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## United States Senate

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February 22, 2024

### VIA ELECTRONIC TRANSMISSION

Hon. Miguel Cardona  
 Secretary  
 U.S. Department of Education  
 400 Maryland Ave, SW  
 Washington, DC 20202

Secretary Cardona:

On February 3, 2024, the San Francisco Chronicle reported that a school in Hayward, California spent \$250,000 in federal taxpayer dollars on Woke Kindergarten, a non-profit that purports to be a “global, abolitionist early childhood ecosystem,” “to train teachers to confront white supremacy, disrupt racism and oppression and remove those barriers to learning,”<sup>1</sup> while the school’s math and reading scores are among the worst in the state.<sup>2</sup> This is extremely concerning. Congress does not appropriate funds to support schools so that activists can use them to train teachers to push a radical political agenda on young students. The U.S. Department of Education (DeptEd) must investigate whether the program meets the criteria for an evidence-based intervention under the Elementary and Secondary Education Act (ESEA) and how federal funds were used to pay for it.

The reports regarding Woke Kindergarten are serious. Teachers at Glassbrook Elementary in Hayward, California, reportedly stated that the Woke Kindergarten program is “rooted in progressive politics and activism with anti-police, anti-capitalism and anti-Israel messages mixed in with the goal of making schools safe, joyful and supportive for all children.”<sup>3</sup> For example, a teacher at Glassbrook told reporters that he “was told a primary objective of the program was to ‘disrupt whiteness’ in the school,” “that the sessions were ‘not a place to express white guilt,’” and that a Woke Kindergarten trainer used the phrase “so-called United States.”<sup>4</sup> When the teacher asked what “disrupting whiteness” means for third-grade students, he said that he was banned from some of the training sessions.<sup>5</sup> One of the educational materials posted on Woke Kindergarten’s

<sup>1</sup> Jill Tucker, This Bay Area school district spent \$250,000 on Woke K program. Test scores fell even further, SAN FRANCISCO CHRONICLE (Feb. 3, 2024), <https://www.sfchronicle.com/bayarea/article/woke-kindergarten-glassbrook-hayward-18635504.php>; WOKE KINDERGARTEN, <https://www.wokekindergarten.org/> (last visited Feb. 14, 2024).

<sup>2</sup> Jill Tucker, This Bay Area school district spent \$250,000 on Woke K program. Test scores fell even further, SAN FRANCISCO CHRONICLE (Feb. 3, 2024), <https://www.sfchronicle.com/bayarea/article/woke-kindergarten-glassbrook-hayward-18635504.php>.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

website even asks, “if the United States defunded the Israeli military, how could this money be used to rebuild Palestine?”<sup>6</sup>

Under the ESEA, states are required to identify their lowest performing schools. Some of the low-performing schools designated as meeting the criteria for “comprehensive support and improvement” (CSI) are subject to increased monitoring and oversight and are also eligible for special federal funding reserved to support school improvement efforts. According to the San Francisco Chronicle, “Glassbrook has been on [California’s] Comprehensive School Improvement list since 2020, slightly improving in 2022 and then being reassigned to the lowest-performing level this school year.”<sup>7</sup>

It is unclear exactly which federal funding streams were used to pay for Woke Kindergarten’s work with Glassbrook; however, a July 27, 2022, Hayward Unified School District Board of Education meeting agenda specifically lists “Comprehensive Support and Improvement” as the “Name of Fund and/or Resource” for one proposed contract with Woke Kindergarten.<sup>8</sup> Congress provided special federal financial support for certain schools under the ESEA in order to improve student outcomes, not to fund a progressive political agenda.

The ESEA also contains provisions that require schools to work with local administrators and district representatives to create CSI plans which must be approved, monitored, and periodically reviewed by state education officials.<sup>9</sup> This means that if Glassbrook and Hayward District personnel included Woke Kindergarten in Glassbrook’s CSI plan, California Department of Education (CDE) officials should have reviewed, approved, and signed off on the use of Woke Kindergarten, and DeptEd should have ensured that California was following its statutory obligations.

The use of federal funding for this programming is another example of an oversight failure by DeptEd. For example, in January 2024, the Government Accountability Office (GAO) raised concerns that DeptEd’s oversight of state CSI approval and monitoring efforts is inadequate. When GAO reviewed DeptEd’s state monitoring protocols, it found that DeptEd “does not select the CSI plans it reviews. Instead, it relies on monitored states and districts to do so.”<sup>10</sup> GAO identified this as a major “weakness” in DeptEd’s monitoring approach that could be corrected if DeptEd were to independently select the documents it requests as part of its monitoring strategy.<sup>11</sup> If left to choose for themselves, it’s reasonable to expect that a state would put their best foot forward rather than submit otherwise questionable documents to DeptEd.

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<sup>6</sup> Woke Wonderings, WOKE KINDERGARTEN, <https://www.wokekindergarten.org/woke-wonderings> (last visited Feb. 14, 2024).

<sup>7</sup> Jill Tucker, This Bay Area school district spent \$250,000 on Woke K program. Test scores fell even further, SAN FRANCISCO CHRONICLE (Feb. 3, 2024), <https://www.sfchronicle.com/bayarea/article/woke-kindergarten-glassbrook-hayward-18635504.php>.

<sup>8</sup> School District signs one-month contract with ‘Woke Kindergarten’ consultant for \$20,000 to ‘disrupt whiteness,’ PARENTS DEFENDING EDUCATION, <https://defendinged.org/incidents/school-district-signs-one-month-contract-with-woke-kindergarten-consultant-for-20000-for-one-month-of-services-seeks-to-disrupt-whiteness/>.

<sup>9</sup> ESEA Section 1111(d)(1)(B)(v-vi).

<sup>10</sup> U.S. GOV’T ACCOUNTABILITY OFF., GAO-24-105648, K-12 EDUCATION: EDUCATION COULD ENHANCE OVERSIGHT OF SCHOOL IMPROVEMENT ACTIVITIES (2024), <https://www.gao.gov/assets/d24105648.pdf>.

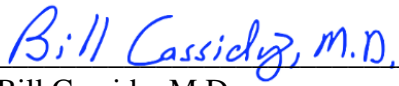
<sup>11</sup> *Id.*

DeptEd must investigate this matter thoroughly and strengthen its oversight of federal funding for the nation’s low-performing schools. In order to better understand what remedial steps DeptEd is taking, please answer the following questions, on a question-by-question basis, by March 7, 2024.

1. How does DeptEd conduct oversight to ensure that states are approving, monitoring, and periodically reviewing school CSI plans, as required by ESEA Section 1111(d)(1)(B)(v-vi)? Please explain in detail.
2. What must a state education agency do in order to satisfy the requirements of ESEA Section 1111(d)(1)(B)(v-vi)? Please provide copies of all related guidance.
3. Has DeptEd contacted the CDE to request a copy of Glassbrook Elementary’s CSI plan and other related records? If yes, please produce these records. If not, why not?
4. Please provide all records and communications relating to DeptEd’s oversight of CDE’s use of school improvement funds since January 1, 2020.
5. Please explain the steps DeptEd has taken, and plans to take, to increase its oversight of states’ use of school improvement funds in response to the January 2024 GAO report, “Education Could Enhance Oversight of School Improvement Activities,” as well as states’ use of school improvement funds to purchase Woke Kindergarten’s programming.
6. Has the Institute of Education Sciences conducted an analysis to determine whether Woke Kindergarten meets the criteria for an evidence-based intervention under the ESEA? If so, please provide all related records. If not, why not?

Thank you for your prompt attention to this important matter.

Sincerely,

  
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Bill Cassidy, M.D.  
Ranking Member  
U.S. Senate Committee on Health,  
Education, Labor, and Pensions