



Memorandum

TO: CITY COUNCIL

FROM: Mayor Matt Mahan
Councilmember David Cohen
Councilmember Peter Ortiz
Councilmember Bien Doan

SUBJECT: ADDRESSING
ENCAMPMENTS
AND RV'S AROUND
SCHOOLS

DATE: August 3, 2023

APPROVED:

Matt Mahan *David Cohen* *Bien Doan*

RECOMMENDATIONS

Direct the City Manager to:

1. Expedite drafting an ordinance prohibiting encampments and vehicle dwelling within 150 feet of the property line of licensed preschools, daycares, and K-12 schools
 - a. Return to Council within 90 days with a draft ordinance, a cost estimate for associated resources needed to fully enforce the ordinance, and recommendations to expedite or phase in enforcement with existing resources.

BACKGROUND

Parents, teachers, and school faculty often express concern for children's safety and school security when encampments and lived-in vehicles locate next to schools. In response, Council directed staff in 2021 to include in our encampment management strategy a prohibition on encampments within 150 feet of a school property. However, the resulting "school buffer" is not codified through City ordinance, nor does it apply to lived-in RVs and vehicles. Our recommendations pursue consistency in developing and applying policies to ensure our youth aren't impacted by RVs and encampments around their schools and other locations where they deserve to feel safe to learn and grow. Recognizing the 2023 homeless census identified at least 770 lived-in RVs on the streets of San José, this direction is not intended to preclude or limit other steps the Council may take in the future to provide for orderly management of RVs and lived-in vehicles.

In April, [East San José students publicly voiced their concerns](#) over finding unhoused individuals sleeping on school grounds, in school bathrooms, and encountering drug paraphernalia on outside lunch benches. Specifically, schools along Educational Park Drive in District 5 have reported an uptick in lived-in RVs and vehicles near school grounds and associated impacts. This memo was researched and written through significant collaboration with students, faculty and

other stakeholders from KIPP San José Collegiate (KSJC) in District 5 who have been trying to address the 20 RVs and vehicles that are currently parked 33 feet away from the school fence. We thank them for reaching out to our offices and engaging so deeply in the process.

DISCUSSION

In December 2022, the KSJC High School Democrats, led by student Alfredo Hernandez Jr., decided to prioritize addressing political and civic issues that directly impact their local school community. They focused on tackling the safety concerns arising from the unhoused RV community located on Educational Park Drive, which had been present since the Fall of 2020. During this movement, President Alfredo Hernandez Jr. spoke with numerous students from all grade levels, who shared their experiences with the current facilities and safety conditions, urging elected officials to intervene.



Students began working closely with the Mayor's office and Councilmember Ortiz's office to bring forward a solution to the incidents plaguing their school. These incidents include:

- Multiple recorded and documented incidents of unhoused individuals trespassing onto the school campus during and after school hours. The situation has escalated over time, causing significant damage to the school's property.

- Windows, fences, vehicles, and doors have been damaged to make prohibited entrance to the school.



- An individual was found trespassing onto the school campus and staying inside the school's athletic storage shed for several days, going unnoticed while school was in session.
- Classrooms are broken into on a weekly basis, with food, drinks, classroom items, and maintenance equipment being taken.
- The Athletic Department has suffered a significant impact from theft of supplies and vehicle break ins, totaling \$21,116 in damages. Three vans were stolen resulting in student athletes being cut from sporting events as there were no transportation options available.
- Students have expressed their concerns about feeling unsafe when walking to and from school. Some have stopped walking to school altogether and are instead relying on carpools or their parents to drive them due to the limited pathways available for students to access the campus without walking past RVs and vehicles.

Devuélvenos Nuestra Comunidad (DNC), a local neighborhood organization led by parents Omar Villeda, Deisy Villeda, and KSJC student Fernanda Morales Soto, have faced similar conflicts. Fernanda has had to resort to carrying pepper spray after being followed by an RV resident in early 2022. Other students in DNC attending nearby schools report being verbally and physically threatened on their walk to school by individuals living in their vehicles. One DNC student reported being chased by a person brandishing a knife.

These incidents offer only a small window into the serious safety and security concerns faced by students, faculty, and parents at KSJC, Downtown College Prep, Independence High School, ACE Charter School, and the Educational Park Drive Branch Library. We recognize other schools across San José are struggling with similar challenges.

Students, families, and staff want to ensure access to quality education, a sense of security, and participation in extracurricular activities without constantly fearing for their safety. The impacts of RV encampments next to schools are insurmountable: teachers and staff have to leave their classrooms in order to de-escalate unsafe situations with individuals, students and staff have resorted to carrying pepper spray for their own safety, student athletes have missed athletic events because the transportation provided by the school was stolen or damaged, and school events have been canceled due to theft of school supplies and materials.

Thanks to the students of KIPP San José Collegiate for their advocacy and engagement. They want and need the Council to step in and ensure that their school - along with all schools in San José - provides a safe and distraction-free learning environment.

The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member's staff, concerning any action discussed in the memorandum, and that each signer's staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff.