

December 19, 2023

Miguel Cardona
U.S. Secretary of Education
400 Maryland Avenue, SW
Washington, DC 20202

Tony Thurmond
State Superintendent of Public Instruction of California
1430 N Street
Sacramento, CA 95814-5901

Dear Secretary Cardona and Superintendent Thurmond,

I write to you to express my deep concern regarding the December 6, 2023 “teach-in” conducted by at least seventy K-12 public school teachers in Oakland, California. As you are undoubtedly aware, this unauthorized effort to disseminate “educational resources on Palestine” was organized by an activist faction within the Oakland Education Association Teachers’ Union and the event showcased pervasive anti-Israel hatred.¹ Given that the Oakland Unified School District receives tens of millions of dollars in federal aid annually, this activity raises serious questions regarding the prudent use of federal taxpayer resources.

According to its organizers, the teach-in’s purpose was “to help young people develop thoughtful, analytical, and empathetic responses to the world around them, and a willingness to recognize and confront injustice in their communities.”² The organizers claim that “[their] work is not to win [their] students over to a particular side nor indoctrinate them with [the activists’] own political perspective on Israel-Palestine. Rather, [the organizers] seek to introduce [their] students to a range of perspectives and equip them with the tools to engage critically, participate in the discourse, and draw their own conclusions.”³ These organizers purport to push back against anti-Israel hatred, alleging to “condemn the horrors of historic genocide and oppression against Jewish people” and to “oppose antisemitic speech and ideology”

¹ Kristina Watrobski, *California teachers lead unauthorized pro-Palestine teach-in amid districtwide tension*, ABC 7 KRCR (Dec. 7, 2023), <https://krcrtv.com/news/local/california-teachers-lead-unauthorized-pro-palestine-teach-in-amid-district-wide-tension-oakland-unified-school-district-education-association-israel-hamas-palestine-crisis-in-the-classroom/>.

² Members of the Oakland Education Association, *Oakland Teach-In Curricular Resources*, EDUCATIONAL RESOURCES ON PALESTINE (Dec. 6, 2023), https://docs.google.com/document/u/0/d/1yHuTs87SSfWaM6qeM6y3RXgEOzjiKF_c75fLMN-2fZk/mobilebasic#h.pg1gq1lc1zfc/.

³ *Id.*

to “ensure that [their] Jewish students and colleagues feel safe, supported, and heard at school.”⁴ Taken at their words, this teach-in, while still unauthorized, could seem rather innocuous. Unfortunately, however, the curriculum tells a very different story.

In the list of recommended materials, educational resources include an animated introduction to the “Israeli-Palestinian conflict” that describes how Israel has punished Palestinians with arrests, assassinations, and raids “all to gain maximum land, while making life so difficult for Palestinians that they will either leave or be too afraid to resist.”⁵ The video was produced by the progressive anti-Zionist organization Jewish Voice for Peace.⁶ Another resource on the organizers’ list is a YouTube video that describes Israel’s “systematic oppression by one racial group over another.”⁷ The video goes on to condemn Israel as an “apartheid state” and declare the Gaza Strip as the “largest open-air prison on earth.”⁸ Other materials explain why teachers should use the word “genocide” to “describe the situation in Gaza” and why teachers are “taking a position against the genocidal siege of Gaza” but “are not taking a position on Hamas.”⁹ Contradictorily, however, the “Settler Colonialism Occupation” worksheet intended for high schoolers takes an unmistakable position on Hamas when it refers to the group as a mere “resistance movement to Israeli occupation” that “has [unwarrantedly] been considered a terrorist organization by the U.S. State Department since 1997 due to its measures against the occupation.”¹⁰

Educators provided teach-in resources for younger students, as well. For example, the alphabet book, *P is for Palestine*, explains, “I is for Intifada, Intifada is Arabic for rising up for what is right if you are a kid or a grownup!”¹¹ Furthermore, a coloring book for elementary students that portrays Zionists as “bullies” who

⁴ *Id.*

⁵ Haley Strack, *California Teachers’ Union Plans Pro-Palestinian Teach-In*, NATIONAL REVIEW (Dec. 5, 2023), <https://www.nationalreview.com/news/california-teachers-union-plans-pro-palestinian-teach-in/>.

⁶ Jewish Voice for Peace, *Israeli Palestinian Conflict Explained: An Animated Introduction to Israel and Palestine*, YOUTUBE (Nov. 29, 2012), <https://www.youtube.com/watch?v=Y58njT2oXfE/>.

⁷ TRT World, *Why is Israel Called an ‘Apartheid’ State?*, YOUTUBE (May 27, 2021), <https://www.youtube.com/watch?v=emudV7MyGwo/>.

⁸ *Supra* note 5.

⁹ *Id.*

¹⁰ Unknown, *Settler Colonialism Occupation and Its Impact on Gaza, Palestine*, EDUCATIONAL MATERIAL (no date), <https://drive.google.com/file/d/1PPgbOL5vq1Acjv5K1QhkI4xV36aK1P2I/view/>.

¹¹ Burnout Teachers, *P is For Palestine: A Children’s Alphabet Book Read Along*, YOUTUBE (Jan. 19, 2022), <https://www.youtube.com/watch?v=6ZKCT6LfCgQ/>.

forcibly stole land.¹² It also introduces the argument that Palestinian refugees have a right to return to the land that makes up the Jewish state.¹³

The educational resource list also includes a variety of social-emotional support for students and educators, including an opinion piece written by activist Nora Lester Murad that explains why “uplifting Palestinian American students makes everyone safer.”¹⁴ In the op-ed, Murad says that “false accusations of antisemitism make Arabs and Muslims targets, threatening their children’s safety, both inside and outside of schools.”¹⁵

Student testimony only confirms this event’s deep-seated anti-Israel bias. Students reported to their parents that the event began with a video celebrating Bay Area street protests against the war in Gaza and that protesters were shown carrying a “genocide” banner and blocking traffic on the Bay Bridge. Text flashed on the screen: “It’s not complicated. Gaza will be liberated!”¹⁶ An activist named Violet then reportedly described how her Palestinian grandmother was displaced as a child in 1948 when the state of Israel was founded.¹⁷ Anton, a member of the pro-Palestinian group Jewish Voice for Peace, then encouraged students to boycott Israeli-connected companies.¹⁸ It was also reported that a representative of the Black Alliance for Peace accused Israelis of disingenuity by drawing parallels between the histories of the United States and Israel. He argued that, in both cases, Europeans came in, occupied the land, and claimed to be fleeing religious oppression.¹⁹ Some teachers alleged that California had sent over 600 million dollars in military aid to Israel, and demanding that the money be reallocated for the purpose of increasing their salaries.²⁰ Shira Avoth, an Israeli American and the mother of an Oakland seventh grader, added further clarity to the nature of the event, admitting that the teach-in was not her son’s first encounter at school with anti-Israel hatred. His English teacher, she said, had previously displayed a poster with the message “From the river to the sea, Palestine will be free.”²¹

¹² Dana Goldstein, *Oakland Educators Hold Unauthorized Teach-in Supporting Palestinians*, NY TIMES (Dec. 6, 2023), <https://www.nytimes.com/2023/12/06/us/oakland-california-teachers-palestinians-israel.html?auth=linked-google1tap/>.

¹³ *Id.*

¹⁴ Nora Lester Murad, *Opinion: Uplifting Palestinian American Students Makes Everyone Safer*, THE HECHINGER REPORT (Nov. 2, 2023), <https://hechingerreport.org/opinion-uplifting-palestinian-american-students-makes-everyone-safer/>.

¹⁵ *Id.*

¹⁶ *Supra* note 12.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Supra* note 5.

²¹ *Supra* note 12.

In light of these details, it is difficult to imagine a more reckless message to send to K-12ers in the aftermath of the deadliest day for Jews since the Holocaust than this seething anti-Israel propaganda.²² During a time when American Jews and Israelis are being subjected to an unprecedented amount of harassment and hate crimes, it is profoundly irresponsible to tolerate such blatant anti-Israel indoctrination.²³

Make no mistake about it, Hamas is a terrorist organization, and its recent attack on Israel in which innocent women, children, and even infants were beheaded, places this matter beyond any reasonable realm of debate.²⁴ Furthermore, the various slogans included in the curriculum such as “intifada” reveal that this teach-in was not only anti-Israel, but also deeply and undeniably antisemitic. While intifada is an Arabic word that translates to “uprising” or “shaking off,” it has been used to describe a series of Palestinian violent uprisings against Israel and policies in the West Bank and Gaza.²⁵ It was during the First Intifada that the Palestinian terrorist group Hamas was born and issued its charter to eradicate the Jewish state.²⁶ The Second Intifada was characterized by widespread protests, demonstrations, suicide bombings, and armed confrontations between Israeli security forces and Palestinian terrorists.²⁷ The Second Intifada resulted in a high number of casualties on both sides, with close to 1,000 Israelis killed or injured by Palestinian terror attacks. Infamous suicide bombings by Hamas during the Second Intifada include the Passover Massacre, which killed thirty civilians at a hotel, and the Dolphinarium Discotheque attack at a nightclub, leaving twenty-one Israelis dead, including sixteen teenagers.²⁸ Given the dramatic spike in antisemitic attacks on Jews around the world since the terrorist attack of October 7, 2023, particularly within American schools, support for intifada is a thinly-veiled call for further violence against Jews.

By allowing impressionable K-12 students to be subjected to a one-sided activist-driven narrative downplaying the depravity of Hamas’s terrorism and tacitly endorsing antisemitism, you are complicit in endangering lives. Accordingly, for the

²² Matthew Lee and Aamer Madhani, *Biden calls Hamas attacks the deadliest day for Jews since the Holocaust as US death toll ticks up*, AP NEWS (Oct. 11, 2023), <https://apnews.com/article/israel-hamas-us-biden-blinken-99eb4063edabc80fa1fa198fb0bb020e/>.

²³ Merritt Enright, Simone Weichselbaum, ‘*Not safe anywhere now*’: American Jews are flocking to gun training classes, NBC NEWS (Oct. 22, 2023), <https://www.nbcnews.com/news/us-news/not-safe-anywhere-now-american-jews-are-flocking-gun-training-classes-rcna120602/>.

²⁴ Lauren Frayer, Israel revises down its death toll from the Oct. 7 Hamas attacks to about 1,200, NPR (Nov. 11, 2023), <https://www.npr.org/2023/11/11/1212458974/israel-revises-death-toll-hamas-attacks-oct-7/>.

²⁵ AJC Staff, *7 Ways Hamas Has Conned Americans and Spread Hatred of Jews*, AMERICAN JEWISH COMMITTEE (Nov. 9, 2023), <https://www.ajc.org/news/7-ways-hamas-has-conned-americans-and-spread-hatred-of-jews/>.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

purpose of oversight and accountability, I request that each of your offices comprehensively reply to the following questions and requests by January ##, 2023:

1. Given that the plans for this particular teach-in were released prior to the event, why did you not act on this information by cooperating with local law enforcement and preventing it from taking place since it was unauthorized?
 - a. If you didn't know about the plans for the event in advance, why didn't you know about them and what specific steps are you taking to address this issue?
2. Please provide a comprehensive list of every teacher and school district involved in this teach-in as well as all the activists who organized the event.
 - a. If you are unable to determine who participated in or organized the event due to their anonymity, do you think it is appropriate for these individuals to remain anonymous, given their unauthorized behavior?
3. If the names of any of the individuals who organized or put on this event are known, then provide a comprehensive list indicating what disciplinary action has been taken against them.
 - a. If none has been taken, then please explain why you are refusing to hold public employees accountable under your watch.
4. Please provide a detailed memo explaining the specific steps you are going to take to ensure that Jewish Americans enjoy equal protection under the law in the schools in your jurisdiction. Specifically, how will you ensure that an event like this doesn't happen again and that all relevant perpetrators will be prosecuted to the fullest extent of the law?
5. Credible testimony from this incident indicated that some employees within the Oakland school district are sympathetic to Hamas's unconscionable terrorist agenda. What steps are you going to take to ensure that you are made aware of terrorist-sympathizers both already in your network of public employees as well as those who seek future employment?
6. Within your respective school system, is Hamas recognized as a terrorist organization? If not, what is the cause of this confusion and what specific steps will you take to ensure that Hamas is correctly identified as a terrorist

organization under your leadership, as was determined by the U.S. State Department in 1997?

Calls for violence against American citizens are unacceptable. They go against everything our country stands for. It is further repugnant that the federal taxpayer has, in part, supported this hateful conduct. Accordingly, it is crucial that you act swiftly and decisively to hold perpetrators accountable and to ensure the safety of all citizens.

In light of these very serious concerns, we await your detailed and speedy response.

Sincerely,

Ted Cruz
Ranking Member, Subcommittee on the Constitution
U.S. Senate Committee on the Judiciary