



Hate @ Schools -- Opportunities Lost

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ISSUE

How are high school district staff and principals in San Mateo County responding to hate incidents or hate crimes occurring on campus?

SUMMARY

One cannot read newspapers or watch local or national TV news and be unaware of incidents of hate occurring around the country and among our country's youth. Crime data from the Federal Bureau of Investigations in 2018 identified K-12 schools and colleges as the third most likely location for hate crimes to occur.¹ Surveys of teachers nationwide document not only the increasing number of incidents but the lack of response by school leaders to discipline students, denounce the bias that occurred, or use the incident to reaffirm school values.² With an increase in students making derogatory remarks directed toward immigrants, racial and religious minorities, LGBTQ youth, and young women, there is heightened polarization on school campuses and incivility in classrooms which in some cases is leading to schools becoming hostile environments for racial and religious minorities and other vulnerable groups.³

Such incidents are also occurring in San Mateo County.

For example, between January 2018 and September 2019 three incidents, including one hate crime, were all reported at Burlingame High School. These publicized incidents led the San Mateo County Civil Grand Jury to investigate whether high school districts and school administrators in the County are identifying and tracking hate incidents and, if so, how are they responding. To answer these questions, the Grand Jury surveyed principals of County public high schools and conducted interviews with personnel in the San Mateo Union High School District where the three above-referenced incidents of hate occurred. Finally, the Grand Jury wanted to know whether there are local initiatives that support school climate goals with practical ideas for deepening understanding about diversity, building community and developing skills for students, teachers, parents, and community members.

¹ 2018 Hate Crime Statistics," FBI Uniform Crime Reporting, accessed May 4, 2020. <https://ucr.fbi.gov/hate-crime/2018/topic-pages/location-type>.

² *Hate in Schools*, Southern Poverty Law Center, 2019. <https://www.edweek.org/ew/projects/hate-in-schools.html>.

³ John Rogers, *Teaching and Learning in the Age of Trump: Increasing Stress and Hostility in American's High School*, UCLA's Institute of Democracy, Education, and Access, October 2017 Executive Summary V-V1.

The Grand Jury found:

- Of the 20 school principals responding to the Grand Jury's survey, only 16 incidents were reported over the past five years which could indicate either that County schools are not experiencing the rise in hate incidents noted nationwide or that teachers, administrators, and other staff as well as students are not reporting them.
- District policies on hate-motivated behavior lacked details regarding definitions, reporting, and district/school responses. None provided the information in plain language that would be more understandable to a general audience of students and parents/guardians.
- School administrators could not confirm whether students understood what constitutes a hate incident or inappropriate behaviors.
- After the three incidents at Burlingame High School, school and District administrators stated they did not believe such incidents reflected the dominant school culture. Yet, some students at the school expressed a belief that there was a lack of tolerance for minorities.
- Most schools offered programs that addressed school climate, although not all focused on addressing bias and hate.
- Local resources do exist. The San Mateo County Office of Education could be a resource through three existing programs. In addition, the Anti-Defamation League offers anti-bias and anti-bullying programming in the Bay Area specifically for schools.

The Grand Jury recommends the following:

- School districts should have clearly written anti-bias policies that ensure students are safe from harm, and that administrators are prepared to act swiftly and decisively to address all incidents of hate and bias when they occur.
- Since policies are often written to address specific legal requirements, additional materials should be (1) written in plain language that parents/guardians and students can understand,⁴ (2) available in multiple languages, and (3) distributed to parents/guardians and students at least annually.
- Districts and school staff must be proactive in addressing hate-motivated conduct and the school climate regarding such issues.
- The San Mateo County Office of Education should:
 - work with the Coalition for Safe Schools and Communities to consider either expanding their scope of work or forming an additional group to focus on how schools address hate.
 - continue to include speakers to address hate incidents and speech in schools at its annual conference; and
 - have staff develop a plan to make its *Camp LEAD* program accessible to County high schools.
- District staff should work with staff at the Anti-Defamation League to bring its program, *No Place for Hate*, into their schools.

⁴ Generally, it is recommended that materials for a general population be written at a 7th to 9th grade reading level.

GLOSSARY

Anti-Defamation League (ADL): a leading anti-hate organization. Part of its mission is to provide educational programs and resources to confront bias and bigotry.

Hate Crime: a criminal act committed because of one or more of the following actual or perceived characteristic of the victim: disability, gender, nationality, race, ethnicity, religion, or sexual orientation.⁵

Hate Incident: a non-criminal action that is motivated by one or more of the actual or perceived characteristics of the victim as noted under the definition of a hate crime.

Hate Speech: abusive or threatening speech or writing that expresses prejudice against a particular group, based on the actual or perceived characteristics of the victim as noted under the definition of a hate crime. The U.S. Supreme Court has repeatedly ruled that hate speech is legally protected free speech under the First Amendment.

Restorative Practices: behaviors to achieve discipline through participatory learning and decision making. Restorative practices focus on repairing harm.⁶

San Mateo County Office of Education (SMCOE): provides instructional support to local education agencies in curriculum and instruction, assessment, instructional technology, program improvement, and preschool and child-care quality improvement.

San Mateo Union High School District (SMUHSD): serves 8,900 high school students from the communities of San Mateo, Burlingame, Foster City, Hillsborough, Millbrae, and San Bruno. The District has six comprehensive or traditional high schools⁷ and a seventh designed to help students get on track academically while receiving emotional support and career preparation.

School Climate: is defined as the quality and character of school life and reflects the norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures.⁸

BACKGROUND

One cannot read newspapers or watch TV news and be unaware of incidents of hate occurring in the country and among our country's youth. In Wisconsin, male high school students, almost all

⁵ California Penal Code, Chapter 1, 422.55.

⁶ International Institute for Restorative Practices, <https://www.iirp.edu/restorative-practices/defining-restorative/>. An example of a Restorative Practice is bringing victims and offenders and their supporters together to address the wrongdoing.

⁷ Schools are Aragon, Burlingame, Capuchino, Hillsdale Mills, and San Mateo High Schools.

⁸ <https://www.schoolclimate.org/about/our-approach>

white, were seen giving a Nazi salute in a prom photo.⁹ A six-second video resurfaced and went viral showing two sixth grade girls at an elite private school in blackface swinging their arms around like apes.¹⁰ Incidents such as these are not only reported by national media including the New York Times,¹¹ CNN,¹² and NPR,¹³ but also by local media including the *San Francisco Chronicle*,¹⁴ *San Mateo Daily Journal*¹⁵, KTVU Fox 2 in San Francisco^{16,17} and the *J. The Jewish News of Northern California*.¹⁸ Less sensational perhaps is the increase in hate speech in schools that may not gain media attention. Examples abound: a Latina student finds a note inside her backpack that says: Go Back to Mexico,¹⁹ or students using the “N-word” in halls or flashing swastikas when teachers are not looking.²⁰

The rise of hate incidents across the country and their impact on school climate has been noted by teachers. In 2018 the Southern Poverty Law Center (SPLC) documented a surge of such incidents involving race, ethnicity, religion, or sexual orientation in schools nationwide by monitoring incidents reported in the media and surveying educators around the country. Although in 2018 only 821 school-based incidents were reported in the media, according to the SPLC, 3,265 incidents were identified by 2,776 educators in the fall of 2018 alone. The teachers reporting incidents were two-thirds of those who responded to the SPLC survey. The SPLC found that most of the incidents witnessed by educators were not addressed by school leaders and in 57% of the incidents no student was disciplined. Furthermore, nine times out of 10 administrators failed to denounce the bias or reaffirm school values.²¹

⁹ Christina Maxouris, Eric Levenson, and Artemis Moshtagian, “Wisconsin high schoolers posed last spring in an apparent Nazi salute. Now police are investigating,” *CNN*, November 13, 2018. <https://www.cnn.com/2018/11/12/us/baraboo-high-school-nazi-salute-trnd/index.html>.

¹⁰ Nikita Stewart and Eliza Shapiro, “Blackface Video Has Elite New York Private School in an Uproar,” *The New York Times*, January 20, 2019. <https://www.nytimes.com/2019/01/20/nyregion/poly-prep-blackface-scandal.html>.

¹¹ Neil MacFarquhar, “Finding the Tools to Spot, and Fight, Intolerance in Schools,” *The New York Times*, November 24, 2019.

¹² Maxouris, Levenson, and Moshtagian, “Wisconsin high schoolers posed last spring in an apparent Nazi salute. Now police are investigating.”

¹³ Tovia Smith, “Fighting Hate in Schools,” *NPR*, April 5, 2017. <https://www.npr.org/sections/ed/2017/04/05/522718288/fighting-hate-in-schools>.

¹⁴ Anna Bauman, “FBI: Hate crimes rose 58% in San Francisco as nationwide numbers level off,” *San Francisco Chronicle*, November 15, 2019. <https://www.sfchronicle.com/bayarea/article/FBI-Hate-crimes-rose-58-in-San-Francisco-as-14836371.php>.

¹⁵ Priscilla Jin, “When Cheers can become disrespectful by Priscilla Jin,” *The Daily Journal Archives*, February 9, 2018. https://www.smdailyjournal.com/arts_and_entertainment/when-cheers-can-become-disrespectful/article_21aa9384-0e01-11e8-986d-47fb7b3a0df7.htmls.

¹⁶ “Hate Crimes jump after election,” *KTVU Fox 2*, published April 27, 2017. <https://www.ktvu.com/new/hate-crimes-jump-after-election>.

¹⁷ Jesse Gary, “Police investigating 3 instances of hate crimes at a San Jose school district,” *KTVU Fox 2*, published March 3, 2020. <https://www.ktvu.com/news/police-investigating-3-instances-of-hate-crimes-at-a-san-jose-school-district>.

¹⁸ Gabe Stutman, “Hate Flyers posted at ‘love your neighbor’ Modesto church,” *J. The Jewish News of Northern California*, November 1, 2019.

¹⁹ *Hate in Schools*, Southern Poverty Law Center.

²⁰ Grand Jury interview.

²¹ *Hate in School*, Southern Poverty Law Center.

A 2017 survey by the University of California of 1,535 high school teachers from around the country found that almost 30% of teachers reported an increase in students making derogatory remarks directed toward immigrants, racial and religious minorities, LGBTQ youth and young women during class discussions compared to prior years. Twenty percent of teachers reported heightened polarization on school campuses and incivility in their classrooms. Researchers noted these factors led to some schools becoming hostile environments for racial and religious minorities and other vulnerable groups. Forty-three percent of teachers reported that student concerns about hot-button issues (e.g. immigration) impacted their ability to focus on lessons and attendance and some teachers even noted the effect on students' education and career goals.²²

Statistics from the Federal Bureau of Investigations indicate that, in addition to hate incidents, hate crimes are occurring at K-12 schools, colleges and universities. In 2018, 7,120 crimes motivated by hate or bias toward a certain race, ethnicity, ancestry, religion, sexual orientation, disability, gender and/or gender identity were documented by law enforcement agencies.²³ Of these 9.2% took place at schools, the third most common location for these hate crimes.²⁴

As news reports and studies indicate, hate incidents and crimes are occurring in schools, including those in San Mateo County.²⁵ It was the publication of an incident at Burlingame High School that prompted the 2019-2020 San Mateo Grand Jury to investigate how high school districts and school administrators in the County are identifying and responding to such incidents. To answer those questions, the Grand Jury (1) surveyed principals of County public high schools, (2) conducted interviews in the San Mateo Union High School District, selected because it was the school district in which three publicized incidents of hate recently occurred, and (3) interviewed staff at the County Office of Education and community leaders.

During the writing of this report there has been a national outcry, led by Black Lives Matter, over the deaths of Black Americans, including George Floyd, Breonna Taylor, and Rayshard Brooks (among others), by police. The protests have forced many to recognize the systemic racism in the country. Systemic racism impacts life in San Mateo County for residents and is of concern and possibly should be investigated by a future Grand Jury. Unfortunately, it was beyond the scope of this report to proceed with a broader investigation into such issues. Notwithstanding this fact, the Grand Jury believes focusing on how school staff address incidents of hate is important. Schools not only educate our youth, but they also build character and prepare students for life in a diverse nation.

²² *Teaching and Learning in the Age of Trump: Increasing Stress and Hostility in American's High School*, UCLA's Institute of Democracy, Education, and Access, October 2017.

²³ "2018 Hate Crime Statistics," FBI Uniform Crime Reporting, accessed May 4, 2020. <https://ucr.fbi.gov/hate-crime/2018/topic-pages/incidents-and-offenses>.

²⁴ Ibid. <https://ucr.fbi.gov/hate-crime/2018/topic-pages/location-type>.

²⁵ Logan Stoner, "Arrest Made in Burlingame High School Hate Crime," *The Daily Journal*, October 18, 2019.

DISCUSSION

Surveys

The Grand Jury surveyed high school principals in six County high school and unified school districts²⁶ to:

- Document the number of hate incidents staff identified;
- Document how schools addressed hate incidents;
- Gather policies and procedures addressing hate motivated behavior and school response;
- Identify whether hate incidents could be reported anonymously;
- Identify school activities to raise student and/or staff awareness about hate issues; and
- Investigate whether students understand what constitutes a hate incident.

The survey was sent to 23 high schools; 20 responses were received.²⁷ (See Appendix A for a copy of the survey.)

Incidents and Reporting

Nine of the 20 respondents to the survey documented at least one hate incident in the last five years for a total of 16 incidents. Four incidents involved the use of inappropriate language in on-line chats. Four other incidents were racially motivated while three were motivated by gender and two by anti-Semitism. Two of the 16 incidents reported were recorded by principals as *potential* hate crimes because of insufficient information and one was under investigation at the time of the survey.

Disciplinary actions taken by the schools in response to 11 of the 16 incidents included completion of district programs by the perpetrators as an alternative to suspensions, (e.g., a program on hate speech or tolerance), counseling support for both perpetrators and victims, meetings with parents, and suspensions. Details regarding three incidents will be discussed in detail later in this report.

Six of the incidents were reported by school administrators, six by teachers and four by students. Only one was reported anonymously. The paucity of student reporting is noteworthy in view of the fact that 15 schools identified mechanisms for students to report anonymously, using either an on-line application or a suggestion box.

Policies

Of the 20 high school principals responding to the Grand Jury survey, 19 reported there was a district policy on hate-motivated behavior.²⁸ Fifteen principals noted that policies were posted on school websites and distributed to students either as part of a student handbook or in a registration packet. However, only nine of the 20 principals reported that parents/guardians received the policies. It is possible that parents/guardians access this information through student

²⁶ Districts surveyed: Cabrillo Unified School District, Jefferson Union High School District, La Honda-Pescadero Unified School District, San Mateo Union High School District, Sequoia Union High School District, and South San Francisco Unified School District.

²⁷ Responses were not received from three of the five schools in the Jefferson High School District.

²⁸ Pescadero High School did not have a policy.

handbooks, although no principal noted this. Ten of the principals specifically noted that their policies are distributed to teachers annually, many as part of annual trainings. Only three school principals reported that staff discuss the policies with students at the start of either the academic year or the semester.²⁹

Of the six districts, only one did not have a policy. All five policies reviewed by the Grand Jury affirmed the district's commitment to providing a safe learning and working environment free from discrimination and harassment. Policies urged students, teachers and staff to report hate-motivated incidents. However, four of the five policies only included general statements, lacking details regarding, for example, how a student could report an incident and how the district would address it. Possible consequences mentioned (without details) included counseling, guidance, support to students who are victims of hate-motivated behaviors, and the development of effective prevention strategies and response plans. Policies referenced State and federal laws and regulations without explanation.

In the Grand Jury's survey, principals were not asked to comment on the content of student handbooks. A review of three student handbooks (accessed on school websites), however, merely noted that students would be suspended or expelled for acts of hate.

In contrast to other districts' policies, San Mateo Union High School District's (SMUHSD) Policy Bulletin provides clear definitions and guidelines. For example, it provides a description of what constitutes a hate-motivated incident/crime and articulates administrative responsibilities both to prevent and respond to an incident. The policy also notes six preventive measures including the need to identify staff responsible for responding to and reporting an incident/crime and providing in-service training to ensure staff is familiar with and able to respond to hate motivated behaviors. The policy also includes student responsibilities such as reporting incidents in cases where they witness an incident or crime.

None of the policies specifically addressed hate speech. Although students retain First Amendment rights related to freedom of speech, school administrators can censor expression that will cause a substantial disruption of school activities or invade the rights of others.³⁰ None of the policies addressed what actions districts and/or schools would take to curtail hate speech or any student consequences that could apply.³¹ In addition, the five policies reviewed by the Grand Jury did not address how districts or schools would respond to students anonymously targeted nor did they address how schools would address the student body if incidents occurred.

The Grand Jury did not specifically request that student dress code policies be sent, although SMUHSD provided a copy of its policy. The policy prohibits students from wearing clothing with offensive images or language, including profanity, hate speech, and pornography.³² While

²⁹ Schools were Half Moon Bay High School, Sequoia High School, and Woodside High School.

³⁰ *Tinker v. Des Moines Independent Community School District et al.*, 393 U.S. 503 (1969).

³¹ "Preventing Harassment and Protecting Free Speech in Schools," ACLU, accessed June 28, 2020. <https://www.aclu.org/other/preventing-harassment-and-protecting-free-speech-school>.

³² SMUHSD Board Policy 5132.

District administrators believe it is “sufficiently broad to prohibit all ‘hate speech,’”³³ it is unclear whether a dress code policy would be sufficient to address other forms of hate speech.

Only one school district’s policy was translated into a language other than English (*i.e.*, Spanish).³⁴ It was not clear from the surveys if other districts translated their policies into Spanish or any other language spoken in the community. However, a review of a number of school websites indicated that, at least, some materials were available in languages other than English.³⁵

Experts advise that materials for a general population should be written for someone with language proficiency between the 7th and 9th grade level particularly when material is introducing new terms and concepts or specialized subject matter.^{36 37} Because of the complex language (even in SMUHSD’s policy) and legal references cited throughout the various districts’ policies, the Grand Jury found the documents difficult to understand. Not surprisingly, it likely would be difficult for a parent/guardian or student to understand the policy documents.

School Initiatives

All principals who responded to the survey described activities or programs they had implemented to reinforce the messages of mutual respect and inclusivity; some specifically focused on issues of hate speech and bullying. The following list is illustrative of the kinds of activities/programs undertaken at different schools:³⁸

- A poster campaign against the use of the “N-word”.
- Campaigns such as “Kindness” and “Challenge Days”³⁹ to foster values of tolerance and helping the students to get in touch with their inner-selves.
- Speakers to present to the student body. Speakers included Minnie Jean King from the Little Rock segregation group,⁴⁰ and Holocaust survivors.

³³ Official written communication from SMUHSC District staff.

³⁴ Sequoia Union High School District Annual Notification of Parent or Guardian 2019-2020.

³⁵ For example, schools in SMUHSD had a link to Google Translate on its website and one school in the District posted a student handbook in Spanish.

³⁶ “What is Readability,” Clear Language Group, accessed May 1, 2020. <http://www.clearlanguagegroup.com/readability/>.

³⁷ “Measuring Readability,” Clear Language and Design, accessed May 1, 2020. <http://clad.tcclcd.org/measuring-readability/#gradereading>.

³⁸ Some schools listed programs that occurred in years prior to 2020. Others noted programs that occur annually.

³⁹ Challenge Day goes beyond traditional anti-bullying efforts, to build empathy and inspire a school-wide movement of compassion and positive change. Facilitators address some common issues seen in schools including cliques, gossip, rumors, negative judgments, teasing, harassment, isolation, stereotypes, intolerance, racism, sexism, bullying, violence, suicide, homophobia, hopelessness, apathy, and hidden pressures to create an image, achieve or live up to the expectations of others. <https://www.challengeday.org/>.

⁴⁰ The Little Rock Nine@ Foundation was created to promote the ideals of justice and equality of opportunity for all. <https://www.littlerock9.com/index.html>

- Professional development for teachers presented by Anti-Defamation League (ADL)⁴¹ staff who focused on scenarios teachers may encounter in the classroom or elsewhere on campus.
- Ethnic studies course as a part of the regular curriculum in lieu of Contemporary World Studies.
- Leadership training to address issues of race, religion (by Breaking Down the Walls), and sexual consent (by Real You Group).
- Police officers speaking on bullying and hate crimes at student assemblies.
- Social-emotional learning through students' monthly advisory classes in which teachers walk through scenarios with students, asking for their input about what they would do, as well as giving input to students regarding best practices within those scenarios in order to de-escalate situations or make the right choices.

None of the principals indicated that students and faculty participated in the following two local programs: San Mateo Office of Education's *Camp LEAD* (Leadership for Equity & Access District-Wide) or the Anti-Defamation League's *No Place for Hate*. Both will be discussed later in this report.

Despite efforts by school staff to sensitize students to the issues of hate incidents/crimes, it is not clear that students are aware of their school's policies. In response to a survey question specifically asking about students' awareness of these issues, most principals reiterated that school policies are in student handbooks. Only four principals reported that staff review these policies with students. Six principals noted that it was unclear whether students understand what constitutes a hate incident. This observation was shared by a San Mateo Office of Education staff member who noted a rise in hate-related incidents in County schools and acknowledged that students find it difficult to understand what inappropriate behaviors are.⁴²

Conclusions

It is difficult to know from this Grand Jury survey whether County high schools are experiencing widespread incidents of hate as noted in the media. With only 16 incidents reported over the last five years, it could be that the pattern occurring in other communities does not occur here. Alternatively, teachers, principals and other school and district staff may not be documenting incidents. Regardless, it is not clear that parents/guardians and students understand school policies and it is questionable whether students understand what inappropriate behaviors are.

San Mateo Union High School District (SMUHSD)

The San Mateo Union High School District (SMUHSD) serves approximately 8,900 students from the communities of San Mateo, Burlingame, Foster City, Hillsborough, Millbrae, and San Bruno. The district has six comprehensive high schools.⁴³ The Grand Jury focused on SMUHSD

⁴¹ The Anti-Defamation League (ADL) is a leading anti-hate organization. More information on the ADL is presented later in this report.

⁴² Grand Jury interview.

⁴³ "General Information," San Mateo High School District, accessed May 2, 2020. <https://www.smuhsd.org/domain/55>. The district also has a Middle College program in conjunction with the College of San Mateo, an alternative/continuation school, and an Adult School Program.

because of two documented incidents of hate and a hate crime that occurred between January 2018 and September 2019 at one of the District’s schools, Burlingame High School.

Three Incidents at Burlingame High School

Incident Number 1: Burlingame vs Mills Basketball Game January 12, 2018

At a basketball game at Burlingame High School, Mills High School was up by 20 points. Perhaps not surprisingly, Burlingame fans were not cheering and some students from Mills started chanting, “We can’t hear you.” In response, a chant from dozens of Burlingame students, responded with “You can’t see us,” a racial insult aimed at students and players from a school with a 52% Asian student body.⁴⁴ Some of the Burlingame students chanting were “student leaders.”⁴⁵

According to media reports, Burlingame’s principal intervened to stop the chant, although the reports did not indicate how long the chanting lasted. According to a Burlingame school reporter, many teachers addressed the insensitive chant the following week in classes.⁴⁶ According to school administration, the Principal met with the 70-85 members of the Student Council and individually with student leaders. Student Council representatives were asked to “report out” to students in individual classes. A statement was also read by the Principal on the school loudspeaker and teachers were asked to check in with their classes and as noted above, some teachers did hold class discussions about the incident.⁴⁷

Notwithstanding the school administration’s actions, it is not clear what impact those steps had on students. The Grand Jury interviewed at least one student who could not recall school administration undertaking such steps and believed that, even if such efforts were undertaken the incident called for greater action. The Grand Jury noted that even though the students who participated in the chanting were identified, they were not disciplined by school staff.⁴⁸ Some Burlingame student leaders wrote an apology to Mills students and did go to Mills High School to apologize and discuss ways to prevent such incidents in the future. Although Mills students appreciated the visit, Mill’s staff indicated that follow-up would have been more impactful if the students who caused the harm participated in the restorative process.⁴⁹ District staff were not involved in addressing the incident.⁵⁰

A Burlingame student of Asian descent responding to the incident at the time noted, “I have often heard racist ‘jokes’ and stereotypes being tossed around casually in conversations, not just about Asians but many other ethnic groups. Racism is a large problem that affects our campus,

⁴⁴ David Louie, “Burlingame students chant racially insensitive remark at basketball game,” *ABC 7 News*, Monday February 12, 2018. <https://abc7news.com/burlingame-racist-chant-high-school-basketball-game/3073261/>.

⁴⁵ Grand Jury interview.

⁴⁶ Priscilla Jin, “When Cheers can be disrespectful,” *The Daily Journal Archives*, February 9, 2018. https://www.smdailyjournal.com/arts_and_entertainment/when-cheers-can-become-disrespectful/article_21aa9384-0e01-11e8-986d-47fb7b3a0df7.html.

⁴⁷ Official written communication from SMUHSC District staff.

⁴⁸ Grand Jury interview.

⁴⁹ Grand Jury interview.

⁵⁰ Grand Jury interview.

and we need to confront it.”⁵¹ An editorial in the school newspaper at the time noted, “We need to use this incident not merely as a lesson in poor judgement but as a starting point to move forward. We need to remember that words can have more power than we might foresee.”⁵² There was no additional follow up for students or staff.

Incident Number 2: Swastika and “Fag” Written on a School Locker, April 18, 2019

A Jewish student’s gym locker was vandalized with anti-Semitic and homophobic language. In contrast to the previous incident, the perpetrator was never identified. Indeed, months after the incident administrative staff even wondered whether the student could have defaced his own locker.⁵³ Police were notified of the incident by the family the afternoon it occurred. Staff did follow-up with the student, who was the target of the incident. The incident was perceived by school staff as an isolated incident and was not publicly addressed although the targeted student approached school staff multiple times requesting further follow up. School staff did not believe the incident reflected the school’s culture nor that it required a school-wide response. District staff indicated that it would be “inappropriate for school staff to comment on the actions of a single student.”⁵⁴

The family was dissatisfied with the school’s response both immediately following the incident and months later. The family advocated for policy changes noting that the District policy and the Student Handbook did not address anonymous incidents of graffiti or hate speech nor did they address how school staff should respond to incidents that anonymously target a student.⁵⁵ District staff became involved and met with the family and clergy.

Students at the school did learn of the incident through an article in the school newspaper.⁵⁶ The article connected the incident to what the author stated was “a lack of tolerance for minorities at the school” and called for the administration to do more in the face of such an act. The student reporter went on to note that, “By remaining virtually silent about the issue, the administration has made its own statement about the well-being of students at Burlingame. The administration must assume its role and teach the students of Burlingame why anti-Semitic hate is so wrong in order to prevent situations like this from happening again.”⁵⁷ This sentiment was echoed by the student whose locker had been defaced who noted that there were many instances of offensive language at the school directed at minority groups including Muslims, gay and lesbian students, and Asians. In the student’s opinion, inappropriate language is perceived by school staff as verbal attacks on an individual and not a reflection of attitudes regarding a specific group. Yet, in his opinion, it does reflect a “toxic” school culture that warrants further response.⁵⁸

⁵¹ Supra, Note 31.

⁵² Randall, “High School Seeks to Change Anti-Asian Incident into Teaching Moment”, (post), AsAMNews, February 16, 2018. <https://asamnews.com/2018/02/16/high-school-seeks-to-change-anti-asian-incident-into-teaching-moment/>.

⁵³ Grand Jury interview.

⁵⁴ Supra, Note 47.

⁵⁵ Grand Jury interview.

⁵⁶ Ethan Gardner, “Anti-Semitism alive and well at Burlingame,” *Burlingame B*, May 23, 2019. <https://theburlingameb.org/2115/news/anti-semitic-incident/>.

⁵⁷ Ibid.

⁵⁸ Grand Jury interview.

Incident Number 3: A Hate Crime--Homophobic, Racist and anti-Semitic Graffiti at Burlingame High School, September 5, 2019

In the early morning of September 5, 2019, grounds crew discovered spray-painted hate speech in approximately a dozen outdoor spaces at Burlingame High School that included anti-Semitic symbols and phrases including swastikas as well as racist and homophobic slurs. The graffiti was covered up before most students arrived at school. In early October, a former Burlingame student was arrested for the graffiti attack and charged with felony vandalism and hate crimes.

Unlike, the previous two incidents, this was a crime and in addition to police involvement, there were multiple responses by school and District staff, as well as involvement by community members and outside organizations. Responses included:

- Information was communicated to students via emails and school announcements during the day. The principal met with groups of concerned students and wellness counselors offered drop-in counseling.⁵⁹
- A public forum was held in a school courtyard at lunch time the following week which was attended by hundreds of students who met to voice their concerns and feelings about the hate-motivated incident. Students wore red T-shirts or hoodies, the school color, in a display of “unity against hate.” Banners were made which hung in heavily trafficked hallways.⁶⁰
- Talking points were developed for teachers to use in discussions with students.⁶¹
- ADL staff provided a training for teachers and other school staff that included pictures of the graffiti, which “shocked” school staff since they had not realized how bad it had been.⁶²
- Clergy and a former County supervisor met with the principal.⁶³
- ADL staff met with a small group of parents.
- Staff revamped the traditional "rules talk" at the beginning of the 2019 school year to a "Commit to Connect" presentation for all students that included a section on interrupting-bias based on work from *Teaching Tolerance*⁶⁴ and the National Equity Project.⁶⁵
- ADL staff presented at the Burlingame City Council to address the City Council on the growing issue of anti-Semitism and white supremacy.⁶⁶

⁵⁹ Grand Jury interview.

⁶⁰ Gabe Stutman, “After spate of bigoted graffiti, Burlingame students hold day of ‘unity against hate,’” *The J. The Jewish News of Northern California*, September 11, 2019.

⁶¹ Grand Jury interview.

⁶² Grand Jury interview.

⁶³ Grand Jury interview.

⁶⁴ Teaching Tolerance’s mission is “to help teachers and schools educate children and youth to be active participants in a diverse democracy.” <https://www.tolerance.org/about>.

⁶⁵ National Equity Project provides equity-focused professional development for schools. <https://nationalequityproject.org/>.

⁶⁶ Vlad Khaykin, “Presentation to the Burlingame City Council.” Accessed April 29, 2020. <https://sanfrancisco.adl.org/news/adl-presents-burlingame-city-council/>.

- In March a leadership seminar for 600 students, “*Breaking Down the Walls*,”⁶⁷ focused on making the school a more inclusive environment.⁶⁸

District staff were involved in the response to this incident. District staff provided police with information that led to the arrest of the perpetrator. District staff met with faith leaders, law enforcement, school staff, District board members, and elected community officials.⁶⁹ Even after three publicized incidents, Administrative staff in both the District and at Burlingame High School do not believe that the incidents reflect the dominant culture at the high school.⁷⁰ Yet, as comments by students in the student newspaper and other community newspapers indicate, this may not be how students perceive the school environment. Students describe the “N-word” being used constantly in class along with other offensive language. At least one student speculated that some students still do not understand that jokes making fun of groups and/or individuals are hurtful, or, for example, racist, or anti-Semitic.⁷¹

Of further note is the position of District staff – confirmed in correspondence with the Grand Jury – that the vandalism of the Jewish student’s gym locker with a swastika and the word “Fag” did not require an official school-wide response because the perpetrator was “a single student.” Such an approach by administrators appears more aligned with the interests of the perpetrator as opposed to the student communities which were targeted. More specifically, notwithstanding that the hate incident may have been the result of one person’s actions, District staff’s approach did not appear to take into account the impact that the vandalism – as well as the school or District’s subsequent silence – may have on the school’s Jewish or LGBTQ students.

Since two of the three incidents described were anti-Semitic, the Grand Jury interviewed local Jewish clergy to discuss what Jewish students conveyed to them about the atmosphere at local high schools. According to the rabbis interviewed, students reported incidents that occurred with some regularity. These included: anti-Semitic language and name calling, swastikas being drawn and flashed at them during classes, and coins being thrown at them. Jewish students do not believe that teachers are aware of these incidents nor do they believe teachers would help in addressing them. Even after the anti-Semitic graffiti defaced Burlingame High School, students were reluctant to report their occurrence believing that nothing would be done. One rabbi acknowledged that it is difficult for school administrators to respond to less dramatic incidents that, nonetheless, impact school climate at schools and lead to student stress.⁷²

⁶⁷ *Breaking Down the Walls* is a program for high school students designed to unify, empower, and engage students to create a positive and supportive campus culture. It usually includes an all school assembly, student leader training, and workshops. <https://www.learningforliving.com/breaking-down-the-walls>.

⁶⁸ Grand Jury interview.

⁶⁹ Grand Jury interview.

⁷⁰ Grand Jury interview.

⁷¹ Grand Jury interview.

⁷² Grand Jury interview.

District and School Programming Addressing School Climate

As previously noted, there are six comprehensive high schools in the SMUHSD. The District Board and administrative staff set policies and annual goals and provide some unique resources to District schools. The following list highlights some of the District’s unique efforts to address school climate:

- Implementation of mental health services;
- Implementation of a web-based hotline for anonymous reporting by students (although principals report little usage);
- Leading the development of an ethnic studies program which has been or will be implemented in district schools;
- Coordinating the implementation of restorative practices throughout the District; and
- Providing assistance in investigations of hate incidents/crimes and offering mediation by trained counselors for victims and assailants, restorative practices to address the harm done, or student education through on-line programs.⁷³

Table 1 shows the racial/ethnic make-up of student bodies at the six high schools in the SMUHSD. It is evident that these schools have diverse student bodies with substantial percentages of Asian, Hispanic⁷⁴ and white students but only a small percentage of African Americans. There are also many families where English is not the primary language. One administrator reported that there are 30 languages spoken at the school.⁷⁵

**Table 1
Count and Ethnicity of Students in SMUHSD Schools
2019-2020 School Year⁷⁶**

Ethnicity	Aragon	Burlingame	Capuchino	Hillsdale	Mills	San Mateo	Total SMUHSD
Asian	499 (30%)	352 (24%)	241 (20%)	314 (20%)	657 (55%)	466 (28%)	2529 29%
Black/African American	9 (1%)	11 (1%)	11 (1%)	15 (1%)	7 (1%)	14 (1%)	67 1%
Hispanic	455 (27%)	281 (9%)	586 (49%)	560 (35%)	240 (20%)	719 (43%)	2841 32%
Multiple	198 (12%)	146 (10%)	99 (8%)	159 (10%)	108 (9%)	120 (7%)	830 9%
Native American	4 (0%)	5 (0%)	1 (0%)	4 (0%)	3 (0%)	1 (0%)	18 0%
Pacific Islander	51(3%)	4 (0%)	47 (4%)	15 (1%)	30 (2%)	28 (12%)	175 2%
White	464 (28%)	695 (47%)	203 (7%)	543 (34%)	157 (13%)	316 (19%)	2378 27%

⁷³ Grand Jury interview.

⁷⁴ The term Hispanic is used since that is the term used in the District’s records. Latinx is now often used to describe individuals in the United States who have Latin American roots.

⁷⁵ Grand Jury interview.

⁷⁶ Data provided by the San Mateo Union High School District.

School administrators have much flexibility in how schools are organized, and the programming offered as it relates to school climate. Although all administrators are concerned with school climate, not all have focused on the impact of hate incidents or biases on their students. The following summarizes the programming at the six District schools.

At San Mateo High School with a substantial low-income student population (i.e. 43% of students are eligible for the free or reduced lunch program),⁷⁷ a school administrator noted incidents related to gangs but none to anti-Semitism, gender, or hate speech and no specific programming addressed either school climate or hate incidents.

School administrators at Mills and Aragon High Schools described their schools' implementation of on-going efforts to address bias and gaps in the education of students of color. Examples of programs implemented⁷⁸ include:

- Participation in the United Against Hate coalition and an organized week of student activities (in November 2019) that included in-class lessons on the ADL's Pyramid of Hate (See Appendix B), portrait sessions with anti-hate messaging, an interfaith panel of local leaders on anti-hate messaging, and an after school film screening of the movie *The Hate U Give*;
- On-campus displays of student posters and artwork advocating for a safe and welcoming environment for all types of students. Posters and artwork include rainbow flags, safe space stickers, and posters from *Teaching Tolerance*;⁷⁹
- Exploring teacher bias through optional staff summer reading of *White Fragility: Why It's So Hard for White People to Talk About Racism* by Robin Diangelo with follow-up discussions planned for the fall;
- Focus on student use of inappropriate language with:
 - a speaker from Little Rock Nine Foundation⁸⁰ addressing students regarding the use of language;
 - teacher training focusing on humanizing language with discussions to address how teachers can educate their students about the use of language; and
- Challenge Days, organized by a national organization, featuring experts to facilitate workshops designed to support emotional well-being, building connection, resiliency and healing.⁸¹

An administrator at Burlingame High School noted that the school (following the September 2019 hate crime incident previously described) revamped the school's traditional "rules talk" to a "Commit to Connect" presentation to all students. This included a section on interrupting-bias based on work from Teaching Tolerance and the National Equity Project. Teachers and

⁷⁷ Grand Jury interview.

⁷⁸ Based on Grand Jury interviews.

⁷⁹ Teaching Tolerance is a project of the Southern Poverty Law Center to provide resources for teachers that help create civil and inclusive school communities with an emphasis on social justice and anti-bias. <https://www.tolerance.org/about>.

⁸⁰ Supra, note 29.

⁸¹ Supra, note 28.

administrative staff also participated in training with the ADL and focused on scenarios teachers may encounter in the classroom or elsewhere on campus.

An administrator at Capuchino High School emphasized school climate, although programming does not specifically focus on incidents of hate. Programming includes⁸²:

- Training for administrators and teachers on restorative practices;
- Implementation of *Multi-Tiered System of Support*;⁸³
- Training for incoming 9th graders at the start of the 2019 school year on creating cultures of “connection and empathy;”⁸⁴
- “Success Talks” by administrative staff at the start of the school year to discuss a variety of topics and a plan for the 2020-2021 school year to include hate speech, and toxic masculinity; and
- A program on rape awareness and consent⁸⁵ to be implemented in 2020.

Hillsdale High School is organized into “Houses” of 110 students with four teachers assigned in each House for the students’ first two years. Students in the 9th and 10th grades attend all classes with members of their House, although students move to new Houses for 11th and 12th grades and no longer attend all classes together. One administrator interviewed believes the House model is responsible for the fact the school ranked in the 99th percentile in school climate in a recent statewide survey since it allows students who would not normally mix or meet to be educated together. Teachers serve as group advisers, meet daily with students and discuss community building, race, gender and sexual orientation. Topics regarding justice and equity are discussed through the curriculum, and ethnic studies is now a core component for all students. Special programs about stereotyping and healthy partnerships through One Love are provided to 11th and 12th graders.⁸⁶

Notwithstanding the foregoing description, a school administrator at Hillsdale noted a number of hate incidents, not reported on the written survey previously discussed, that occurred at the school. In one instance a swastika and offensive language were written on a restroom wall. Students in an English class studying *Othello* came to class in blackface. Some students in attendance were offended and the teacher engaged the class in a discussion, but no further action was taken. The administrator also noted that offensive language is an issue and was unsure whether to categorize some incidents that involve race, gender, sexual orientation, ethnicity as hate incidents or “student disagreements,” noting that such incidents “touched the edges of hate.”⁸⁷ The difficulty this administrator expressed in identifying hate incidents likely leads to underreporting.

⁸² Grand Jury interview.

⁸³ Multi-Tiered System of Support (MTSS) is a comprehensive framework used to provide targeted support for all learners. <https://www.kickboardforschools.com/blog/post/rti-response-to-intervention/what-is-multi-tiered-system-of-support-mtss/>.

⁸⁴ <https://keithhawkins.com/experiences/high-school>

⁸⁵ <https://www.rapetraumaservices.org/>

⁸⁶ One Love Foundation One Love educates young people about healthy and unhealthy relationships, empowering them to identify and avoid abuse and learn how to love better. <https://www.joinonelove.org/>.

⁸⁷ Grand Jury interview.

Some of the programming described involved one-time workshops or presentations while others involved curriculum innovations. It is worth noting that during interviews, the administrators at the five other schools were asked whether their schools used the graffiti incident at Burlingame High School in the fall as a “teachable” event to reinforce messages of inclusivity and respect. None had, thereby missing an opportunity to address hate in their schools.

San Mateo County Office of Education: Resources (SMCOE) Addressing School Climate

The SMCOE has initiatives to serve the unique needs of public education in San Mateo County. The Office could be a resource to address hate in schools through three programs.

- The *Coalition for Safe Schools and Communities* is a collaborative multi-agency group staffed by six SMCOE staff including the County Superintendent and the Deputy Superintendent for Student Services. The Coalition was formed in 2013 following the shooting at Sandy Hook Elementary School in Newtown, Connecticut. The Coalition, in part, addresses the safety needs, emergency response to threats and mental health needs of schools and County youth.

To the extent that the SMCOE desires to expand its current focus, it could work with the Coalition for Safe Schools and Communities to consider either expanding its scope of work or forming an additional group to focus on how schools address hate. Surveys of teachers (cited earlier in this report) note that such incidents result in hostile environments for racial and religious minorities and as the Anti-Defamation League describes in its “Pyramid of Hate” (see below), such incidents can escalate to severe acts including vandalism and even violence.

- *Respect!24/7* is a once-a-year conference for educators and school staff launched by the SMCOE as an anti-bullying and civility initiative following a San Mateo Grand Jury report⁸⁸ that investigated anti-bullying policies at schools. The conference has broadened its scope to address diverse issues such as cyberbullying, digital citizenship, LGBTQ and gender identity⁸⁹ with a positive focus on respect. The 2019 conference included sessions offered by the ADL staff and a presentation focused on the importance of the “student voice.” SMCOE should be commended for their initiative and should continue to offer workshops that focus on hate incidents and hate speech at their annual conferences.
- *Camp LEAD* (Leadership for Equity & Access District-Wide) engages students over three days in a series of activities designed to improve understanding and respect between students and foster leadership development. As described by SMCOE staff it is often a transformative event for students as they engage in self-reflection and discussions to build community with other students and adults at the camp. The first two camps in the County were offered during the summer of 2019. Usually a diverse group of students and

⁸⁸ “Bullying within the County School Districts: A Survey of Policy within San Mateo County School Districts,” 2010-2011 San Mateo County Civil Grand Jury.

⁸⁹ <https://www.smcoe.org/for-schools/safe-and-supportive-schools/school-climate.html>. Accessed July 15, 2020.

staff participate from a school. Neither the principals responding to the Grand Jury survey nor the administrators interviewed were aware of *Camp LEAD*.

Community Resources: The Anti-Defamation Leagues *No Place for Hate* School Program

The ADL is a leading anti-hate organization that was founded in 1913. Initially founded to counter a rising climate of anti-Semitism, today it fights anti-Semitism and all forms of hate. The ADL's "Pyramid of Hate" (See Appendix B) shows the growing complexity of behaviors of hate. At the base are biased attitudes such as stereotyping and insensitive remarks such as name-calling, and bullying. If these behaviors are tolerated, they can lead to progressively more severe acts of discrimination and bias motivated violence including vandalism and desecration, actions higher up the pyramid. At the apex is genocide.

ADL staff work with schools and community partners to support school climate goals with practical ideas for deepening understanding about diversity, building community and developing skills for students, teachers, parents, and community members. Over 40 schools in the Bay Area in 2018-2019 were designated *No Place for Hate* sites by incorporating anti-bias and anti-bullying programming throughout the school. No County school was among the 40.⁹⁰

FINDINGS

Surveys

- F1. Of 20 high school principals who responded to a Grand Jury survey, nine documented at least one hate incident/crime in the last five years for a total of 16 incidents. The low number of incidents reported could indicate either that County schools are not experiencing the rise in hate incidents documented by teachers nationwide, or that administrators, teachers, and students in the County are not identifying, documenting, or otherwise reporting such incidents.
- F2. Of 16 hate incidents reported by principals that occurred since 2015, 12 were reported by teachers or staff. Only four were reported by students and of these only one was reported anonymously even though 15 of the 20 schools responding to the survey have mechanisms for anonymous reporting.
- F3. Based on responses from 19 of the 20 principals responding to the Grand Jury survey, five of the six County high school districts had policies concerning how the districts will address hate-motivated behavior. Only one district, with one high school, did not have a policy. The following are characteristics of those policies:
- Policies affirm districts' commitment to providing a safe learning and working environment free from discrimination and harassment;
 - Except for one, policies do not provide clear definitions and guidelines;
 - Policies are generally only available in English;
 - Policies use technical and legal language and are not written for a general audience at the 7th to 9th grade reading level; and

⁹⁰ <https://sanfrancisco.adl.org/initiatives/no-place-for-hate-5/>. Accessed March 3, 2020.

- None of the policies addressed hate speech or incidents anonymously targeted at a student.
- F4. The San Mateo Union High School District’s policy was the most comprehensive, but it lacked information regarding how schools should deal with anonymous incidents or hate speech although the District’s dress code policy prohibits students from wearing clothing with hate speech.
- F5. All school principals described activities to reinforce the messages of mutual respect and inclusivity. None cited *Camp LEAD* or were involved in the Anti-Defamation League’s *No Place for Hate* school program.
- F6. Despite efforts by schools to sensitize students to the issues of hate incidents and crimes, it was unclear whether students are aware of school policies or even if they understand what constitutes a hate incident or crime.

Burlingame High School

- F7. Two incidents of hate and one hate crime reported in local media occurred on the campus of Burlingame High School between January 2018 and September 2019.
- F8. Staff at Burlingame High School did not use the two hate incidents that had occurred to denounce bias or reaffirm school values on a school-wide basis.
- F9. Following the hate crime at Burlingame High School, the school and District staff responded by involving students, community members and organizations including clergy, police and the Anti-Defamation League.
- F10. After three incidents, administrative staff do not believe the incidents reflect the dominant culture of the school, although at least some students believe there is a lack of tolerance for minorities.

San Mateo Union High School District

- F11. Of the schools in the District, school administrators reported programs to address school climate, although only two offered specific programming to address bias and hate.
- F12. None of the other five schools in the District used the September 2019 incident at Burlingame High School to address bias or to discuss hate incidents/crimes.
- F13. There is much variability in school programming that includes on-going efforts versus one-time programs to address school climate.

Community Resources

- F14. The San Mateo Office of Education could be a resource for school districts to develop their policies to address hate incidents and hate crimes and for addressing such incidents at schools through three existing COE programs: the *Coalition for Safe Schools* and *Communities, Respect!24/7*, and *Camp LEAD*.

F15. The Anti-Defamation League offers a program, *No Place for Hate*, to support school climate goals with ideas for deepening understanding about diversity, building community and developing skills for students, teachers, parents, and community members. During the 2018-19 school year, 40 Bay Area schools participated in the ADL program, although none from the County.

RECOMMENDATIONS

The Grand Jury recognizes that the pandemic and school closures have put enormous strains on districts and schools. Nevertheless, the Grand Jury recommends that districts and schools address the issue of hate in schools by undertaking the following:

- R1. By the beginning of the 2021-22 school year, all high schools and unified school districts need clear anti-bias policies to ensure that students are safe from harm, and that administrators are prepared to act swiftly and decisively to address all incidents of hate and bias when they occur, and to proactively foster an inclusive school climate. Policies should include:
- Definitions of hate-motivated incidents and crimes, and hate speech;
 - District and school responsibilities for:
 - Preventive measures;
 - Immediate response;
 - Information on how to specifically address hate speech and anonymous incidents targeted at a specific student;
 - Guidance on how to respond after an incident has occurred that includes (1) how to communicate empathy, reconciliation and support to those who have been harmed; (2) communication to students and families directly affected; and (3) how to communicate with the student body in order to reinforce messages of inclusivity and respect;
 - Information on how students will be educated about hate crimes, hate incidents and hate speech at least annually;
 - Disciplinary actions that could result from an incident; and
 - Student responsibilities to report incidents.
- R2. New materials should be written for parents/guardians and students at a 7th to 9th grade reading level, available in multiple languages, and distributed to them in print, in student handbooks and on school websites. This should be completed by the beginning of the 2021-22 school year.
- R3. During the first quarter of the 2020-21 school year, to be more proactive in addressing school climate regarding hate, districts should take steps to ensure that:
- School administrators and/or teachers meet with small, diverse groups of students to understand from their perspective, the school climate and incidents of hate that may go either unnoticed by teachers and staff or unreported.
 - At the start of each school year, students should not only receive written information, but presentations should be arranged to inform students about what constitutes a hate

incident/crime, anonymous reporting, and the follow up that will occur if an incident is reported.

- Students in a leadership position should be required to undergo some training regarding school climate and student volunteers should be trained to provide peer counseling and presentations to groups of students regarding hate incidents and understanding diverse cultures.

R4. By the beginning of the 2021-22 school year, the San Mateo County Office of Education should:

- Work with the Coalition for Safe Schools and Communities to consider either expanding their scope of work or forming an additional group to focus on how schools address hate.
- Continue to include information at *Respect!24/7* conferences on hate incidents and hate speech by bringing in experts to address attendees.
- Have the Coordinator of School Climate develop a written plan on how to bring the *Camp LEAD* program to District High Schools and consider how to make it more accessible during the school year.

R5. The SMUHSD should work with the ADL to bring its program, *No Place for Hate*, to at least one school in the District starting in the 2021-2022 school year as a pilot for roll-out to other schools in the District.

REQUEST FOR RESPONSES

Pursuant to Penal Code Section 933.05, the Grand Jury requests responses as follows:

From the governing bodies of:

- Cabrillo Unified School District – R1, R2, R3
- Jefferson Union High School District – R1, R2, R3
- La Honda-Pescadero Unified School District – R1, R2, R3
- San Mateo Union High School District – R1, R2, R3, and R5
- Sequoia Union High School District – R1, R2, R3
- South San Francisco Unified School District– R1, R2, R3

Superintendent of Schools, San Mateo County Office of Education – R4

The school boards of the district indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

METHODOLOGY

Information contained in this report is based upon the following:

- Surveys of public high school principals in the County
- 17 interviews including staff from the San Mateo Union High School District, the County Office of Education, the Anti-Defamation League, and clergy.
- Review of district policies and procedures.
- Information from newspaper articles and Internet sites.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.
--

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APPENDIX A

Example of survey sent to high school principals.

**Hate Incidents in San Mateo County High Schools Survey
2019-2020 San Mateo County Civil Grand Jury
Confidential**

School: Half Moon Bay High School

1. Does your school have a policy that specifically addresses “hate incidents”? If yes, please answer the following:	
a. When was the policy first developed?	
b. When was the policy last revised?	
c. How is the policy distributed to staff, students, and parents?	
d. How often is the policy circulated or recirculated?	
e. Does the policy include a clear protocol for reporting and responding to hate incidents?	
f. Please attach a copy of your policy and all previous revisions.	
2. If you do not have a policy that describes a clear protocol for reporting, has staff been informed how to report hate incidents including the inappropriate use of language by students (whether in classrooms, athletic events, or hallways)?	
a. How has staff been informed of the protocol?	
b. Please attach any documents that describe the protocol for reporting such incidents.	
3. Can students report an incident anonymously? If yes, please answer the following:	
a. How does a student report anonymously?	
b. Who reviews the reports?	
c. What is your school’s process for investigating such incidents?	
4. Have there been any reported hate incidents at your school in the past five years? If yes, please answer the following:	
a. What was the date of the incident?	
b. What was the date of the report?	

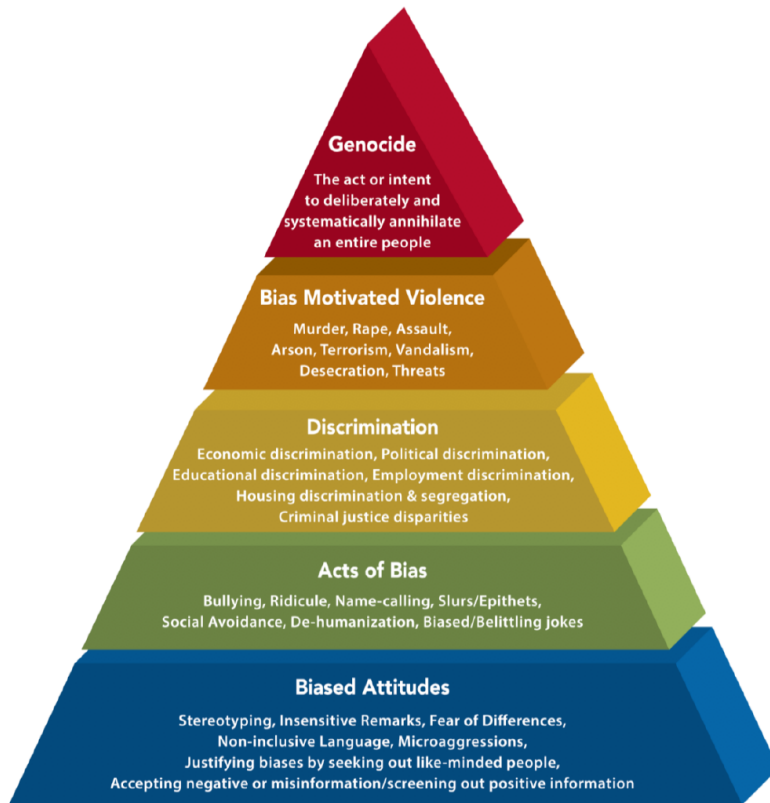
c. What was the reported basis for the incident (i.e., race, religion, sexual orientation, disability or transgender identity)?	
d. Who reported the incident(s)? Was the reporting party a staff member or student?	
e. Who reviewed the incident(s)?	
f. How was the incident(s) addressed?	
g. When was the matter closed or resolved?	
5. Has your school implemented any programs to address the overall school environment in order to promote a physically and emotionally safe environment? This could include, for example, the use of consultant, specifically developed curriculum, San Mateo Office of Education programs. If yes, please describe. When was the last time the program took place at your school?	
6. Have teachers or administrative staff met with groups of students to assess their perceptions of the school environment. If yes,	
a. When was the last time these meetings occurred?	
b. Are students aware of what constitutes a hate incident?	
c. At these meetings, did any student report either being the target of a hate incident or knowing about a hate incident that occurred at school?	

Please email your responses to grandjury@sanmateocourt.org no later than February 10, 2020.

APPENDIX B

ADL / PYRAMID OF HATE

The *Pyramid* shows biased behaviors, growing in complexity from the bottom to the top. Although the behaviors at each level negatively impact individuals and groups, as one moves up the pyramid, the behaviors have more life-threatening consequences. Like a pyramid, the upper levels are supported by the lower levels. If people or institutions treat behaviors on the lower levels as being acceptable or "normal," it results in the behaviors at the next level becoming more accepted. In response to the questions of the world community about where the hate of genocide comes from, the *Pyramid of Hate* demonstrates that the hate of genocide is built upon the acceptance of behaviors described in the lower levels of the pyramid.



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CABRILLO UNIFIED SCHOOL DISTRICT

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November 13, 2020

Via Email (grandjury@sanmateocourt.org)

The Honorable Amarra A. Lee
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center; 2nd Floor
Redwood City, California 94063-1655

Re: Response to 2019-2020 Grand Jury Report "Hate@Schools --Opportunities Lost."

Dear Judge Lee:

The Cabrillo Unified School District (the "District") has received and reviewed the 2019-2020 Grand Jury Report entitled "Hate@Schools -- Opportunities Lost." We appreciate the Grand Jury's interest in this matter. Having reviewed and considered the Grand Jury's Findings and Recommendations, the District responds as follows, pursuant to section 933.05 of the California Penal Code:

FINDINGS

- 1. Of 20 high school principals who responded to a Grand Jury survey, nine documented at least one hate incident/crime in the last five years for a total of 16 incidents. The low number of incidents reported could indicate either that County schools are not experiencing the rise in hate incidents documented by teachers nationwide, or that administrators, teachers and students in the County are not identifying, documenting, or otherwise reporting such incidents.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

- 2. Of 16 hate incidents reported by principals that occurred since 2015, 12 were reported by teachers or staff. Only four were reported by students and of these only one was reported anonymously even though 15 of the 20 schools responding to the survey have mechanisms for anonymous reporting.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

3. *Based on responses from 19 of the 20 principals responding to the Grand Jury survey, five of the six County high school districts had policies concerning how the districts will address hate-motivated behavior. Only one district, with one high school, did not have a policy. The following are characteristics of those policies:*

- *Policies affirm districts' commitment to providing a safe learning and working environment free from discrimination and harassment;*
- *Except for one, policies do not provide clear definitions and guidelines;*
- *Policies are generally only available in English;*
- *Policies use technical and legal language and are not written for a general audience at the 7th to 9th grade reading level; and*
- *None of the policies addressed hate speech or incidents anonymously targeted at a student.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, please know the District has its own policy concerning how the District will address hate-motivated behavior, namely District Policy 5145.9 (Hate-Motivated Behavior) which was adopted on September 9, 2018.

4. *The San Mateo Union High School District's policy was the most comprehensive, but it lacked information regarding how schools should deal with anonymous incidents or hate speech although the District's dress code policy prohibits students from wearing clothing with hate speech.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

5. *All school principals described activities to reinforce the messages of mutual respect and inclusivity. None cited Camp LEAD or were involved in the Anti-Defamation League's No Place for Hate school program.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

6. *Despite efforts by schools to sensitize students to the issues of hate incidents and crimes, it was unclear whether students are aware of school policies or even if they understand what constitutes a hate incident or crime.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

7. *Two incidents of hate and one hate crime reported in local media occurred on the campus of Burlingame High School between January 2018 and September 2019.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

8. *Staff at Burlingame High School did not use the two hate incidents that had occurred to denounce bias or reaffirm school values on a school-wide basis.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

9. *Following the hate crime at Burlingame High School, the school and District staff responded by involving students, community members and organizations including clergy, police and the Anti-Defamation League.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

10. *After three incidents, administrative staff do not believe the incidents reflect the dominant culture of the school, although at least some students believe there is a lack of tolerance for minorities.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

11. *Of the schools in San Mateo Union High School District, school administrators reported programs to address school climate, although only two offered specific programming to address bias and hate.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

12. *None of the other five schools in San Mateo Union High School District used the September 2019 incident at Burlingame High School to address bias or to discuss hate incidents / crimes.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

13. *There is much variability in school programming that includes on-going efforts versus one-time programs to address school climate.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

14. *The San Mateo Office of Education could be a resource for school districts to develop their policies to address hate incidents and hate crimes and for addressing such incidents at schools through three existing COE programs: the Coalition for Safe Schools and Communities, Respect! 24/7, and Camp LEAD.*

The District agrees with this Finding.

15. *The Anti-Defamation League offers a program, No Place for Hate, to support school climate goals with ideas for deepening understanding about diversity, building community and developing skills for students, teachers, parents, and community members. During the 2018-19 school year, 40 Bay Area schools participated in the ADL program, although none from the County.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

RECOMMENDATIONS

1. *By the beginning of the 2021-22 school year, all high schools and unified school districts need clear anti-bias policies to ensure that students are safe from harm, and that administrators are prepared to act swiftly and decisively to address all incidents of hate and bias when they occur, and to proactively foster an inclusive school climate. Policies should include:*
 - *Definitions of hate-motivated incidents and crimes, and hate speech;*
 - *District and school responsibilities for:*
 - *Preventive measures;*
 - *Immediate response;*
 - *Information on how to specifically address hate speech and anonymous incidents targeted at a specific student;*
 - *Guidance on how to respond after an incident has occurred that includes (1) how to communicate empathy, reconciliation and support to those who have been harmed; (2) communication to students and families directly affected; and (3) how to communicate with the student body in order to reinforce messages of inclusivity and respect;*
 - *Information on how students will be educated about hate crimes, hate incidents and hate speech at least annually;*
 - *Disciplinary actions that could result from an incident; and*
 - *Student responsibilities to report incidents.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. Cabrillo Unified School District intends on working toward implementing the

Recommendation with the administrators at Half Moon Bay High School, Pilarcitos High School, and relevant support staff in the District Office.

2. *New materials should be written for parents/guardians and students at a 7th to 9th grade reading level, available in multiple languages, and distributed to them in print, in student handbooks and on school websites. This should be completed by the beginning of the 2021-22 school year.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. Cabrillo Unified School District intends on working toward implementing the Recommendation with the administrators at Half Moon Bay High School, Pilarcitos High School, and relevant support staff in the District Office.

3. *During the first quarter of the 2020-21 school year, to be more proactive in addressing school climate regarding hate, districts should take steps to ensure that:*
 - *School administrators and/or teachers meet with small, diverse groups of students to understand from their perspective, the school climate and incidents of hate that may go either unnoticed by teachers and staff or unreported.*
 - *At the start of each school year, students should not only receive written information, but presentations should be arranged to inform students about what constitutes a hate incident/crime, anonymous reporting, and the follow up that will occur if an incident is reported.*
 - *Students in a leadership position should be required to undergo some training regarding school climate and student volunteers should be trained to provide peer counseling and presentations to groups of students regarding hate incidents and understanding diverse cultures.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. Cabrillo Unified School District intends on working toward implementing the Recommendation with administrators at Half Moon Bay High School, staff at Pilarcitos High School, and other relevant support staff in the CUSD District Office.

Both the Grand Jury Report and these responses were presented to and approved by the District's Board of Trustees on November 12, 2020.

Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,



Sean McPhetridge, Ed.D.
Superintendent
Cabrillo Unified School District



Jefferson Union High School District

ADMINISTRATIVE OFFICES – SERRAMONTE DEL REY

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Dr. Terry A. Deloria
Superintendent

November 3, 2020

Via Email (grandjury@sanmateocourt.org)

The Honorable Amarra A. Lee
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: Response to the 2019-2020 Grand Jury Report entitled “Hate@Schools -- Opportunities Lost.”

Dear Judge Lee:

The Jefferson Union High School District (the “District”) has received and reviewed the 2019-2020 Grand Jury Report entitled “Hate@Schools -- Opportunities Lost”. We appreciate the Grand Jury’s interest in this matter. Having reviewed and considered the Grand Jury’s Findings and Recommendations, the District responds as follows, pursuant to section 933.05 of the California Penal Code:

FINDINGS

1. *Of 20 high school principals who responded to a Grand Jury survey, nine documented at least one hate incident/crime in the last five years for a total of 16 incidents. The low number of incidents reported could indicate either that County schools are not experiencing the rise in hate incidents documented by teachers nationwide, or that administrators, teachers and students in the County are not identifying, documenting, or otherwise reporting such incidents.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury’s Finding for the purposes of this response.

2. *Of 16 hate incidents reported by principals that occurred since 2015, 12 were reported by teachers or staff. Only four were reported by students and of these only one was reported anonymously even though 15 of the 20 schools responding to the survey have mechanisms for anonymous reporting.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

3. *Based on responses from 19 of the 20 principals responding to the Grand Jury survey, five of the six County high school districts had policies concerning how the districts will address hate-motivated behavior. Only one district, with one high school, did not have a policy. The following are characteristics of those policies:*

- *Policies affirm districts' commitment to providing a safe learning and working environment free from discrimination and harassment;*
- *Except for one, policies do not provide clear definitions and guidelines;*
- *Policies are generally only available in English;*
- *Policies use technical and legal language and are not written for a general audience at the 7th to 9th grade reading level; and*
- *None of the policies addressed hate speech or incidents anonymously targeted at a student.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District agrees that it has its own policy concerning how the District will address hate-motivated behavior that was approved by the Board of Trustees on February 11, 2019.

4. *The San Mateo Union High School District's policy was the most comprehensive, but it lacked information regarding how schools should deal with anonymous incidents or hate speech although the District's dress code policy prohibits students from wearing clothing with hate speech.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

5. *All school principals described activities to reinforce the messages of mutual respect and inclusivity. None cited Camp LEAD or were involved in the Anti-Defamation League's No Place for Hate school program.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District disagrees in part to the Grand Jury's Finding in so far as it applies to the Jefferson Union High School District as some of its schools participate in Camp LEAD.

6. *Despite efforts by schools to sensitize students to the issues of hate incidents and crimes, it was unclear whether students are aware of school policies or even if they understand what constitutes a hate incident or crime.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

7. *Two incidents of hate and one hate crime reported in local media occurred on the campus of Burlingame High School between January 2018 and September 2019.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

8. *Staff at Burlingame High School did not use the two hate incidents that had occurred to denounce bias or reaffirm school values on a school-wide basis.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

9. *Following the hate crime at Burlingame High School, the school and District staff responded by involving students, community members and organizations including clergy, police and the Anti-Defamation League.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

10. *After three incidents, administrative staff do not believe the incidents reflect the dominant culture of the school, although at least some students believe there is a lack of tolerance for minorities.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

11. *Of the schools in San Mateo Union High School District, school administrators reported programs to address school climate, although only two offered specific programming to address bias and hate.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

12. *None of the other five schools in San Mateo Union High School District used the September 2019 incident at Burlingame High School to address bias or to discuss hate incidents / crimes.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

13. *There is much variability in school programming that includes on-going efforts versus one-time programs to address school climate.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

14. *The San Mateo Office of Education could be a resource for school districts to develop their policies to address hate incidents and hate crimes and for addressing such incidents at schools through three existing COE programs: the Coalition for Safe Schools and Communities, Respect! 24/7, and Camp LEAD.*

The District agrees with this Finding.

15. *The Anti-Defamation League offers a program, No Place for Hate, to support school climate goals with ideas for deepening understanding about diversity, building community and developing skills for students, teachers, parents, and community members. During the 2018-19 school year, 40 Bay Area schools participated in the ADL program, although none from the County.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

RECOMMENDATIONS

1. *By the beginning of the 2021-22 school year, all high schools and unified school districts need clear anti-bias policies to ensure that students are safe from harm, and that administrators are prepared to act swiftly and decisively to address all incidents of hate and bias when they occur, and to proactively foster an inclusive school climate. Policies should include:*
 - *Definitions of hate-motivated incidents and crimes, and hate speech;*
 - *District and school responsibilities for:*
 - *Preventive measures;*
 - *Immediate response;*
 - *Information on how to specifically address hate speech and anonymous incidents targeted at a specific student;*
 - *Guidance on how to respond after an incident has occurred that includes (1) how to communicate empathy, reconciliation and support to those who have been harmed; (2) communication to students and families directly affected; and (3) how to communicate with the student body in order to reinforce messages of inclusivity and respect;*
 - *Information on how students will be educated about hate crimes, hate incidents and hate speech at least annually;*
 - *Disciplinary actions that could result from an incident; and*
 - *Student responsibilities to report incidents.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. District staff will examine BP 5145.9 Hate-Motivated Behavior alongside the criteria above and revise as necessary.

2. *New materials should be written for parents/guardians and students at a 7th to 9th grade reading level, available in multiple languages, and distributed to them in print, in student handbooks and on school websites. This should be completed by the beginning of the 2021-22 school year.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. District staff will convene a small group of stakeholders to develop these materials.

3. *During the first quarter of the 2020-21 school year, to be more proactive in addressing school climate regarding hate, districts should take steps to ensure that:*
- *School administrators and/or teachers meet with small, diverse groups of students to understand from their perspective, the school climate and incidents of hate that may go either unnoticed by teachers and staff or unreported.*
 - *At the start of each school year, students should not only receive written information, but presentations should be arranged to inform students about what constitutes a hate incident/crime, anonymous reporting, and the follow up that will occur if an incident is reported.*
 - *Students in a leadership position should be required to undergo some training regarding school climate and student volunteers should be trained to provide peer counseling and presentations to groups of students regarding hate incidents and understanding diverse cultures.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. District staff will take these steps, but they may need additional time should students still be learning remotely.

Both the Grand Jury Report and these responses were presented to and approved by the District's Board of Trustees on November 2, 2020.

Please do not hesitate to contact me if you have questions or require additional information.

Sincerely,

Dr. Terry A. Deloria
Superintendent
Jefferson Union High School District



LA HONDA-PESCADERO UNIFIED SCHOOL DISTRICT
PO Box 189 • 360 Butano Cut Off, Pescadero, CA 94060
650-879-0286 • FAX 650-879-0816

Amy Wooliever, Superintendent

December 11, 2020

Via Email (grandjury@sanmateocourt.org)

The Honorable Amarra A. Lee
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: Response to the 2019-2020 Grand Jury Report entitled "Hate@Schools -- Opportunities Lost."

Dear Judge Lee:

The La Honda-Pescadero Unified District (the "District") has received and reviewed the 2019-2020 Grand Jury Report entitled "Hate@Schools -- Opportunities Lost". We appreciate the Grand Jury's interest in this matter. Having reviewed and considered the Grand Jury's Findings and Recommendations, the District responds as follows, pursuant to section 933.05 of the California Penal Code:

FINDINGS

- 1. Of 20 high school principals who responded to a Grand Jury survey, nine documented at least one hate incident/crime in the last five years for a total of 16 incidents. The low number of incidents reported could indicate either that County schools are not experiencing the rise in hate incidents documented by teachers nationwide, or that administrators, teachers and students in the County are not identifying, documenting, or otherwise reporting such incidents.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

- 2. Of 16 hate incidents reported by principals that occurred since 2015, 12 were reported by teachers or staff. Only four were reported by students and of these only one was reported anonymously even though 15 of the 20 schools responding to the survey have mechanisms for anonymous reporting.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

Board Of Trustees

Mary Windram, Monica Resendiz, Dave Meyrovich, Renee Erridge, Lisa Mateja

3. *Based on responses from 19 of the 20 principals responding to the Grand Jury survey, five of the six County high school districts had policies concerning how the districts will address hate-motivated behavior. Only one district, with one high school, did not have a policy. The following are characteristics of those policies:*

- *Policies affirm districts' commitment to providing a safe learning and working environment free from discrimination and harassment;*
- *Except for one, policies do not provide clear definitions and guidelines;*
- *Policies are generally only available in English;*
- *Policies use technical and legal language and are not written for a general audience at the 7th to 9th grade reading level; and*
- *None of the policies addressed hate speech or incidents anonymously targeted at a student.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District agrees that it has its own Policy 5145.9 concerning how the District will address hate-motivated behavior. The District is in the process of a full policy review and update and will revise Policy 5145.9 to include anonymous hate speech and incidents.

4. *The San Mateo Union High School District's policy was the most comprehensive, but it lacked information regarding how schools should deal with anonymous incidents or hate speech although the District's dress code policy prohibits students from wearing clothing with hate speech.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

5. *All school principals described activities to reinforce the messages of mutual respect and inclusivity. None cited Camp LEAD or were involved in the Anti-Defamation League's No Place for Hate school program.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

6. *Despite efforts by schools to sensitize students to the issues of hate incidents and crimes, it was unclear whether students are aware of school policies or even if they understand what constitutes a hate incident or crime.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

7. *Two incidents of hate and one hate crime reported in local media occurred on the campus of Burlingame High School between January 2018 and September 2019.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

Board Of Trustees

Mary Windram, Monica Resendiz, Dave Meyrovich, Renee Erridge, Lisa Mateja

8. *Staff at Burlingame High School did not use the two hate incidents that had occurred to denounce bias or reaffirm school values on a school-wide basis.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

9. *Following the hate crime at Burlingame High School, the school and District staff responded by involving students, community members and organizations including clergy, police and the Anti-Defamation League.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

10. *After three incidents, administrative staff do not believe the incidents reflect the dominant culture of the school, although at least some students believe there is a lack of tolerance for minorities.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

11. *Of the schools in [San Mateo Union High School] District, school administrators reported programs to address school climate, although only two offered specific programming to address bias and hate.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

12. *None of the other five schools in [San Mateo Union High School] District used the September 2019 incident at Burlingame High School to address bias or to discuss hate incidents / crimes.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

13. *There is much variability in school programming that includes on-going efforts versus one-time programs to address school climate.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

14. *The San Mateo Office of Education could be a resource for school districts to develop their policies to address hate incidents and hate crimes and for addressing such incidents at schools through three existing COE programs: the Coalition for Safe Schools and Communities, Respect! 24/7, and Camp LEAD.*

The District agrees with this Finding.

Board Of Trustees

Mary Windram, Monica Resendiz, Dave Meyrovich, Renee Erridge, Lisa Mateja

15. *The Anti-Defamation League offers a program, No Place for Hate, to support school climate goals with ideas for deepening understanding about diversity, building community and developing skills for students, teachers, parents, and community members. During the 2018-19 school year, 40 Bay Area schools participated in the ADL program, although none from the County.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

RECOMMENDATIONS

1. *By the beginning of the 2021-22 school year, all high schools and unified school districts need clear anti-bias policies to ensure that students are safe from harm, and that administrators are prepared to act swiftly and decisively to address all incidents of hate and bias when they occur, and to proactively foster an inclusive school climate. Policies should include:*
- *Definitions of hate-motivated incidents and crimes, and hate speech;*
 - *District and school responsibilities for:*
 - *Preventive measures;*
 - *Immediate response;*
 - *Information on how to specifically address hate speech and anonymous incidents targeted at a specific student;*
 - *Guidance on how to respond after an incident has occurred that includes (1) how to communicate empathy, reconciliation and support to those who have been harmed; (2) communication to students and families directly affected; and (3) how to communicate with the student body in order to reinforce messages of inclusivity and respect;*
 - *Information on how students will be educated about hate crimes, hate incidents and hate speech at least annually;*
 - *Disciplinary actions that could result from an incident; and*
 - *Student responsibilities to report incidents.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. The District is currently undergoing a full review of district policies and will incorporate this recommendation into that process.

2. *New materials should be written for parents/guardians and students at a 7th to 9th grade reading level, available in multiple languages, and distributed to them in print, in student handbooks and on school websites. This should be completed by the beginning of the 2021-22 school year.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. The District is currently undergoing a full review of district policies. Corresponding material will be developed, translated and distributed.

3. *During the first quarter of the 2020-21 school year, to be more proactive in addressing school climate regarding hate, districts should take steps to ensure that:*

Board Of Trustees

Mary Windram, Monica Resendiz, Dave Meyrovich, Renee Erridge, Lisa Mateja

- *School administrators and/or teachers meet with small, diverse groups of students to understand from their perspective, the school climate and incidents of hate that may go either unnoticed by teachers and staff or unreported.*
- *At the start of each school year, students should not only receive written information, but presentations should be arranged to inform students about what constitutes a hate incident/crime, anonymous reporting, and the follow up that will occur if an incident is reported.*
- *Students in a leadership position should be required to undergo some training regarding school climate and student volunteers should be trained to provide peer counseling and presentations to groups of students regarding hate incidents and understanding diverse cultures.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. The District will continue to assess school climate through the California Healthy Kids Survey given in odd years to 5th, 7th, 9th and 11th grade students.

Both the Grand Jury Report and these responses were presented to and approved by the District's Board of Trustees on December 15, 2020.

Please do not hesitate to contact me if you have questions or require additional information.

Sincerely,



Amy Wooliever

Superintendent

La Honda-Pescadero Unified School District

Board Of Trustees

Mary Windram, Monica Resendiz, Dave Meyrovich, Renee Erridge, Lisa Mateja



Excellence and Equity in Education

Nancy Magee • County Superintendent of Schools

November 19, 2020

Via Email (grandjury@sanmateocourt.org)

The Honorable Danny Y. Chou
Judge of the Superior Court
c/o Jenarda Dubois
Hall of Justice
400 County Center; 8th Floor
Redwood City, CA 94063-1655

Re: Response to the 2019-2020 Grand Jury Report entitled "Hate@Schools -- Opportunities Lost."

Dear Judge Chou:

The San Mateo County Office of Education ("SMCOE") has received and reviewed the 2019-2020 Grand Jury Report entitled "Hate@Schools -- Opportunities Lost". We appreciate the Grand Jury's interest in this matter. Having reviewed and considered the Grand Jury's Findings and Recommendations, SMCOE responds as follows, pursuant to section 933.05 of the California Penal Code:

FINDINGS

- 1. Of 20 high school principals who responded to a Grand Jury survey, nine documented at least one hate incident/crime in the last five years for a total of 16 incidents. The low number of incidents reported could indicate either that County schools are not experiencing the rise in hate incidents documented by teachers nationwide, or that administrators, teachers and students in the County are not identifying, documenting, or otherwise reporting such incidents.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, SMCOE accepts the Grand Jury's Finding for the purposes of this response.

- 2. Of 16 hate incidents reported by principals that occurred since 2015, 12 were reported by teachers or staff. Only four were reported by students and of these only one was reported anonymously even though 15 of the 20 schools responding to the survey have mechanisms for anonymous reporting.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the

research related to this Report. However, SMCOE accepts the Grand Jury’s Finding for the purposes of this response.

3. *Based on responses from 19 of the 20 principals responding to the Grand Jury survey, five of the six County high school districts had policies concerning how the districts will address hate-motivated behavior. Only one district, with one high school, did not have a policy. The following are characteristics of those policies:*

- *Policies affirm districts’ commitment to providing a safe learning and working environment free from discrimination and harassment;*
- *Except for one, policies do not provide clear definitions and guidelines;*
- *Policies are generally only available in English;*
- *Policies use technical and legal language and are not written for a general audience at the 7th to 9th grade reading level; and*
- *None of the policies addressed hate speech or incidents anonymously targeted at a student.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, SMCOE confirms that its Board Policy 5145 clearly defines Anti-Harassment/Anti Bullying behavior while Board Policy 5250 addresses Student Behavior and Discipline. However, SMCOE recognizes Board Policy 5250 does not directly address how the County Office will respond to hate-motivated behavior and commits to updating this policy to clarify SMCOE’s response in the event of hate speech or incidents, including those that anonymously target a student.

4. *The San Mateo Union High School District’s policy was the most comprehensive, but it lacked information regarding how schools should deal with anonymous incidents or hate speech although the District’s dress code policy prohibits students from wearing clothing with hate speech.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, SMCOE accepts the Grand Jury’s Finding for the purposes of this response.

5. *All school principals described activities to reinforce the messages of mutual respect and inclusivity. None cited Camp LEAD or were involved in the Anti-Defamation League’s No Place for Hate school program.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, SMCOE accepts the Grand Jury’s Finding for the purposes of this response.

6. *Despite efforts by schools to sensitize students to the issues of hate incidents and crimes, it was unclear whether students are aware of school policies or even if they understand what constitutes a hate incident or crime.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, SMCOE accepts the Grand Jury’s Finding for the purposes of this response.

7. *Two incidents of hate and one hate crime reported in local media occurred on the campus of Burlingame High School between January 2018 and September 2019.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, SMCOE accepts the Grand Jury’s Finding for the purposes of this Response.

8. *Staff at Burlingame High School did not use the two hate incidents that had occurred to denounce bias or reaffirm school values on a school-wide basis.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, SMCOE accepts the Grand Jury’s Finding for the purposes of this Response.

9. *Following the hate crime at Burlingame High School, the school and District staff responded by involving students, community members and organizations including clergy, police and the Anti-Defamation League.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, SMCOE accepts the Grand Jury’s Finding for the purposes of this Response.

10. *After three incidents, administrative staff do not believe the incidents reflect the dominant culture of the school, although at least some students believe there is a lack of tolerance for minorities.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, SMCOE accepts the Grand Jury’s Finding for the purposes of this Response.

11. *Of the schools in [San Mateo Union High School] District, school administrators reported programs to address school climate, although only two offered specific programming to address bias and hate.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, SMCOE accepts the Grand Jury’s Finding for the purposes of this Response.

12. *None of the other five schools in [San Mateo Union High School] District used the September 2019 incident at Burlingame High School to address bias or to discuss hate incidents / crimes.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, SMCOE accepts the Grand Jury’s Finding for the purposes of this Response.

13. *There is much variability in school programming that includes on-going efforts versus one-time programs to address school climate.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, SMCOE accepts the Grand Jury’s Finding for the purposes of this Response.

14. *The San Mateo Office of Education could be a resource for school districts to develop their policies to address hate incidents and hate crimes and for addressing such incidents at schools through three existing COE programs: Coalition for Safe Schools and Communities, Respect! 24/7, and Camp LEAD.*

SMCOE agrees with this Finding.

15. *The Anti-Defamation League offers a program, No Place for Hate, to support school climate goals with ideas for deepening understanding about diversity, building community and developing skills for students, teachers, parents, and community members. During the 2018-19 school year, 40 Bay Area schools participated in the ADL program, although none from the County.*

SMCOE lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, SMCOE accepts the Grand Jury’s Finding for the purposes of this Response.

RECOMMENDATIONS

1. *By the beginning of the 2021-22 school year, all high schools and unified school districts need clear anti-bias policies to ensure that students are safe from harm, and that administrators are prepared to act swiftly and decisively to address all incidents of hate and bias when they occur, and to proactively foster an inclusive school climate. Policies should include:*
 - *Definitions of hate-motivated incidents and crimes, and hate speech;*
 - *District and school responsibilities for:*
 - *Preventive measures;*
 - *Immediate response;*
 - *Information on how to specifically address hate speech and anonymous incidents targeted at a specific student;*
 - *Guidance on how to respond after an incident has occurred that includes (1) how to communicate empathy, reconciliation and support to those who have been harmed; (2) communication to students and families directly affected; and (3) how to communicate with the student body in order to reinforce messages of inclusivity and respect;*
 - *Information on how students will be educated about hate crimes, hate incidents and hate speech at least annually;*
 - *Disciplinary actions that could result from an incident; and*
 - *Student responsibilities to report incidents.*

SMCOE supports this Recommendation and commits to holding a policy symposium for school district leaders across the county in the spring of 2021 in order to support stronger board policies around anti-bias and hate-motivated behavior in all San Mateo County public school districts. SMCOE will organize and facilitate the necessary convenings to accomplish the work; however, it will do so in order to offer support and resources. SMCOE has no authority to compel districts to participate. Local school districts may rely on their own internal resources or existing partnerships to accomplish the same goal.

2. *New materials should be written for parents/guardians and students at a 7th to 9th grade reading level, available in multiple languages, and distributed to them in print, in student handbooks and on school websites. This should be completed by the beginning of the 2021-22 school year.*

Generally speaking, SMCOE supports this Recommendation; however, it requires further analysis given the coordination required among SMCOE and other affected districts. By convening a policy symposium for school district partners in the spring of 2021, SMCOE can support local efforts to create easily accessible materials for parents/guardians and students.

3. *During the first quarter of the 2020-21 school year, to be more proactive in addressing school climate regarding hate, districts should take steps to ensure that:*
 - *School administrators and/or teachers meet with small, diverse groups of students to understand from their perspective, the school climate and incidents of hate that may go either unnoticed by teachers and staff or unreported.*
 - *At the start of each school year, students should not only receive written information, but presentations should be arranged to inform students about what constitutes a hate incident/crime, anonymous reporting, and the follow up that will occur if an incident is reported.*
 - *Students in a leadership position should be required to undergo some training regarding school climate and student volunteers should be trained to provide peer counseling and presentations to groups of students regarding hate incidents and understanding diverse cultures.*

Generally speaking, SMCOE supports this Recommendation; however, it requires further analysis given the coordination required among SMCOE and other affected districts. SMCOE’s Safe and Supportive Schools team can provide resources, trainings, and support to districts that wish to build and strengthen their civic engagement opportunities for students

[RECOMMENDATION #4 - FOR SAN MATEO COUNTY OFFICE OF EDUCATION ONLY]

4. *By the beginning of the 2021-22 school year, the San Mateo County Office of Education should:*
 - *Work with the Coalition for Safe Schools and Communities to consider either expanding their scope of work or forming an additional group to focus on how schools address hate.*
 - *Continue to include information at Respect! 24/7 conferences on hate incidents and hate speech by bringing in experts to address attendees.*

- *Have the Coordinator of School Climate develop a written plan on how to bring the Camp LEAD program to District High Schools and consider how to make it more accessible during the school year.*

Generally speaking, the San Mateo County Office of Education supports this Recommendation; however, it requires further analysis. The actions described in this recommendation already align with SMCOE’s existing work plans. We must recognize the obstacles created by the COVID-19 pandemic that could delay timelines, especially as it relates to Camp LEAD which is an overnight, in-person experience. Nonetheless, SMCOE’s Safe and Supportive Schools team, in partnership with other teams across the Educational Services Division and the entire SMCOE organization, is committed to leading the work to create anti-racist policies, practices, and strategies that support anti-bias and inclusive curriculum and instruction.

SMCOE has created and recently filled the position of Executive Director of Equity, Social Justice, and Inclusion. The Executive Director will oversee and advance efforts to increase organization-wide commitment and alignment to SMCOE’s anti-racist paradigm and provide leadership that works to dismantle educational inequities that exist within San Mateo County. The Executive Director will help SMCOE implement the goals identified in this report.

[RECOMMENDATION #5 – FOR SAN MATEO UNION HIGH SCHOOL DISTRICT ONLY]

5. *The SMUHSD should work with the ADL to bring its program, No Place for Hate, to at least one school in the District starting in the 2021-2022 school year as a pilot for roll-out to other schools in the District.*

N/A

Both the Grand Jury Report and these responses were presented to and approved by the District’s Board of Trustees on November 18, 2020.

Please do not hesitate to contact me if you have questions or require additional information.

Sincerely,



Nancy Magee
San Mateo County Superintendent of School

San Mateo Union High School District

Kevin Skelly, Ph.D., Superintendent

Elizabeth McManus, Deputy Superintendent Business Services

Kirk Black, Ed.D., Deputy Superintendent Human Resources and Student Services

Julia Kempkey, Ed.D. Assistant Superintendent of Curriculum and Instruction



December 7, 2020

Via Email (grandjury@sanmateocourt.org)

The Honorable Danny Y. Chou
Judge of the Superior Court
c/o Bianca Fasuescu
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: Response to the 2019-2020 Grand Jury Report entitled "Hate@Schools -- Opportunities Lost."

Dear Judge Chou:

The San Mateo Union High School District (the "District") has received and reviewed the 2019-2020 Grand Jury Report entitled "Hate@Schools -- Opportunities Lost". We appreciate the Grand Jury's interest in this matter. Having reviewed and considered the Grand Jury's Findings and Recommendations, the District responds as follows, pursuant to section 933.05 of the California Penal Code:

FINDINGS

1. Of 20 high school principals who responded to a Grand Jury survey, nine documented at least one hate incident/crime in the last five years for a total of 16 incidents. The low number of incidents reported could indicate either that County schools are not experiencing the rise in hate incidents documented by teachers nationwide, or that administrators, teachers and students in the County are not identifying, documenting, or otherwise reporting such incidents.

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

2. Of 16 hate incidents reported by principals that occurred since 2015, 12 were reported by teachers or staff. Only four were reported by students and of these only one was reported anonymously even though 15 of the 20 schools responding to the survey have mechanisms for anonymous reporting.

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

3. Based on responses from 19 of the 20 principals responding to the Grand Jury survey, five of the six County high school districts had policies concerning how the districts will address hate-motivated behavior. Only one district, with one high school, did not have a policy. The following are characteristics of those policies:

- Policies affirm districts' commitment to providing a safe learning and working environment free from discrimination and harassment;
- Except for one, policies do not provide clear definitions and guidelines;
- Policies are generally only available in English;
- Policies use technical and legal language and are not written for a general audience at the 7th to 9th grade reading level; and
- None of the policies addressed hate speech or incidents anonymously targeted at a student.

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District agrees that it has its own policy concerning how the District will address hate-motivated behavior. The District agrees with the characteristics of the policies.

4. The San Mateo Union High School District's policy was the most comprehensive, but it lacked information regarding how schools should deal with anonymous incidents or hate speech although the District's dress code policy prohibits students from wearing clothing with hate speech.

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response. The District does promote the use of and availability of an Anonymous Alert system for students, parents/guardians, and staff to report all safety concerns including hate-related incidents.

5. All school principals described activities to reinforce the messages of mutual respect and inclusivity. None cited Camp LEAD or were involved in the Anti-Defamation League's No Place for Hate school program.

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

6. Despite efforts by schools to sensitize students to the issues of hate incidents and crimes, it was unclear whether students are aware of school policies or even if they understand what constitutes a hate incident or crime.

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

7. Two incidents of hate and one hate crime reported in local media occurred on the campus of Burlingame High School between January 2018 and September 2019.

The District agrees with this Finding.

8. Staff at Burlingame High School did not use the two hate incidents that had occurred to denounce bias or reaffirm school values on a school-wide basis.

The District agrees with this Finding.

9. Following the hate crime at Burlingame High School, the school and District staff responded by involving students, community members and organizations including clergy, police and the Anti-Defamation League.

The District agrees with this finding

10. After three incidents, administrative staff do not believe the incidents reflect the dominant culture of the school, although at least some students believe there is a lack of tolerance for minorities.

The District agrees with this finding.

11. Of the schools in [San Mateo Union High School] District, school administrators reported programs to address school climate, although only two offered specific programming to address bias and hate.

The District agrees with this finding.

12. None of the other five schools in [San Mateo Union High School] District used the September 2019 incident at Burlingame High School to address bias or to discuss hate incidents / crimes.

The District agrees with this Finding.

13. There is much variability in school programming that includes on-going efforts versus one-time programs to address school climate.

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

14. The San Mateo Office of Education could be a resource for school districts to develop their policies to address hate incidents and hate crimes and for addressing such incidents at schools through three existing COE programs: the Coalition for Safe Schools and Communities, Respect! 24/7, and Camp LEAD.

The District agrees with this Finding.

15. The Anti-Defamation League offers a program, No Place for Hate, to support school climate goals with ideas for deepening understanding about diversity, building community and developing skills for students, teachers, parents, and community members. During the 2018-19 school year, 40 Bay Area schools participated in the ADL program, although none from the County.

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

RECOMMENDATIONS

1. By the beginning of the 2021-22 school year, all high schools and unified school districts need clear anti-bias policies to ensure that students are safe from harm, and that administrators are prepared to act swiftly and decisively to address all incidents of hate and bias when they occur, and to proactively foster an inclusive school climate. Policies should include:
 - Definitions of hate-motivated incidents and crimes, and hate speech;
 - District and school responsibilities for:
 - Preventive measures;
 - Immediate response;
 - Information on how to specifically address hate speech and anonymous incidents targeted at a specific student;
 - Guidance on how to respond after an incident has occurred that includes (1) how to communicate empathy, reconciliation and support to those who have been harmed; (2) communication to students and families directly affected; and (3) how to communicate with the student body in order to reinforce messages of inclusivity and respect;
 - Information on how students will be educated about hate crimes, hate incidents and hate speech at least annually;
 - Disciplinary actions that could result from an incident; and
 - Student responsibilities to report incidents.

The District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. The following is a summary of action items SMUHSD has or will complete including timelines:

- **By Fall 2021, SMUHSD and school sites will clearly explain anti-bias policies, define what hate speech and hate incidents are, and promote reporting to ensure safety and proper responses to incidents.**
- **By Fall 2020, SMUHSD will revise [SMUHSD-Responding to and Reporting Hate-Motivated Incidents and Crimes-10.1.2020](#) to provide guidance to school site leadership teams on definitions, response to incidents, and proper notifications.**
- **By Fall 2021, SMUHSD will ensure each high school site's student handbook is reviewed and updated, and reflects the updated expectations outlined in our board policies. The policies and reporting process will be reviewed annually with all students at the beginning of the year, and posters will be made available in every classroom, hallway, locker room, and bathroom that defines hate and how to report incidents to site and district leadership. The student handbooks and reporting process will be prominently displayed on district and school site websites.**
- **By Fall 2021, Parental Rights and Responsibilities will be revised to make policies and expectations more understandable and relatable to all families.**
- **SMUHSD adopted Ethnic Studies as a graduation requirement (Fall 2020). The semester course objective is an interdisciplinary study of difference - chiefly race, ethnicity, and nation, but also sexuality, gender, and other such markings—and power, as expressed by the state, by civil society, and by individuals. All current and future freshmen will have this course as a graduation requirement.**
- **By Fall 2021, SMUHSD will revise the incident response guide and train all leadership teams on how to respond to hate related incidents, including denouncing the incident, informing victims, informing the community, and reporting the corrective measures to restore the community that was harmed.**
- **During the fall of 2020, over fifteen staff members from school sites and the district office attended SMCOE's *Respect 24/7!***
- **During the fall 2020, over 25 staff members (administrators, counselors, teachers and wellness counselors) participated in a restorative practices training program.**

- **By Spring 2021, SMUHSD will create an intervention program for students who, based on investigations and findings, were a part of a hate speech or hate incident on or off-campus. Students will attend a four-session series on bullying, hate, and biases. The content will be based on the principles of restorative practices and will be taught by a mental health training professional.**
- **By Spring 2021, SMUHSD will identify an MTSS Tier I common assurance for all students. One example of a program is Sources of Strength.**
- **By Spring 2021, and twice annually, SMUHSD will review the established discipline matrix for Education Code violations and the possible outcomes. Students may be in violation of one or more of the following education violations.**

Possible Disciplinary Education Codes

48900(r) Engaged in an act of bullying, including bullying committed by means of an electronic act, directed specifically toward a student or school personnel.

48900.3 Caused, attempted to cause, threatened to cause or participated in an act of hate violence.

48900.4 Intentionally engaged in harassment, threats, or intimidation

Possible outcomes and dispositions for violations of any education codes:

- **Title IX investigation**
 - **Alternative To Suspension program centered around Social Media Awareness and Hate Speech**
 - **Mediation**
 - **No Contact Contract**
 - **Restorative Meetings and Circles with victims and alleged**
 - **Suspension up to 5 days**
 - **Expulsion recommendation possible**
 - **Administrative transfer recommendation possible**
 - **Referral to law enforcement authorities**
 - **Possible Incident Review Conference (IRC)**
 - **Possible Formal Reprimand Contract - District level behavior contract**
 - **Possible Threat Assessment Level I completion and referral to SMCOE Level II**
 - **Uniform Complaint Procedure referral**
- **In Spring 2021, SMUHSD will partner with Common Sense Media to determine ways to integrate Digital Citizen Curriculum course content, assemblies, and individual interventions in 2021-22 and beyond. Topics will include:**

- **Media balance and well-being;**
 - **Privacy and security;**
 - **Digital footprint and identity, relations and communication;**
 - **Cyberbullying, digital drama, and hate speech; and,**
 - **News and media literacy.**
- **Since 2018, SMUHSD's Anonymous Alert has been a part of student, parent, and guardian incident reporting. SMUHSD will launch an annual campaign to promote the use of the alert system to report incidents to administrators, counselors, and support staff. Reporters have the ability to report incidents on the record or anonymously.**
 - New materials should be written for parents/guardians and students at a 7th to 9th grade reading level, available in multiple languages, and distributed to them in print, in student handbooks and on school websites. This should be completed by the beginning of the 2021-22 school year.

The District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. By Fall 2021, Parental Rights and Responsibilities will be revised to make policies and expectations more understandable and relatable to all families. Policies and expectations will prominently be displayed on district and school site websites.

- During the first quarter of the 2020-21 school year, to be more proactive in addressing school climate regarding hate, districts should take steps to ensure that:
 - School administrators and/or teachers meet with small, diverse groups of students to understand from their perspective, the school climate and incidents of hate that may go either unnoticed by teachers and staff or unreported.
 - At the start of each school year, students should not only receive written information, but presentations should be arranged to inform students about what constitutes a hate incident/crime, anonymous reporting, and the follow up that will occur if an incident is reported.
 - Students in a leadership position should be required to undergo some training regarding school climate and student volunteers should be trained to provide peer counseling and presentations to groups of students regarding hate incidents and understanding diverse cultures.

The District supports these recommendations. The information below outlines some actions that have already been taken and what the district plans to implement.

- **District Staff initiated a student equity team composed of a diverse group of students that has met several times over the Fall 2020 semester to gather input on their perspectives of school culture and climate as it relates to hate speech & actions. This team of students is also planning a “Teach-in” for administrators to take place on November 17 to share with school and district administrators their stories, recommendations and next steps to take in order to improve school climate with a specific focus on how to intervene when incidents occur.**
- **District staff in collaboration with school administrators will ensure students receive written information about what constitutes a hate incident/crime and that students are presented with information on how to report incidents when they occur and what type of follow-up they should expect to see.**
- **District staff in collaboration with the Activities Directors at each of the schools agree with this recommendation and will work to identify training for students in leadership positions to attend by the Fall of 2021. The district will also investigate programs to train student volunteers to serve as peer counselors and educate their peers on hate incidents and understanding of diverse cultures.**
- **The SMUHSD should work with the ADL to bring its program, No Place for Hate, to at least one school in the District starting in the 2021-2022 school year as a pilot for roll-out to other schools in the District.**
- **The District supports this Recommendation; however, it requires further analysis as the District would like to review and vet other providers to bring training and professional learning to the district in the area of hate speech, implicit bias and equity challenges. The District will implement this training as a pilot in the Spring of 2021 and a more robust implementation across the district in the Fall 2021.**
- **The District and school sites will use multiple measures to determine the effectiveness of our plan. We will use both qualitative and quantitative data to determine effectiveness and impact. For example, we will routinely look at the number of incidents reported and investigated. In addition, we will use Panorama social emotional survey results and share the results broadly to stakeholders. Students first took the survey in November 2020. In this survey we asked a variety of questions related to social emotional well-being. Seven questions were specific to hate speech and hate incidents. SMUHSD plans on administering the survey two more times in the Spring 2021, and three times during the 2021-22 school year. The district and school sites will develop goals specific to incremental improvements based on the survey results. Goals will be set at 5% or 10% improvement over the course of the year with specific attention to specific sub-groups. Results should be readily available**

for students, staff and all stakeholders to review and understand. The questions asked in the survey are as follows:

- *When there are instances of hate speech (either directed at me or another person) at my school, I see adults respond in a way that makes me feel safe.*
- *When there are instances of sexual harassment (either directed at me or another person) that happen at school, I see adults respond in ways that make me feel safe.*
- *When there are instances of homophobia (either directed at me or another person) that happen at school, I see adults respond in ways that make me feel safe.*
- *I have experienced casual racism (mocking language, jokes, insults towards targeted groups).*
- *I have been the victim of hate-motivated speech or behavior.*
- *I have experienced microaggressions on campus (not overt racist actions but small nonverbal snubs, dismissive looks, gestures and/or condescending tone) at school.*
- *Do you think your friends of a different sexual orientation, race or religion feel safe in your school?*
- *Are you aware of your school's policy around acts of bias, discrimination, or hate?*

Both the Grand Jury Report and these responses were presented to and approved by the District's Board of Trustees on December 3, 2020.

Please do not hesitate to contact me if you have questions or require additional information.

Sincerely,



Kevin Skelly

Superintendent

San Mateo Union High School District

SAN MATEO UNION HIGH SCHOOL DISTRICT

POLICY bulletin

Responding to and Reporting Hate-Motivated Incidents and Crimes

DATE: October 1, 2020

POLICY: The San Mateo Union High School District (District) is committed to providing a safe learning and working environment that is free from discrimination and harassment. Hate-motivated incidents and crimes jeopardize both the safety and well-being of all students and staff. Current law requires school districts to document and report any and all hate-motivated incidents and crimes to permit the development of effective programs and techniques to combat crime on school campuses.

The District will not tolerate hate-motivated incidents/crimes based on race, color, national origin, religion, disability, sex, sexual orientation, gender identity, or retaliation in any form for reporting such incidents/crimes.

This bulletin is aligned with [District policy](#) on Bullying and the Federal Law [Title IX](#) for the documentation and reporting of hate-motivated incidents/ that manifests evidence of hostility toward the target because of his or her actual or perceived race, color, national origin, religion, disability, sex, sexual orientation or gender identity. Such action includes, but is not limited to, threatening telephone calls, hate mail, physical assault, vandalism, cross burning, destruction of religious symbols, symbols of hate, or fire bombings. This also includes threats or hate mail sent by electronic communication.

[Complaint Investigation Record To Be Completed By Site Admin](#)

[Title IX Complaint Form - To be Used By Student/Parent/Guardian - To Be Victim or Witness](#)

[Uniform Complaint Procedure To be Completed by Parent/Student/Staff](#)

[Student Incident Report Form - Universal To Be Used for Statements](#)

Related to Investigations

GUIDELINES:

I. Definitions

- A. **Hate Motivated Incident:** A “hate-motivated incident” means an act or attempted act which constitutes an expression of hostility against a person, property, or institution because of the target’s real or perceived race, color, national origin, religion, disability, sex, sexual orientation, or gender-identity. This may include using bigoted insults, taunts, or slurs, distributing or posting hate group literature or posters, defacing, removing, or destroying posted materials or announcements, posting or circulating demeaning jokes or leaflets, or sending insulting or threatening messages by phone, e-mail, Web sites, or any other electronic or written communication.
- B. **Hate Motivated Crime:** A “hate-motivated crime” means a “hate-motivated incident” that has been investigated by law enforcement and determined to be criminal in nature and a violation of the law. This includes any criminal action.

II. Indicators in Identifying Hate-Motivated Incidents/Crimes

The following questions may assist in determining whether an act or action is a hate-motivated incident/crime:

1. Was an actual crime or attempted crime such as **vandalism, assault or battery** committed? Both verbal and written threats may be included in this consideration.
2. Was the incident/crime directed at a particular person or group of persons because of the actual or perceived race, color, national origin, religion, disability, nationality, sex, sexual orientation, or gender identity of the person or group of persons in any of these protected categories.
3. Did the perpetrator intentionally select the target because of his or her belonging to a protected category (listed in #2 above)? There must be some indication that the perpetrator’s actions were motivated by bias/prejudice against the deliberately selected target (a person who is actually, or perceived to be a member of or affiliated with one of the above-referenced protected categories.)
4. Was a substantial motivation for the perpetrator’s action because the target was a member or perceived member of one of the protected classes referenced above?
5. Did the perpetrator perceive that the target fell within one of the protected categories (listed in #2 above)?

If the answers to the above-listed indicators have been determined to be true, then the incident may be hate-motivated or rise to the level of a hate-motivated crime. However, conduct that does not rise to the

level of a “hate-motivated crime” may still be considered to be a hate-motivated incident, unlawful discrimination, and/or inappropriate behavior, and may require follow-up, some type of corrective or administrative action, and/or discipline

III. Administrative Responsibilities

C. Preventative Measures

- Each school principal should, as part of the school's Safe School Plan, identify the administrator(s) responsible to serve as complaint manager(s)/administrators and establish a systematic process to respond to and report hate-motivated incidents/crimes. This process should include this bulletin which outlines directions for assistance to the target, consultation with and/or reporting to Local Law Enforcement, use of disciplinary action, and District reporting procedures.
- The Superintendent or designee is responsible to identify the site administrator(s) or supervisor(s) responsible to respond to and report hate-motivated incidents/crimes.
- District/Schools will work collaboratively with partner districts/schools to collaborate on interventions, assemblies, presentations, and data collection in relation to responding to and reporting of hate-motivated incidents/crime prevention.
- The District/Schools should communicate with and ensure that staff, students, and parents are informed of District policy requiring the promotion of mutual respect and acceptance, and District policy and school policy regarding hate-motivated behavior.
- Inform students, parents, and employees of this policy and the reporting procedures for targets of or witnesses to hate-motivated behaviors.
- Schools should provide in-service training to certificated and classified staff to ensure that staff is clearly familiar with and able to identify the indicators of hate-motivated behavior and understand their individual responsibilities to respond, intervene, and report such behaviors.
- The District/schools should review on a quarterly (or more frequently as needed) all documented hate-motivated incidents/crimes in accordance with the Safe School Plan – Volume I, and alert school personnel of any developing trends or areas of concern that might merit further attention/response.

D. Immediate Responses to Hate-Motivated Incidents/Crimes

All staff should:

- **Intervene immediately** to witnessed events, respond quickly to reported incidents, and take action to stop the hate-motivated behavior.
- **Ensure the safety of the target** by offering any assistance that may be appropriate and by advising the target to contacting the complaint manager/administrator who can stop the behavior and help if the situation continues, escalates, or arises again.
- **Contact the Director of Student Services** who will inform the Superintendent and engage the Manager of Communications in the case where a staff member is involved
- **Contact the Deputy Superintendent of Human Resources and Student Services (Title IX coordinator)** with all incidents related to Title IX.

Title IX Complaint Form - To be Used By Student/Parent/Guardian - Victim or Witness (Same as above)

- **Investigate to gain an understanding of the situation.** Obtain specific information relevant to the situation, where and when the incident occurred, and whether this was an isolated incident, related to previous incidents, or suggestive of a broader pattern requiring further administrative action. Obtain names and statements from the target and from witnesses, as appropriate. Additionally, provide all parties involved with assurances regarding District policies on confidentiality and non-retaliation in the complaint investigation process. Reasonable efforts should be made to document and/or preserve evidence relating to the incident.
- **Consult with Local Law Enforcement** on the reporting of hate-motivated incidents/crimes and for assistance in the investigation.
- **Denounce the act** – Communications Manager will lead the school in crafting a message to focus on three main points
 - An unacceptable incident has occurred
 - A full investigation is underway.
 - Our school stands for respect and inclusion, a place where all are welcome and appreciated.
- **Communicate - Provide accurate information and dispel misinformation.** Principal or designee will lead communications with:

- o Victims
 - o Parents of victims
 - o Faculty, staff, district officials,
 - o Board of Trustees (asap)
 - o Students Parents and guardians
 - o Neighbors/residents
 - o Other government agencies/elected officials (city, county)
 - o San Mateo County Office of Ed
- **Work with the media (as needed)** –The Communications Manager will coordinate all communication with and responses to the media.
 - Reasonable efforts should be made to document and/or preserve evidence relating to the incident. Consult with Local Law Enforcement on the reporting of hate-motivated incidents/crimes, as well as procedures for securing the location or the gathering of evidence.
 - For additional assistance, consult with the Director of Student Services
 - For incidents involving employees as the suspected or alleged perpetrator of a hate-motivated incident/crime, consult with your supervisor and the Deputy Superintendent of HR and Student Services.

E. Responding After the Incident

- **Support targeted students** - Continue to support specific victims as well as members of the targeted community.
- **Seek restorative justice** - In instances where a crime was committed, law enforcement will take the lead. In other instances allow board policy to guide your school's actions.
- **Determine what further communications are needed - *Work with Communications Manager*** to determine what communications are needed to further promote healing.
- Move forward with appropriate disciplinary action that is consistent with the District's student discipline policy and procedures. See bullet above.
- The "Incident Report Form – Complaint/Investigation Record" (Attachment A) must be used to document any incidents suspected of being or alleged to be hate-motivated, regardless of whether the incident meets the criteria of a crime, is deemed to be an act of unlawful discrimination, or is merely inappropriate behavior.

- Determine whether additional follow-up activities are necessary, for example, a staff development or student educational activity.
- After monitoring to ensure that the action is not continuing, forward a copy of the completed "Incident Report Form – Complaint/Investigation Record" (Attachment A) to the Director of Student Services. Keep the originals of these forms for the quarterly review of the Safe School Plan by the Safe School Planning Committee.

Complaint Investigation Record To Be Completed By Site Admin

Staff Responsibilities

Employees shall:

- Support the District's efforts to prevent hate-motivated incidents/ crimes by learning to recognize the indicators of such actions and effectively taking steps to intervene immediately when such actions occur.
- Understand their individual responsibility to report such situations/incidents to the site administrator and or administrator-designated Complaint Manager/Administrator.
- Share responsibility for creating an environment where students and staff know that hate- motivated incidents/crimes will not be tolerated.
- Encourage anyone alleging that he or she is a target of, or a witness to, a hate motivated incident/crime to report such an incident.
- Cooperate in any investigation of a hate-motivated incident/crime.
- Guard against any actions that could be considered retaliatory against anyone who has made a report or is participating in an investigation of a hate-motivated incident/crime

Student Responsibilities

Students shall be informed that:

- The District does not tolerate hate-motivated incidents or crimes.
- They share a responsibility for creating a safe school environment and that they can do that by treating others with mutual respect and acceptance, and by being sensitive as to how others might perceive their actions and/or words.

- They are not to engage in or contribute to hate-motivated behaviors, actions or words.
- In cases where they may be a witness to or a target of a hate-motivated incident/crime, they have a responsibility to report such an incident to the site administrator.
- They are never to engage in retaliatory behavior or ask, encourage, or consent to anyone's taking retaliatory actions on their behalf.

District Responsibilities

The Director of Student Services shall:

- Review all copies of the "Incident Report Form – Complaint/ Investigation Record" (Attachment A) for completeness and determine whether additional information might be needed and whether appropriate District policy procedures were followed. For example, did the reported incident also require the reporting of child abuse or sexual harassment, school police or local law enforcement contact, or any other type of action, according to District policy procedures.
- Determine whether additional resources or assistance might be required or suggested to the school.
- As appropriate, provide copies of the "Incident Report Form – Complaint/Investigation Record" to: Deputy Superintendent of Human Resources and Student Services/Instruction.
- Provide a summary of the incident reports to the Superintendent as often as necessary.

The Communications Manager shall:

- Consult with Principal or designee to provide guidance on crafting messaging to:
 - Denounce the Act
 - Communicate with all key stakeholders about the incident and resolution
- Respond to all requests for information from the media

ATTACHMENT:

Attachment A: Complaint Investigation Record (Student) Discrimination/Harassment
and/or Hate-Motivated Incident/Crime
[Complaint Investigation Record](#) To Be Completed By Site Admin

AUTHORITY:

This is a policy of the Superintendent of Schools. The following legal standards are applied in this policy:

Article 1; Section 28(c) of the California State Constitution

California Education Code §200—(Educational Equity)

Title 5, California Code of Regulations, §4900(a) and §4910(k)

BP 5131.2 Bullying

Title IX, U.S. Department of Education Office of Civil Rights

**RELATED
RESOURCES:**

[San Mateo Union High School District Uniform Complaint Procedures Form](#)

[Title IX Legal Protection Against Harassment](#)

Example: [Draft Protocol for Addressing Racist, Sexist, Other](#)

[Discriminatory Incidents](#) (Mills High School)

[Dehumanizing Language Policy](#) (Aragon High School)

ISSUER:**Director of Student Services**

Don Scatena
(650) 558 - 2257 (Office) dscatena@smuhsd.org

For assistance with determining whether an incident should be reported as suspected child abuse/neglect, contact the Department of Children and Family Services Hotline at (800) 540-4000.

Deputy Superintendent, Human Resources and Student Services

Kirk Black, Ed.D
(650) 558-2209 kblack@smuhsd.org

SEQUOIA UNION HIGH SCHOOL DISTRICT



480 James Avenue, Redwood City, California 94062-1098
Administrative Offices (650) 369-1411

BOARD OF TRUSTEES
Alan Sarver
Rich Ginn
Carrie Du Bois
Shawneece Stevenson
Chris Thomsen

Crystal Leach
Interim Superintendent

December 7, 2020

Via Email (grandjury@sanmateocourt.org)

The Honorable Danny Y. Chou
Judge of the Superior Court
c/o Jenarda Dubois
Hall of Justice
400 County Center; 8th Floor
Redwood City, CA 94063-1655

Re: Response to the 2019-2020 Grand Jury Report entitled "Hate@Schools -- Opportunities Lost."

Dear Judge Lee:

The Sequoia Union High School District (the "District") has received and reviewed the 2019-2020 Grand Jury Report entitled "Hate@Schools -- Opportunities Lost". We appreciate the Grand Jury's interest in this matter. Having reviewed and considered the Grand Jury's Findings and Recommendations, the District responds as follows, pursuant to section 933.05 of the California Penal Code:

FINDINGS

- 1. Of 20 high school principals who responded to a Grand Jury survey, nine documented at least one hate incident/crime in the last five years for a total of 16 incidents. The low number of incidents reported could indicate either that County schools are not experiencing the rise in hate incidents documented by teachers nationwide, or that administrators, teachers and students in the County are not identifying, documenting, or otherwise reporting such incidents.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

- 2. Of 16 hate incidents reported by principals that occurred since 2015, 12 were reported by teachers or staff. Only four were reported by students and of these only one was reported anonymously even though 15 of the 20 schools responding to the survey have mechanisms for anonymous reporting.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

3. *Based on responses from 19 of the 20 principals responding to the Grand Jury survey, five of the six County high school districts had policies concerning how the districts will address hate-motivated behavior. Only one district, with one high school, did not have a policy. The following are characteristics of those policies:*

- *Policies affirm districts' commitment to providing a safe learning and working environment free from discrimination and harassment;*
- *Except for one, policies do not provide clear definitions and guidelines;*
- *Policies are generally only available in English;*
- *Policies use technical and legal language and are not written for a general audience at the 7th to 9th grade reading level; and*
- *None of the policies addressed hate speech or incidents anonymously targeted at a student.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District agrees that it has its own policy concerning how the District will address hate-motivated behavior, which includes the complaint process, notification and communication of the policy to parents and guardians, and the investigation of such complaints.

4. *The San Mateo Union High School District's policy was the most comprehensive, but it lacked information regarding how schools should deal with anonymous incidents or hate speech although the District's dress code policy prohibits students from wearing clothing with hate speech.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

5. *All school principals described activities to reinforce the messages of mutual respect and inclusivity. None cited Camp LEAD or were involved in the Anti-Defamation League's No Place for Hate school program.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District disagrees in part to the Grand Jury's Finding in so far as it applies to Sequoia Union High School District. Sequoia Union High School District participates in Camp LEAD program, in collaboration with the San Mateo County Office of Education, but has yet to send students.

6. *Despite efforts by schools to sensitize students to the issues of hate incidents and crimes, it was unclear whether students are aware of school policies or even if they understand what constitutes a hate incident or crime.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

7. *Two incidents of hate and one hate crime reported in local media occurred on the campus of Burlingame High School between January 2018 and September 2019.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

8. *Staff at Burlingame High School did not use the two hate incidents that had occurred to denounce bias or reaffirm school values on a school-wide basis.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

9. *Following the hate crime at Burlingame High School, the school and District staff responded by involving students, community members and organizations including clergy, police and the Anti-Defamation League.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

10. *After three incidents, administrative staff do not believe the incidents reflect the dominant culture of the school, although at least some students believe there is a lack of tolerance for minorities.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

11. *Of the schools in [San Mateo Union High School] District, school administrators reported programs to address school climate, although only two offered specific programming to address bias and hate.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

12. *None of the other five schools in [San Mateo Union High School] District used the September 2019 incident at Burlingame High School to address bias or to discuss hate incidents / crimes.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

13. *There is much variability in school programming that includes on-going efforts versus one-time programs to address school climate.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

14. *The San Mateo Office of Education could be a resource for school districts to develop their policies to address hate incidents and hate crimes and for addressing such incidents at schools through three existing COE programs: the Coalition for Safe Schools and Communities, Respect! 24/7, and Camp LEAD.*

The District agrees with this Finding.

15. *The Anti-Defamation League offers a program, No Place for Hate, to support school climate goals with ideas for deepening understanding about diversity, building community and developing skills for students, teachers, parents, and community members. During the 2018-19 school year, 40 Bay Area schools participated in the ADL program, although none from the County.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

RECOMMENDATIONS

1. *By the beginning of the 2021-22 school year, all high schools and unified school districts need clear anti-bias policies to ensure that students are safe from harm, and that administrators are prepared to act swiftly and decisively to address all incidents of hate and bias when they occur, and to proactively foster an inclusive school climate. Policies should include:*
 - *Definitions of hate-motivated incidents and crimes, and hate speech;*
 - *District and school responsibilities for:*

- *Preventive measures;*
- *Immediate response;*
- *Information on how to specifically address hate speech and anonymous incidents targeted at a specific student;*
- *Guidance on how to respond after an incident has occurred that includes (1) how to communicate empathy, reconciliation and support to those who have been harmed; (2) communication to students and families directly affected; and (3) how to communicate with the student body in order to reinforce messages of inclusivity and respect;*
- *Information on how students will be educated about hate crimes, hate incidents and hate speech at least annually;*
- *Disciplinary actions that could result from an incident; and*
- *Student responsibilities to report incidents.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. Implementation of this recommendation may be delayed to the current pandemic and associated challenges, making the 2021-22 school year unattainable.

2. *New materials should be written for parents/guardians and students at a 7th to 9th grade reading level, available in multiple languages, and distributed to them in print, in student handbooks and on school websites. This should be completed by the beginning of the 2021-22 school year.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. Implementation of this recommendation may be delayed to the current pandemic and associated challenges, making the 2021-22 school year unattainable.

3. *During the first quarter of the 2020-21 school year, to be more proactive in addressing school climate regarding hate, districts should take steps to ensure that:*
 - *School administrators and/or teachers meet with small, diverse groups of students to understand from their perspective, the school climate and incidents of hate that may go either unnoticed by teachers and staff or unreported.*
 - *At the start of each school year, students should not only receive written information, but presentations should be arranged to inform students about what constitutes a hate incident/crime, anonymous reporting, and the follow up that will occur if an incident is reported.*
 - *Students in a leadership position should be required to undergo some training regarding school climate and student volunteers should be trained to provide peer counseling and presentations to groups of students regarding hate incidents and understanding diverse cultures.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San

Mateo County Office of Education. Implementation of this recommendation may be delayed to the current pandemic and associated challenges, making the 2021-22 school year unattainable.

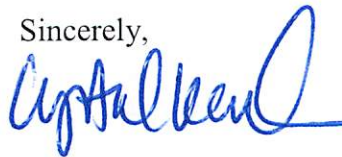
4. *By the beginning of the 2021-22 school year, the San Mateo County Office of Education should:*
 - *Work with the Coalition for Safe Schools and Communities to consider either expanding their scope of work or forming an additional group to focus on how schools address hate.*
 - *Continue to include information at Respect! 24/7 conferences on hate incidents and hate speech by bringing in experts to address attendees.*
 - *Have the Coordinator of School Climate develop a written plan on how to bring the Camp LEAD program to District High Schools and consider how to make it more accessible during the school year.*

5. *The SMUHSD should work with the ADL to bring its program, No Place for Hate, to at least one school in the District starting in the 2021-2022 school year as a pilot for roll-out to other schools in the District.*

Both the Grand Jury Report and these responses were presented to and approved by the District's Board of Trustees on December 16, 2020

Please do not hesitate to contact me if you have questions or require additional information.

Sincerely,



Crystal Leach
Interim Superintendent
Sequoia Union High School District



SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

SUPERINTENDENT

Shawnterra Moore, Ed.D.

BOARD OF TRUSTEES

John C. Baker
Eddie Flores
Daina R. Lujan
Patricia A. Murray
Mina A. Richardson

November 13, 2020

Via Email (grandjury@sanmateocourt.org)

The Honorable Danny Y. Chou
Judge of the Superior Court
c/o Jenarda Dubois
Hall of Justice
400 County Center; 8th Floor
Redwood City, CA 94063-1655

*Re: Response to the 2019-2020 Grand Jury Report entitled "Hate@Schools -
- Opportunities Lost."*

Dear Judge Chou:

The South San Francisco Unified School District (the "District") has received and reviewed the 2019-2020 Grand Jury Report entitled "Hate@Schools -- Opportunities Lost". We appreciate the Grand Jury's interest in this matter. Having reviewed and considered the Grand Jury's Findings and Recommendations, the District responds as follows, pursuant to section 933.05 of the California Penal Code:

FINDINGS

- 1. Of 20 high school principals who responded to a Grand Jury survey, nine documented at least one hate incident/crime in the last five years for a total of 16 incidents. The low number of incidents reported could indicate either that County schools are not experiencing the rise in hate incidents documented by teachers nationwide, or that administrators, teachers and students in the County are not identifying, documenting, or otherwise reporting such incidents.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report.

However, the District accepts the Grand Jury's Finding for the purposes of this response.

- 2. Of 16 hate incidents reported by principals that occurred since 2015, 12 were reported by teachers or staff. Only four were reported by students and of these only one was reported anonymously even though 15 of the 20 schools responding to the survey have mechanisms for anonymous reporting.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

- 3. Based on responses from 19 of the 20 principals responding to the Grand Jury survey, five of the six County high school districts had policies concerning how the districts will address hate-motivated behavior. Only one district, with one high school, did not have a policy. The following are characteristics of those policies:*

- Policies affirm districts' commitment to providing a safe learning and working environment free from discrimination and harassment;*
- Except for one, policies do not provide clear definitions and guidelines;*
- Policies are generally only available in English;*
- Policies use technical and legal language and are not written for a general audience at the 7th to 9th grade reading level; and*
- None of the policies addressed hate speech or incidents anonymously targeted at a student.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District agrees that it has its own policy concerning how the District will address hate-motivated behavior.

The District's Anti-Bullying/Anti-Harassment Policy encompasses abusive or threatening speech or writing expressing prejudice against a particular group, equivalent to hate speech and hate-motivated conduct, while affirming the District's commitment to providing a safe learning and working environment free from discrimination, intimidation, and any form of harassment. The District's policy provides clear and accessible terminology and outlines specific definitions and guidelines pertaining to investigation, reporting expectations, response, education, and prevention. The District's policy is available in Spanish and English, and is distributed to all students, staff, and parents/guardians annually.

- 4. The San Mateo Union High School District's policy was the most comprehensive, but it lacked information regarding how schools should deal*

with anonymous incidents or hate speech although the District's dress code policy prohibits students from wearing clothing with hate speech.

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

- 5. All school principals described activities to reinforce the messages of mutual respect and inclusivity. None cited Camp LEAD or were involved in the Anti-Defamation League's No Place for Hate school program*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

- 6. Despite efforts by schools to sensitize students to the issues of hate incidents and crimes, it was unclear whether students are aware of school policies or even if they understand what constitutes a hate incident or crime.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

- 7. The SMCOE Two incidents of hate and one hate crime reported in local media occurred on the campus of Burlingame High School between January 2018 and September 2019.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

- 8. Staff at Burlingame High School did not use the two hate incidents that had occurred to denounce bias or reaffirm school values on a school-wide basis.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

- 9. Following the hate crime at Burlingame High School, the school and District staff responded by involving students, community members and organizations including clergy, police and the Anti-Defamation League.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

10. *After three incidents, administrative staff do not believe the incidents reflect the dominant culture of the school, although at least some students believe there is a lack of tolerance for minorities.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

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The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

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The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

13. *There is much variability in school programming that includes on-going efforts versus one-time programs to address school climate.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

14. *The San Mateo Office of Education could be a resource for school districts to develop their policies to address hate incidents and hate crimes and for addressing such incidents at schools through three existing COE programs: the Coalition for Safe Schools and Communities, Respect! 24/7, and Camp LEAD.*

The District agrees with this Finding.

15. *The Anti-Defamation League offers a program, No Place for Hate, to support school climate goals with ideas for deepening understanding about diversity, building community and developing skills for students, teachers, parents, and community members. During the 2018-19 school year, 40 Bay Area schools participated in the ADL program, although none from the County.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

RECOMMENDATIONS

1. *By the beginning of the 2021-22 school year, all high schools and unified school districts need clear anti-bias policies to ensure that students are safe from harm, and that administrators are prepared to act swiftly and decisively to address all incidents of hate and bias when they occur, and to proactively foster an inclusive school climate. Policies should include:*
- *Definitions of hate-motivated incidents and crimes, and hate speech;*
 - *District and school responsibilities for:*
 - *Preventive measures;*
 - *Immediate response;*
 - *Information on how to specifically address hate speech and anonymous incidents targeted at a specific student;*
 - *Guidance on how to respond after an incident has occurred that includes (1) how to communicate empathy, reconciliation and support to those who have been harmed; (2) communication to students and families directly affected; and (3) how to communicate with the student body in order to reinforce messages of inclusivity and respect;*
 - *Information on how students will be educated about hate crimes, hate incidents and hate speech at least annually;*
 - *Disciplinary actions that could result from an incident; and*
 - *Student responsibilities to report incidents.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education.

The District has an Anti-Bullying and Anti-Harassment Policy which encompasses abusive or threatening speech or writing expressing prejudice against a particular group, equivalent to hate speech, while affirming the District's commitment to providing a safe learning and working environment free from discrimination, intimidation, and any

form of harassment. The District's policy provides clear and accessible terminology and outlines specific definitions and guidelines pertaining to investigation, reporting expectations, response, education, and prevention.

The District will endeavor to review and revise the policy as needed to be congruent with the recommendation, within the timeframe specified in the recommendation.

2. *New materials should be written for parents/guardians and students at a 7th to 9th grade reading level, available in multiple languages, and distributed to them in print, in student handbooks and on school websites. This should be completed by the beginning of the 2021-22 school year.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education.

The District's Anti-Bullying/Anti-Harassment Policy is available in Spanish and English, and is distributed in print to all students, staff, and parents/guardians annually within our District Expectations for Student Success Handbook, which is a component of each student's annual registration packet (requiring parent and student signatures of acknowledgement/agreement). Both the Anti-Bullying/Anti-Harassment Policy and the District Expectations for Student Success Handbook are also posted visibly within our Parent and Community Resources on the District's website.

The District will endeavor to review and revise the policy as needed to be congruent with the recommendation, within the timeframe specified in the recommendation.

3. *During the first quarter of the 2020-21 school year, to be more proactive in addressing school climate regarding hate, districts should take steps to ensure that:*
 - *School administrators and/or teachers meet with small, diverse groups of students to understand from their perspective, the school climate and incidents of hate that may go either unnoticed by teachers and staff or unreported.*
 - *At the start of each school year, students should not only receive written information, but presentations should be arranged to inform students about what constitutes a hate incident/crime, anonymous reporting, and the follow up that will occur if an incident is reported.*
 - *Students in a leadership position should be required to undergo some training regarding school climate and student volunteers should be*

trained to provide peer counseling and presentations to groups of students regarding hate incidents and understanding diverse cultures.

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education.

The District will endeavor to engage site leaders, counseling teams, and other staff to discuss opportunities for implementation of the recommendation. Given the evolving and changing circumstances pertaining to COVID-19, the recommendation's timeline may or may not be feasible depending upon distance learning, hybrid, and in-person learning models which are subject to change in response to current COVID-19 conditions, per the District's reopening plan.

4. Recommendation #4 – For San Mateo County Office of Education only.
5. Recommendation #5 – For San Mateo Union High School District only.

Please be advised that Both the Grand Jury Report and the District's responses were presented to and approved by the District's Board of Trustees on November 12, 2020.

Please do not hesitate to contact me if you have questions or require additional information.

Sincerely,

A handwritten signature in blue ink that reads "Shawnterra Moore". The signature is written in a cursive, flowing style.

Shawnterra Moore, Ed.D.
Superintendent
South San Francisco Unified School District