

Discussion: The proposed resolution would eliminate the Department contract with San Jose Unified School District and the sworn officers by not renewing the Memorandum Of Understanding and pledging to have no new MOUs with SJPD in the future. It would direct the Superintendent to reallocate funds previously used for sworn police officers toward student support positions and programs such as counselors, school-based social workers, psychologists, restorative justice practitioners, or other mental or behavioral health professionals, and ongoing restorative practice training as the budget supports, to meet the needs of students. It would also direct the Superintendent to launch, by no later than August 20th, 2020, an inclusive, community-driven process – involving parents, students, teachers, school administrators, student support staff, and youth-led coalition San Jose Strong, and other community partners – for completing a revised District safety plan with strategies for enhancing student learning, safety, and well-being within the District.

San Jose Unified School District Board of Education

RESOLUTION NO. 2020-08-06

Derrick Sanderlin Resolution to Defund the police in the San Jose Unified School Budget

WHEREAS, the San Jose Unified School District (“District”) has an obligation to promote the healthy development of each one of its students, which includes protecting them from the impact of systemic racism and violence to the greatest extent possible while they are at school; and

WHEREAS, it has become clear that the District can no longer sit quietly and employ its own police force amid countless nationwide acts of police violence, particularly against the black community; and

WHEREAS, the San José Police Department has recently failed to practice humane protocols on community members—on May 29, Derrick Sanderlin, a San José-based community leader who provided implicit-bias and procedural-justice training for incoming San José police officers over the past three years, [was shot by police with a riot gun at close range and severely injured](#) for peacefully protesting and attempting to de-escalate violent police actions especially those directed at women and children; and

WHEREAS, in wake of the brutal murder of George Floyd in the city of Minneapolis by Minneapolis Police Department officers on May 25, 2020 and in response to the local, national and international demands for justice to end anti-Black racism and policing practices; and

WHEREAS, as a result of the persistent deaths of innocent Black citizens in the United States at the hands of police officers, the Minneapolis, Denver, Portland, Chowchilla, Oakland, San Francisco, East Side Union, and Alum Rock school districts, along with others across the country, are terminating contracts with police departments for the policing of schools and, therefore, students; and

WHEREAS, on July 15th, the local teachers union, San Jose Teachers Association, unanimously passed a resolution to deny the renewal of the MOU and agree that it is no longer fiscally possible or financially sustainable to invest in the current structure of safety practices of employing a police department within the District; and

WHEREAS, African-Americans make up only 7.4% of the combined population of Alameda, Contra Costa, San Francisco, San Mateo and Santa Clara counties, yet they accounted for a staggering 27%, respectively, of those killed by police in the region since 2015, [with SJPD being the most fatal police department](#); and

WHEREAS, the District has a long record of disproportionately disciplining, suspending, and expelling Black and Brown students, who accounted for 57% of the District’s enrollment but accounted for [66% of those suspended](#), and 77% of total suspensions; thereby involving them in the criminal justice system by having students lose important time from classroom and further contributing to the school-to-prison-pipeline; and

WHEREAS, by having police in school buildings, the District exposes Black, Brown, Indigenous students, and all students of color, who currently comprise [61%](#) of the student body, to early police contact, which can lead to higher chances of being criminalized;

WHEREAS, such a deeply embedded and institutionalized form of preemptive policing has extremely significant consequences such as foreclosing opportunities toward graduation, college, and employment for San José's Black and Brown youth, which fundamentally undermines the economic and public health of Black and Brown communities by restricting access and opportunity; and

WHEREAS, the perpetuation of the school-to-prison pipeline is incompatible with our goal of creating safe, healthy, and equitable schools for all District students, and over [500 community members have signed a petition](#); and

WHEREAS, for years, the District has allotted funds to the San José Police Department that could have been used to hire personnel including counselors, school-based social workers, psychologists, restorative justice practitioners, or other mental or behavioral health professionals or used to pay for music, science camp, athletics, field trips, and after school programs at our different school sites; and,

WHEREAS, the San Jose Unified District Black Lives Matter resolution set forth the goal of “committing to work for change, with a charge to instill in our youth a belief that every person deserves to live with dignity, be valued for their inherent humanity, and be treated ethically”; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Education (the “Board”) directs the Superintendent to take the steps necessary to eliminate the San Jose Unified Police Department and the MOU with SJPD prior to the beginning of the 2020-21 school year, or as soon thereafter as legally permissible; and

BE IT FURTHER RESOLVED, that the Board directs the Superintendent to ensure that henceforth the District will no longer employ law enforcement or armed security presence of any kind within District schools but may utilize the San José Police Department “Guardian Program” in active situations requiring police presence; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent to reallocate funds previously used for sworn police officers toward student support positions and programs such as counselors, school-based social workers, psychologists, restorative justice practitioners, or other mental or behavioral health professionals, and ongoing restorative practice training as the budget supports, to meet the needs of students; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent to launch, by no later than August 20th, an inclusive, community-driven process – involving parents, students, teachers, school administrators, student support staff, San Jose Teachers Association, and youth-led coalition San Jose Strong – for completing a revised District safety plan with strategies for enhancing student learning, safety, and wellbeing within the District; and

BE IT FURTHER RESOLVED that the Superintendent or her designee shall provide at least two reports to the Board during the 20-21 school year on the progress of the community-driven process in creation of a District safety plan, with adoption no later than December 31, 2020; and

BE IT FURTHER RESOLVED that this Resolution is aligned with the District's Black Lives Matter Resolution 2020-06-11-03, which affirms that “the San José Unified School District is committed to restorative justice practices, implicit bias training, ethnic studies course offerings, and resources that foster dialogue around the guiding principles of Black Lives Matter.”