

Congress of the United States

Washington, DC 20515

September 26, 2024

The Honorable Miguel Cardona
Secretary, U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary Cardona,

We write today to bring to your attention the recently revealed pattern of antisemitism among senior officials of the Santa Ana Unified School District (“SAUSD”) located in Santa Ana, California. In response, we request that the Education Department’s Office for Civil Rights (OCR) open an investigation into these incidents to determine whether violations of Title VI of the *Civil Rights Act* (Title VI) have occurred.

At multiple meetings spanning the spring of 2023, the SAUSD Ethnic Studies Steering Committee (Committee) took collective action that deliberately excluded members of the school district’s Jewish community from involvement in constructing an ethnic studies curriculum. This likely violated California state law. As a result, the school district decided on a curriculum that would teach young students to view Israel through the lens of colonialism. One draft piece of the curriculum analyzes the 1947 United Nations action establishing Israel as a consequence of “European imperial nation-making.”¹

In developing this curriculum, members of the Committee noted in an official agenda that they would need to “address the Jewish questions” after the Jewish community raised concerns about antisemitism in ethnic studies plans.² Senior officials of the Committee also discussed using Jewish holidays to approve courses so Jewish community members would not be able to attend. Specifically, two senior SAUSD officials discussed this matter over text. One stated, “We may need to use Passover to get all new courses approved,” to which the other replied, “[T]hat’s actually a good strategy.”³ Additionally, while discussing a potential meeting with the Jewish Federation of Orange County, a leader of the Committee stated that “someone has to guide [Committee members] or they will cave in to the racist Zionists.”⁴

This alarming display of prejudice has no place in our communities, especially from the very educators entrusted with leading our public schools.

¹ <https://www.adl.org/sites/default/files/documents/2024-08/brandeis-v-sausd-motion-for-writ.pdf> (page 20).

² *Ibid* at 9.

³ *Ibid* at 8.

⁴ *Ibid*.

In addition to likely violating state law, we are seriously concerned that these documented instances of antisemitism may amount to violations of Title VI. As you know, Title VI prohibits discrimination by recipients of federal funds on the basis of race, color, or national origin. This prohibition extends to discrimination based on individuals' actual or perceived shared ancestry or ethnic characteristics.⁵ Ongoing litigation has already revealed an alarming pattern of antisemitism at the highest levels of the SAUSD. It is also clear that certain individuals made a concerted effort to hide their prejudiced motives. For this reason, we are requesting that OCR open a formal investigation into this matter to ensure all wrongdoing is brought to light and that those responsible for perpetrating this discrimination are held fully accountable under federal law.

We hope that we can work together on this issue to ensure that the protections afforded under the *Civil Rights Act* are vigorously enforced so that all students feel welcome.

Sincerely,



Michelle Steel
Member of Congress



Virginia Foxx
Chairwoman
Committee on Education and
the Workforce

⁵ <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-202405-shared-ancestry.pdf>