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COMMITTEE ON
EDUCATION AND WORKFORCE
U.S. HOUSE OF REPRESENTATIVES
2176 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6100

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November 24, 2025

Ms. Enikia Ford Morthel
Superintendent
Berkeley Unified School District
2020 Bonar Street
Berkeley, CA 94702

Dear Superintendent Morthel:

The Committee on Education and Workforce is investigating antisemitism in Berkeley Unified School District (BUSD), including whether there was or is a hostile environment against Jewish K-12 students and whether BUSD is fulfilling its obligation under Title VI of the *Civil Rights Act of 1964* (Title VI) to end any harassment, eliminate any hostile environment and its effects, and prevent any harassment from recurring. The information gathered will aid the Committee in considering whether legislative changes, including legislation to specifically address antisemitic discrimination, are needed.

The Committee is deeply concerned that BUSD is failing to uphold its obligations under Title VI, as suggested by numerous press and whistleblower reports.¹ Since the October 7, 2023, terrorist attacks against Israel, Jewish and Israeli students have allegedly been regularly bullied and harassed.²

Some teachers and administrators across BUSD allegedly facilitate and encourage this hostility, while others fail to act in response to it.³ For example, since October 7th, BUSD teachers, staff, and administrators have allegedly urged students to join walkouts and demonstrations during school hours that isolate and alienate Jewish students. At one such walkout, students were allegedly chanting "Kill the Jews."⁴ Antisemitism has also infected the classroom, with a teacher

¹ See, e.g., Marianne Favro, *Berkeley Unified Facing Lawsuit Over Alleged Harassment of Jewish Students*, NBC NEWS (2024), <https://www.nbcbayarea.com/news/local/east-bay/berkeley-unified-lawsuit-alleged-harassment-jewish-student/3471369/?amp=1>.

² L. Rachel Lerman et al., *Brandeis Center-ADL Complaint: Civil Rights Violations at Berkeley Unified School District*, BRANDEIS CENTER FOR HUMAN RIGHTS UNDER THE LAW (2024), <https://brandeiscenter.com/wp-content/uploads/2024/02/Brandeis-Center-ADL-Complaint.pdf>.

³ *Id.*

⁴ *Id.*

at Berkeley High School displaying an image of a fist destroying the Star of David and allegedly describing it as “standing up for social justice.”⁵

In another concerning incident, at Malcolm X Elementary School, a second-grade teacher told her students to write “messages of anti-hate” for display.⁶ Several students followed the teacher’s lead and wrote “stop bombing babies.”⁷ However, rather than displaying the messages in the hall outside of her classroom, the teacher allegedly placed them outside of the classroom of the school’s sole Jewish teacher.⁸

Entities that receive federal funds must maintain a safe learning environment and fulfill all obligations under Title VI and its accompanying regulations. This includes the obligation to promptly address discrimination, including harassment that creates a hostile environment, wherever such circumstances may be found to exist. Considering the repeated allegations of antisemitic discrimination in BUSD, the Committee is requesting documents to assess BUSD’s compliance with Title VI and determine whether legislation to specifically address antisemitic discrimination is needed.

Accordingly, please provide the below documents by no later than December 8, 2025:

1. An anonymized chart of all complaints received by BUSD made against students, faculty, or staff related to potential antisemitic incidents⁹ since October 7, 2023. Please include the category of complainant (e.g., student, parent, teacher), the date the complaint was made, a description of the incident including the date(s) it occurred, the category of the alleged perpetrator, the entity or entities responsible for reviewing the case, the process or processes being used to review the case, case status, actions taken by BUSD to date (including any modification of proposed or imposed discipline), and the standing of the alleged perpetrator. Please provide all documents and communications in the possession of BUSD referring or relating to each complaint or incident.
2. All documents and communications since October 7, 2023, including those referring or relating to walkouts, demonstrations, toolkits, workshops, curricula, course materials, educational material, guest speakers, lecture series, partnerships, teacher training, or professional development, referring or relating to Jews, Judaism, Israel, Palestine, Zionism, or antisemitism, in the possession of BUSD schools or offices, including the Office of Curriculum and Instruction; the Equity, Achievement, & Belonging Department; the Educational Services Department; the Office of Family Engagement & Equity; and the Office of the Superintendent.

⁵ *Berkeley High School teacher displays image to class of a fist destroying the Star of David over Israel*, DEFENDING ED (Oct. 20, 2023) <https://defendinged.org/incidents/berkeley-high-school-teacher-displays-image-to-class-of-a-fist-destroying-the-star-of-david-over-israel/>.

⁶ *Brandeis Center-ADL Complaint*, *supra* note 2.

⁷ *Id.*

⁸ *Id.*

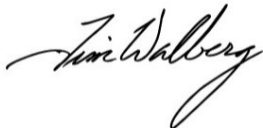
⁹ The term “potential antisemitic incidents” should be understood to include any incidents involving the targeting of Jews, Judaism, Israel, Israelis, Zionism, or Zionists, or incidents otherwise identified as antisemitic.

3. All documents and communications referring or relating to contracts or agreements involving BUSD since January 1, 2022, that refer to Jews, Judaism, Israel, Palestine, Zionism, or antisemitism.

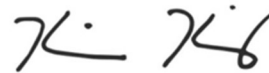
Congress's oversight powers are derived from the U.S. Constitution and have been repeatedly affirmed by the United States Supreme Court. Under House Rule X, the Committee's legislative and oversight jurisdiction is broad, extending to "education . . . generally" and "laws, programs, and Government activities relating to domestic educational programs and institutions and programs of student assistance within the jurisdiction of other committees."¹⁰ This includes enforcement of Title VI and other antidiscrimination laws by the Department of Education.

Should you have any questions please contact Jenna Berger at jenna.berger@mail.house.gov or at 202.225.4527.

Sincerely,



Tim Walberg
Chairman
Committee on Education and Workforce



Kevin Kiley
Chairman
Subcommittee on Early Childhood,
Elementary, and Secondary Education

¹⁰ RULES OF THE HOUSE OF REPRESENTATIVES, 119th Cong. at 7, 10 (Jan. 16, 2025), <https://rules.house.gov/sites/evo-subsites/rules.house.gov/files/documents/houserules119thupdated.pdf>.