the City with the recommended revisions. She confirmed that if the MOU is not approved at this meeting, based on Board direction, the SLO program would remain suspended until it is approved.

Trustee Hsieh asked what the impact has been on students, teachers, staff, and site administration while the program has been suspended. Dr. Moore said the impact has varied and there have been several situations where there were safety concerns, and the District was not

able to connect with the police for support because it was outside the scope of the MOU. With some situations that occurred on campus, administrators have been reticent, and rightly so, because there is no agreement in place and she was clear with the direction of the Board and what was going to be done. Even taking an opportunity to try to reach out to the SLO officers without an agreement in place, has been really hard in terms of communication and responsiveness. She said ambiguity and challenges across the board have occurred because people need clarity and they are used to calling and asking for assistance such as traffic being out of control. The District has heard from several neighbors saying it is horrible this year. She then turned the question over to Director Ryan Sebers since he receives many concerns and questions.

Mr. Sebers said for a school administrator their discretion to make decisions about the safety of the school is very complicated. While everybody could have different definitions of safety, it is pretty clear that administrators are very keen on the physical and emotional safety of students and school staff. Now administrators are questioning where they normally would exercise their instinct. There is some doubt now and a hesitation for the process by which they are coming to the conclusion that they may want to call for support is in question. When these steps take place, it can result in delayed responses to certain things that may otherwise need a prompter reaction. While administrators may be dealing with a situation that is clearly outlined in the penal code or the Ed Code violations which are part of the mandatory calls, there are still questions about them calling. Mr. Sebers clarified that when the District says it is suspending the SLO program, this refers to the part that is deliverable to us verses the part that exists within the police organization. So, within their various roles, that SLO handles certain levels of responsibility that are integral to their own function. They are also officers who are out supervising the community, responding to community issues, and they may very well be responding to District issues in that process. Sometimes there is a safety issue, but it relates directly to the school and they need their person to determine the flow of resources and what subsequent decisions will be made. He said there tends to be some confusion about who is being called and when. He concluded "...the impact is on the ability of site administrators to be able to exercise discretion at the point that it is necessary and it is responsive to a safety-related issue, but it is not as effective or as efficient as it actually should be so that we can ensure that we are as proactive as possible in our attempt to maintain safety standards."

Student Trustee Avila Gomez asked if the District had looked into the Oakland USD and other districts, which suspended their SRO program, and considered applying those guidelines to SSFUSD in terms of suspension. Dr. Moore replied that it is more about internal processes and reiterated that the District is getting many calls and complaints on traffic impacting neighborhoods which is something an SLO would typically address. While administrators were clear about not calling, some situations are nuanced and it is not possible to capture every scenario, so they will still be calling and asking for clarification. Student Trustee Avila Gomez asked about hiring crossing guards at schools with traffic issues. Dr. Moore said there is a shortage of these jobs across California.

Student Trustee Avila Gomez said police have been on the SSFHS campus and interrogated students without telling them of their rights and searching them without consent. Superintendent Moore stated that she was not informed about this and such concerns should be brought forward prior to a meeting so they can be addressed. Director Sebers added that in individual situations where someone feels they have been unfairly treated they are encouraged to report it to their site administration immediately. He shared that a record-keeping tool has been implemented for administrators to log every contact.

President Lujan said a good starting point would be knowing if the Board wants to approve an MOU and if so, they could then discuss the changes. Trustee Patricia Murray recalled that the Board had already agreed to continue its relationship with the police department and they would be discussing version 12 of the MOU at this meeting. The Board was in agreement with discussing the MOU and whether they could approve any revisions.

Trustee Murray read the following statement:

“An MOU is a broad outline of an agreement that two or more parties have reached. It’s not the job of the School Board or City Council to micromanage this process. Our job is oversight. Does the MOU have the items needed to outline a clear understanding between the SSFPD and the SSFUSD?”

A great SLO program MOU will include: 1) The mission/purpose, 2) SLO Roles and responsibilities, 3) SLO supervision and evaluation, 4) SLO training, 5) Community engagement, 6) Activities/Data Sharing, 7) Expenses 8) Review and revision. (didn’t read)

Do we trust our staff? The two parties responsible for this program, Director Sebers and Chief Azzopardi, have crafted an amazing MOU in Version 11. Director Sebers Has worked in the district since 1999. He’s

in charge of (among other things) student /school safety. He has worked with the SSFPD over the years and I trust, has the best interest of our students at the core of his work. Chief Azzopardi has been a staunch advocate of the SLO program because he's seen the good that can come of it. He started his career in SSF as a School Liaison Officer.

We have spent over a year discussing the SLO program. We have had at least 5 meetings where it was discussed as an agenda item (7/16/20, 7/27/20, 1/21, 3/21 and tonight.) Nicole Anderson Consulting facilitated one of the meetings highlighting equity and the program. We have collected data from our community; parents, students and community members through "Thought Exchange" and student focus groups, presented at our 1/21/21 meeting and had a presentation from a local advocacy group, Change SSF, also on 1/21/21. At the end of all of this, the Board gave direction to continue our relationship with the Police Department, but with an MOU.

There have been 12 MOUs before us. Number 11 was clearly the best and had everything we could possibly want. TRUST OUR STAFF!!

Since the beginning of the school year, I have heard from many community members: parents, students and teachers. They have all complained that they do not feel safe without our ability to call the police when needed.

"Community is much more than belonging to something, it's about doing something together that makes belonging matter." As I've said before, the SSF officers are not as one dimensional as they've been described. They are members of our community. They are parents of our students. They have grown up here and attended our schools. They are student Police Explorers. They live in our city. They shouldn't be treated with such disdain.

- Chief Azzopardi was an SLO who worked his way up the ranks protecting this program for our kids.
- Officer Smith is one of SLOs and he graduated from ECHS, as did his siblings and parents.
- Officer Lopez is our other SLO and has seen the amazing things this program has done for our students in our 25+ students who are Police Explorers.
- Captain Carlino has spent a lot of time volunteering at Martin ES, one of our Title 1 schools. I've seen him at Career Day, Track and Field Day, Ruby Bridges events and promotions.
- One of our officers became an officer even though his father was killed in the line of duty.

- Corporal Curmi was raised in SSF, was an SLO and a member of our ad-hoc Safety Committee and offered a much needed perspective.
- Officer Walsh, a 15 year veteran SSF officer, recently became the first woman motorcycle officer in SSF. What a great role model for our girls.
- In West Winston Manor, the SSFPD partnered with the community to have a Friday Night Basketball session. On and off duty officers came by to play basketball with the kids so that they could make that connection... IT TAKES A VILLAGE!

I want to urge my colleagues to pass MOU version 11 with only one change... more data collection.”

Trustee Hsieh said, as a Board, they need to be mindful to not penalize a program or partnership that has been working with the schools for many years. They also need to consider the different student experiences at all school levels. She appreciated how Dr. Moore incorporated the Trustees’ feedback into the complicated document. She stated that the “use of campus security” on page 5 should not be included in the MOU as it is not part of the relationship between the District and the police department. She suggested it be part of an internal document. Trustee Hsieh said the detailed “SLO roles and responsibilities” on page 6 should not be included as something could potentially be left out and the Board should not dictate operational items. She reminded the Board that there cannot be any contradictory verbiage between the MOU and appendix 2 and suggested Dr. Moore work with County Counsel to ensure that does not happen.

Trustee John Baker stated the following:

“I do not support a routine casual police presence on campus. There's both anecdotal and peer reviewed evidence that having police on campus can have some negative effects as the input we've received over the past year. Maybe there was a stronger case for SLO's in the 80's...but while our schools are not problem-free now, our stats do show that crime is relatively low on our campuses and it has been for a while. There's a metaphor here, patients with cancer have to suffer through chemotherapy, and it's really tough. But you don't continue it as a prophylactic when the cancer is in remission because it can do more harm than good. And I think there's some transfer of that over here. One of our public comments earlier said cops don't create safe campuses, our staff and students do, and I agree. We need to refocus our resources on ourselves. Now that being said, there are numerous times where police presence on campus is required, either ethically or due to the penal or education code. Such as weapons violations. I would in that case rather have that officer who responds be one with

extra training in juvenile justice and who has some familiarity with our campuses and not one who may be stressed out by some other issue in the community. So, I do support some written agreement so we have some leverage because without one, we have none. When this MOU came before us last time, I think I upset many of my colleagues, most of the City and here on the Board by insisting on...29 changes. You know, but I think a lot of those are important. Over the last couple months, I have tried to make sure that any MOU we pass has elements to preserve our students' rights, to mitigate the disruption and fear some of our students have reported and to eliminate as many calls to police as possible. And I do want to counter some input we had earlier saying this current draft doesn't have input because I've reached out in the community trying to get as much input from the public included in this draft as possible. I've reached out to criminal justice professors, community organizations, as well as having other informal contacts with students. I'm not going to pretend that even if all my changes are accepted...it wouldn't be a perfect document. But I can't let perfect be the enemy of the good because I think without an MOU, without some written limits in it, our students will not be protected. I'm going to be honest and probably burn a bridge here, but I think there's a lot of what I want to call metaphorical baton swinging by police upper management behind the scenes. It's been very disturbing. Dr. Moore spoke earlier on how police seem reluctant to check in on traffic because things like that are the liaison officer's job. While I'd like to see as many of my changes be accepted as possible, I have some leeway. But there are some deal breakers. I will not support an automated renewal. I will not support an MOU that does not collect data without which we could judge the program's effectiveness. I will not support an MOU that brings police to campus for casual discipline or without a robust complaint process. If we can adopt most if not all of the proposed changes, I can be a little more assured of our students being protected. Because as I've said without an MOU, the District has very little leverage on police conduct in our schools. With it, we at least have some.”

Vice President Mina Richardson reported that she did some research on this program when the police presented it to the Board in 2005 and said the City does not have a gang problem. Being on a gang list meant the person had graffitied something, they were a latch key kid and were “home grown”. The Board at that time said they had a relationship with both the police and fire departments. She said the Board allowed the departments to say anything that they wanted, without any collaboration. “So, we have policing in our District for over 40 years. That’s a generation”. The community thinks they cannot do without this type of policing on campus. The effects have been seen.

Vice President Richardson said the State has said they need to stop the school-to-prison pipeline and the Board needs to act. She said programs which are run by the City and funded by taxpayers will continue. Some programs cannot or should not be on campus. The SLO program has not been evenly implemented and has harmed some District schools. She said nothing changed until the Board decided to put in writing something that speaks to the needs of the newly adopted equity policy. There has been a shift from suspensions and expulsions to hiring more counselors and addressing the underlying cause of student misbehavior. In 2019, California banned suspension in elementary and middle schools for willful defiance. The MOU is a natural progression on the rules that the District needs to follow. She thinks the MOU is well written as amended and the Board members had an adequate opportunity to bring forth their concerns and whatever they wanted to add. It is more equitable than what she has seen with the program.

President Lujan agreed with a speaker who said the decision is not an easy one, but it is an opportunity. She said the association between the two entities has not been clearly defined and has been allowed to evolve over time without thoughtful reflection on what the nature of the relationship should be. Data collection is valued and she thanked Mr. Sebers for being proactive and working toward getting something in place and following the Board conversations. President Lujan said the purpose of an MOU is to set parameters, trust staff, and not get “too far down into the weeds”, which creates problems. For example, the use of campus security as the only form of security for sites is limiting. The District has vastly different needs in the student populations. It is important to be mindful of the voices they have heard, but also create space so everyone feels safe on campus.

Dr. Moore called out one recommendation for the Board’s consideration. The MOU talks about the District having the ability to conduct its own investigations against the police department. She noted that investigations are done for employees, but are not typically done for other agencies’ employees and it could potentially present some challenges for both the District and the police department. Trustee Baker said it was one of his comments and he intended it for the District to be able to investigate whether the MOU or student rights were violated, not to investigate a person from another agency. He suggested rephrasing the item so the District can say it is not what was agreed to in the MOU.

Vice President Richardson said some parts of the MOU were clearly delineated because with other District MOU’s with the City the rules are not being bent a bit. It is also extra insurance for specific

instances, such as having police at promotions and/or graduations and avoiding miscommunications. The language needs to be specific.

Trustee Baker said he agreed that some MOU items such as “campus security” and “roles and responsibilities” should be part of an internal process document or staff addendum instead. This companion document would provide guidance to staff on penal code, education code, and which staff are responsible for what.

The Board recessed at 8:32 p.m. for a break and reconvened at 8:42 p.m.

The Board then reviewed the MOU (version 12) page-by-page.

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**Goals and Objectives,**

- Item c, the Trustees agreed it should be changed from “*Establish a positive working **relationship***” to read “*Establish a positive working **partnership***.”
- Item e, was updated and will read “*The District desires to reduce ~~police contacts~~, **student suspensions, expulsions, and referrals to the criminal justice system to the furthest extent possible.***” as it speaks to the school to prison pipeline and also aligns with the District’s goals.

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**Goals and Objectives (continued)**

- Item g, the following bold wording was added: “*Refer student cases to restorative justice alternatives/programs and court diversion to the greatest extent possible **prior to relying on the court or penal system.***”

In relation to this item Student Trustee Avila Gomez asked what restorative justice programs were being implemented in the schools. Also, SSFHS counselors told her that restorative justice training is optional and offered to only a limited number of teachers. She questioned what programs will be taught to all teaches, staff, and administrators. President Lujan requested Cabinet to respond to what is currently in place in terms of Alternative to Suspension and Expulsion programs and the plans for supporting staff with learning restorative practices. Assistant Superintendent Jay Spaulding replied that right now there is not a comprehensive restorative justice practice system in place for the District. However, the Board approved hiring an Alternative to Suspension Coordinator, Alicia Young, who began this year. She is doing restorative practices circles, working

with the secondary schools first and reaching out to those school sites that are interested. She will be providing some PD on November 1 and February 1. He stated that while the District does not have a comprehensive restorative justice practice program in place, they are working towards alignment at all the school sites. Trustee Baker said the verbiage allows the District to scale according to what is in place. President Lujan asked Student Trustee Avila Gomez if that answered her question. She replied, "Yes, we're working on an SLO MOU before we are advancing restorative justice programs. Got it."

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#### **Anti-racism and Discrimination paragraph**

In relation to this item Student Trustee Avila Gomez made the following statement regarding the MOU: "As I was reading it, I take a lot of pride in being a brown, immigrant girl. I have friends who are undocumented, family who are undocumented and a lot of people in the community are undocumented and while the only portion you stated for immigration is that an SLO can't question a student on their immigration. Status or question their family members immigration status there seems to be no protection for them, so I was wondering, what are we going to do about that. If we passed, I don't know what the resolution number is, but I remember that when DACA was under attack by the Trump Administration in 2016, you passed a resolution saying you would protect your undocumented immigrants and undocumented community. So, I'm just wondering where that popped up in this MOU? I know that some may think that we shouldn't be going deep into the weeds into this subject, but I think when it is about our students safety and the safety of our community, we shouldn't just glance over it and leave room for questionability. I think we should just... take step back and actually talk to our immigrant community on what they would want to hear. I know that just saying SLO's will not question their students or family members about their immigration status might not be enough because they can ask questions in another way that isn't directly saying, what's your immigration status. But it can be, like, incriminating questions so just, I think, like, this process was really rushed and I think we should just take a step back and add more on how are we protecting our immigrant community in South City. There is no secret that San Mateo County has the highest deportation...rate in California, but we are deporting at a higher rate than other counties. We should take a step back and think about how are we protecting our marginalized communities in South City."

President Lujan recommended tightening up the language. The statement was updated with the new language, in bold, and reads: *“Additionally, **in accordance with Federal and State law which provides that undocumented schoolchildren must be provided the same education offered to citizens, and which protects undocumented schoolchildren from unreasonable search and seizure**; in order for all students and families to feel comfortable and secure in the school environment; and consistent with the City of South San Francisco’s existing policies for the SSFPD, SLOs will not question students or their parents or family members about their immigration status.”*

Vice President Richardson said it is important to communicate adequately what the Board intends so both the District and the City understand what is said in the MOU.

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#### **District’s Role and Responsibility**

- Item b, the Board agreed to change *“Establish and implement student safety and ~~campus—climate~~.”* to *“Establish and implement student safety and **positive school climate programs**.”*

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#### **District’s Role and Responsibility (continued)**

- For item h, *“Annually, District staff will receive and provide training on when to contact police and when not to contact them pursuant to established District processes, to ensure clarity of expectations.”* and Item I, *“Handle all student disciplinary concerns that are not mandatory in nature for and address situations without the involvement of SLOs (beyond the mandatory scope of CA Ed. Code § 48902 and Penal Code § 245).”*, the Board wants to have the internal document indicate how these items will be addressed.

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#### **Campus Security**

As previously agreed, this item will be removed and included in an internal document.

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#### **School Liaison Officer Role and Responsibility**

- The bullets through *“Participation in Assistant Principal meetings at the District Office”* were removed to be included in the internal document.

Student Trustee Avila Gomez asked if the internal document would be reviewed and voted on by the Board at a later meeting. President Lujan said the Board does not review or vote on every staff document.

Item a, the following bold wording was added: *“The School Liaison Officer (“SLO”) is a police officer; not a schoolteacher, school administrator, or school counselor, **and therefore will not be expected or asked to act in those roles.** The SLO will work with families, individual students, and other school staff members with counseling and guidance efforts when requested and appropriate, **and will defer to the decisions of those groups.**”*

Trustee Baker stated that these words were added since many students said the SLO’s were being asked to act as counselors and administrators of school justice. Trustee Hsieh agreed in keeping the language to acknowledge the public’s voice. The Board reached consensus with Vice President Richardson also agreeing.

- Item d, the following bold wording was added: *“Provide students, staff, and parents with a familiar and recognizable law enforcement contact. SLOs will work to create positive relationships with teachers, students and staff through **appropriate social interactions** when not responding to requests for assistance.”*

The Board discussed the language on removing the specific details on what classes will be taught and that they would be conducted over Zoom. Vice President Richardson asked if the Board was not considering those programs or devaluing them. President Lujan noted that the details would be something for the companion document. She said the concern is that if the classes are stipulated, anytime there is a change the MOU would need to be revised. Trustee Baker noted that removing the specific details is akin to making sure the District is not requiring those things. Vice President Richardson hoped to keep the Zoom aspect. President Lujan said, based on the quality of instruction via Zoom vs. in-person, she would have concerns about limiting it to only Zoom. Vice President Richardson said not all schools have received the programs at the age appropriate time, which goes against the District policy of equity. Trustee Baker said the Board needs to continue to trust staff to a certain extent. It was agreed that the balance of verbiage in this item will be included in the internal document.

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**School Liaison Officer Role and Responsibility** *(continued)*

- Item e, the Board agreed not to include the verbiage for when it is appropriate to contact the police at different school events and activities, but to include that in the internal document.
- Item g, for the SLO casual appearance, '... **or business suit.**' was added.

Page 8 - No changes were made.

Page 9

**Role of School Liaison Officers During Investigations at School Sites**

- Item e, the language was strengthened to make it clear that there are no illegal or unnecessary searches happening. The original item read: "SLOs and other police officers assisting schools with investigations, when evidence of a crime has not yet been definitively determined, including when a school investigation has not yet revealed sufficient evidence of a crime, do not assume responsibility for searches just because they are asked to assist. If, during an investigation, an SLO or assisting officer determines that evidence of a crime is sufficient to then begin a police investigation...." The revised language is shown in bold as: "SLOs and other police officers assisting schools with investigations, **when there is no probable cause to believe that the student has committed or has knowledge about a crime, do not assume responsibility just because they are asked to assist. If, during an investigation, an SLO or assisting officer determines that there is probable cause to believe that the student has committed or has knowledge about a crime such that a police investigation should be initiated....**"

Page 9

**Guidelines for Distinguishing Between Disciplinary Misconduct and Criminal Offenses**

- Item a, the following bold wording was added: **School administrators have broad latitude in addressing minor violations of the District Expectations for Student Success Handbook, that may also be violations of the law. Minor violations of the District Handbook should be addressed by the school administrators without involvement of the SLO. Involvement of police on school campuses, beyond the mandatory scope of Cal. Ed. Code § 48902 and Penal Code § 245, will be at the discretion of District officials/site administrators, in the interest of the safety of the District's**

*learning communities. In exercising such discretion...*

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**Guidelines for Distinguishing Between Disciplinary Misconduct and Criminal Offenses** *(continued)*

- Item f, was added and will read *“Except in exigent circumstances, school principals / principals’ designees will be advised prior to an arrest of a student on school grounds. The student’s parent or guardian will be immediately notified when the student is released to a law enforcement officer.”*

Student Trustee Avila Gomez said there was ambiguity in the item about where a student would be arrested such as in the Principal’s office, lunch room, etc. Dr. Spaulding noted that Item e does indicate: *“ If circumstances require an arrest to occur on school grounds, the SLO shall be mindful of the educational environment and of other students who may witness the arrest. Whenever possible, arrests should not occur during the lunch hour, before or after school, or in open areas on a school campus where there is a potential for a large number of student witnesses.”*

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**Student Rights**

- Item b, the following bold wording was removed *“The SLO will inform school administrators prior to questioning a student on school grounds **to the greatest extent possible**”*.

Page 11 - No changes were made.

**Training and Reports on SLO activity**

- For Item c, *“The SLO will receive specialized training regarding the education of students disabilities...to help the SLO understand the unique needs of students with disabilities.”* Student Trustee Avila Gomez asked what the training will be and the data behind it to help students. She referenced an ACLU letter which stated that POC and students with disabilities are arrested at a great rate in the District. Dr. Moore said the training would be coming from the Director of Special Education, the same training provided teachers on management and de-escalation. Item d, talks about the non-punitive approaches in behavior management, so it would be captured there and staff would be facilitating those trainings.

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**SLO Performance and Review**

- Item c, Dr. Moore reiterated that investigations are done for employees, but the not typically done for other agencies' employees.
- Item d, the Board agreed that the District would not take on the role of investigating the police. However, they did want a process by which the District could play a role in investigating and rectifying a situation if the rights of a student or family have been violated. The following bold wording was added *“SSFPD will maintain methods for members of the public, including District students and employees, to file complaints against SSFPD officers, including SLOs. Complaints may be filed anonymously, and may be submitted in writing using forms provided by the SSFPD or in any other manner. The current versions of the SSFPD’s forms are attached hereto as Appendix 3, and may be updated without an amendment to this MOU. **The District has an independent right to investigate complaints from students and employees, including interviewing the SSFPD officers involved, to determine whether a breach of this MOU has occurred.**”*

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#### **Program Evaluation and Assessment**

- Item a, 2, the Board wanted to hear from a representative sample of students who have interactions with the police on school campuses. Trustee Baker said it was his intent to not limit feedback to the student council only as that may not be a representational cross section and he wanted to expand input from as much of a variety of students as possible. Superintendent Moore said they want to be open and also need to think age appropriate with data and useful information.

The verbiage was expanded from: *“An internal survey of school administration, faculty, and student council members, primarily concerning perceptions of safety and security relative to the Program.”* to include the following bold wording: *“An internal survey of school administration, faculty, and student **representatives who have had interactions with law enforcement officers on campus will be conducted. The number of student representatives whose input will be sought will vary according to grade level. The survey will be primarily concerned with perceptions of safety and security relative to the Program**”.*

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#### **Program Evaluation and Assessment (continued)**

- Item c, the following bold wording was added: “*The City Council and District Board of Trustees will receive an annual report regarding the Program. SSFPD and the District will bring proposed amendments to this MOU to the City Council and District Board of Trustees as necessary and not solely as part of the annual presentations to the City Council and District Board of Trustees. **This report should include aggregated data on why police were called to campus, who called them, demographic data on the students and other people with which they interacted, and outcomes (including arrests, citations, and other data).***”

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### Termination

- Item a, the Board decided to not have an automatic renewal at first. Trustee Baker said any changes or concerns can be addressed prior to a renewal of the MOU. Vice President Richardson recommended adding a timeline for the City’s response. It was agreed, that as with other MOUs, a presentation and approval of the SLO program MOU would be made at a Board meeting prior to renewal. Student Trustee Avila Gomez asked if the annual review would be done by both the District and the City. Dr. Moore said it would be a joint review. District staff would be evaluating, sharing the data, looking at the successes and challenges, and presenting it back to the Board so they could consider any revisions. Trustee Baker stated that the important thing is neither entity can renew it unilaterally. Dr. Moore confirmed that the District’s review of the MOU would be public, at a Board meeting.

The original language of “*The initial term of this MOU shall commence as of the date of execution and continue for one year. Thereafter, this MOU shall automatically renew each year for an additional one-year term, unless either party gives written notice of termination to the other party. Such termination is effective thirty (30) days after receipt of written notice sent by the terminating party.*” was changed with the following words in bold “*The initial term of this MOU shall commence as of the date of execution and continue for one year. Thereafter, this MOU shall **be reconsidered for renewal by both the SSFUSD and the SSFPD each year for an additional one-year term**, unless either party gives written notice of termination to the other party. Such termination is effective thirty (30) days after receipt of written notice sent by...*”

Trustee Murray asked if the MOU is approved, would the suspension of the SLO program be lifted. Dr. Moore replied that the Board would have to approve it. The document needs to be reviewed by the District's attorneys to ensure sure all Board changes are included. Then she will sign it, send it to the City to sign, and then the Board with decide when to reinstate the SLO program. Trustee Murray said it might be something they could do in good faith due to the many community complaints she has received. Trustee Baker said although he does not think the MOU is a perfect document, it is far better than having nothing as they had before. He said until it is approved by both sides, the SLO program should not be reinstated because the City might not agree to some of the terms the Board discussed. President Lujan recognized the process which needs to be followed. The MOU will be provided to the City as quickly as feasible. She said everybody is supportive of the program being reinstated.

MOTION #66 (Richardson/Murray) to approve an MOU, (version 13) between the SSFUSD and the SSF PD regarding the SLO program on school campuses with changes made at this meeting. Motion Carried. (Unanimous)

Student Trustee Avila Gomez asked if the MOU revisions made on immigration status will not be seen before it is passed by the City Council. Dr. Moore said that was correct.

**ADJOURNMENT - 9:34 p.m.**