



**CAIR**  
CALIFORNIA

**ADC**  
TRULY ARAB, FULLY AMERICAN.

Assistant Secretary Catherine E. Lhamon  
U.S. Department of Education Office for Civil Rights  
[OCR@ed.gov](mailto:OCR@ed.gov)

May 8, 2024

Re: Severe and Pervasive Anti-Palestinian Racism in Berkeley Schools

Dear Assistant Secretary Lhamon,

We write on behalf of Berkeley Unified School District (BUSD) educators, staff, and caregivers to express concern about severe and pervasive anti-Palestinian racism in Berkeley schools. The BUSD community members we represent love their teachers and students and share in the district's commitment to equity, inclusion, and anti-racism. They celebrate BUSD's long, rich history of student activism, progressive values, solidarity with social justice movements, and solidarity with marginalized people.

However, Berkeley community members are deeply disturbed to see BUSD exclude our Palestinian, Arab, and Muslim students from its commitment to justice and equality. Unchecked Anti-Palestinian racism – and adjacent anti-Arab, anti-Muslim racism – in Berkeley schools does serious harm to our already vulnerable students. We urge you to take special measures to ensure that Palestinian, Arab, and Muslim students, or students perceived as such, are protected from discrimination and harassment, and provided equal access to Berkeley's rich educational opportunities.

With grave concern, we share the following incidents of racism targeting Palestinian, Arab, and Muslim students in Berkeley schools that caregivers, students, and teachers have reported since October 7, 2023.<sup>1</sup> These incidents stand against the frightening backdrop of severe racism targeting the same community nationwide.<sup>2</sup>

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<sup>1</sup> Notes detailing these incidents are on file with the authors.

<sup>2</sup> The Council on American-Islamic Relations (CAIR) and Palestine Legal both reported record numbers of surging anti-Palestinian, anti-Muslim and anti-Arab hate and repression incidents in 2023. See Council on American-Islamic Relations, 2024 Civil Rights Report: Fatal: The Resurgence of Anti-Muslim Hate (Apr., 2024), <https://islamophobia.org/civil-rights-reports/2024-civil-rights-report-fatal-the-resurgence-of-anti-muslim-hate/>. See also, Palestine Legal, [Media Roundup: Palestine Legal on unprecedented surge in anti-Palestinian repression since October 7th](https://palestinelegal.org/news/media-roundup-since-oct-7) February 13, 2024, <https://palestinelegal.org/news/media-roundup-since-oct-7>. The Anti-Palestinian Racism Research Group recently released a study with the major finding that 64.6% of survey respondents experienced anti-Palestinian racism either directly or online. See, Anti-Palestinian Racism Research Group, Anti-Palestinian Racism Survey Preliminary Report, (Apr., 2024), <https://medium.com/@aprrresearchgroup/anti-palestinian-racism-survey-preliminary-report-april-2024-11cfed327d85>. See also, Letter from Civil Rights Organizations to Catherine E. Lhamon, Re: OCR must act to address rise of anti-Palestinian and Islamophobic racism (Oct. 31, 2023), <https://static1.squarespace.com/static/548748b1e4b083fc03ebf70e/t/65416bd823a85315b4d85402/1698786265201/>

Most of these incidents have been reported to BUSD leaders, or BUSD leaders are already aware they occurred. BUSD leaders have either acted with indifference, taken no meaningful action, or were themselves the perpetrators of the incidents listed.

### **I. Slurs and Hate Target BUSD Palestinian, Arab, and Muslim Students.**

Palestinian, Arab, and Muslim students in BUSD have endured severe and persistent hate and harassment from fellow students and community members. As examples:

- An outside facilitator of a Berkeley High student club told the students that, “Palestinians don’t really exist and we can’t talk about Palestinians because they aren’t really a people.”
- Arab and Muslim students report being taunted as “terrorists” after teachers in class taught lessons referencing “terrorism.”
- Arab and Muslim students report being targeted with taunts of “9-11” by other students.
- A Muslim student reported that her teacher mispronounced Islam and Muslim, and dismissed the student’s attempt to correct her pronunciation, emboldening other classmates to mispronounce these words in jest.
- A student’s hijab was ripped off in class by another student.
- A street mural designed and painted by Berkeley High School students expressing a desire for Palestinians to live in peace and freedom was defaced within two days of its creation. Paint was poured over the words “Free Palestine.” The mural depicted a white dove (a symbol of peace), a student of color wearing a kaffiyeh reading a book, a flower, and the words “Ceasefire” and “Free Palestine.”
- A parent berated a high school student member of the BUSD board of directors publicly during a board meeting, making the student cry, after the student had expressed support for her peers participating in the walkout to oppose violence against Palestinians.
- Palestinian, Arab, and Muslim students and their allies were falsely accused of using hateful slogans during student walkouts when they were in fact protesting against war and for Palestinian life.
- Students have watched as their teachers and families (including children) who speak in favor of teaching Palestine at school board meetings are filmed and jeered at, creating significant discomfort, stress, and fear of doxxing. For example, in one instance a community member approached a group of 10- and 11-year-old (predominantly Arab and Muslim) children and filmed their faces while yelling angry profanities at speakers.
- Middle school and high school students who participated in peaceful walkouts to express support for Palestine and against war have been continuously filmed without their

parents' consent in a hostile and harassing manner by community members. One community member boasted she had gotten "up close and personal" in filming students.

- Middle school students participating in a peaceful walkout for Palestinian life were harassed by parents: one came to observe with a large dog, another called the participating students the "KKK," and yet another called the police.
- A second-grade classroom was subjected to drone surveillance on the schoolyard after their teacher took her class to visit the school's interactive No Hate Wall (that lives in a community space) during 'No Hate Week,' which asks kids to read the messages of love and come up with ways to say 'no' to hate by writing ideas on sticky notes and adding them to the wall. Some students wrote "stop bombing babies" in support of Palestinian children's right to live.
- A Palestinian high school student was nearly assaulted by a community member who opposed her message. The near assault occurred while the student was speaking on a megaphone about Palestinian human rights at a Berkeley High rally.

Taunting students who are (or are perceived to be) Arab, Muslim, or Palestinian with "terrorist" name calling, or references to 9-11, apply a derogatory and violent stereotype by blaming individuals for acts of political violence they have nothing to do with and do not support. We note, anti-Palestinian animus is the root of the political definition of the term "terrorist."<sup>3</sup> There is also a long history in the United States of intolerance of even the word, "Palestinian," and intolerance of the Palestinian identity.<sup>4</sup>

Slurs such as "terrorist" and "9-11" call into the room the violence and state repression, war, entrapment, and discrimination against Arab, Muslim, and Palestinian people which the so-called "war on terror" has brought upon their communities. The slur also wrongly assumes that calls for freedom and justice for Arab, Muslim, and Palestinian people are dangerous and threatening, or unjustified. Students who hear these taunts and false accusations are being told that they are a threat to others. When they hear these slurs as a result of their expressions of support for Palestinian life, they are being told they do not deserve to call for justice and freedom for their communities, and that their communities deserve to be the target of war and state violence.

**II. BUSD Repeatedly Censored Students of Palestinian, Arab and Muslim Heritage,** and students who support Palestinian human rights or are merely curious about Palestine. As examples:

- The Palestinian president of Berkeley High's Muslim Student Association (MSA) was not permitted to speak during public comment at the Board meeting. Board members later apologized and explained it was inadvertent, but the injury was done.

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<sup>3</sup> Palestine Legal and the Center for Constitutional Rights, Anti-Palestine at the Core: the Origins and Growing Dangers of U.S. Antiterrorism Law, (Feb., 2024) <https://palestinelegal.org/news/anti-palestinian-animus-root-us-anti-terrorism-laws-new-report>

<sup>4</sup> Peter Beinart, It's Time to Name Anti-Palestinian Bigotry, Jewish Currents (Jul. 16, 2021) [jewishcurrents.org/its-time-to-name-anti-palestinian-bigotry](https://jewishcurrents.org/its-time-to-name-anti-palestinian-bigotry)

- A Muslim fourth-grade student asked her teacher if she could do a presentation to humanize Palestinians for her class, and was told no, it was an issue for the principal to approve. The parent had a call with the principal and teacher, but months later the student has still not been permitted to share her knowledge about Palestinians with her classmates. Recently during a class trip to Mosaic – a program that celebrates racial diversity and multiple perspectives – the program director’s comment about peace between Israelis and Palestinians, caused the student to cry because she had no space to discuss the context of genocide with her class. The family has friends in Jerusalem who had their nine-, eleven-, and fifteen-year-old sons taken from their home and imprisoned by Israelis. They are still in prison, and this Berkeley fourth grader knows; she can’t pretend not to know. BUSD has denied this child’s repeated requests for space to bring voice to a voiceless people who she is watching being massacred.
- A Muslim sixth-grade student raised her hand during a discussion of current events in Gaza and said she had something to share but was told by the teacher “not now” although other students were given the opportunity to share.
- Middle school students who formed a Watermelon Club (for Palestine) faced complaints about the club before it had even had its first meeting. The school hosts many clubs including Melanin Club, La Raza, Black Student Union, and Asian Pacific Islander Club.
- During Arab/SSWANA Heritage Month in April 2024, a middle school twice excluded the heritage month from the principal’s written communications to caregivers about April celebrations - although he emphasized School Library Month and Mathematics Month. The second incident was after Arab and Muslim parents had already complained about the omission in the first communication.
- Requests for children’s books about Palestine to be added to a middle school site’s library were met with reluctance, suspicion, and scrutiny.
- Students in a high school history class were denied the ability to hear from a guest speaker who is a professor of Palestinian history, when administrators told the teacher not to bring the speaker because it would not be “safe.”
- Students in a middle school American history class were denied the ability to learn accurately about American history, and about current events in Palestine when their teacher was informed by an administrator that two words were no longer allowed in her classroom – colonization and genocide.
- Middle school students were denied the ability to celebrate the civil rights struggles of the Arab/SSWANA community in April 2024, when a middle school principal prohibited showing images of student protest to protect Palestinian life as part of the Heritage Month assembly. Honoring Arab/SSWANA student activism in this way would be consistent with school assemblies across the district that celebrate Black, Asian, Latinx and other heritage months, and typically include celebrating the civil rights activism of these communities. However, the middle school principal ordered the removal of photos

