MAJORITY MEMBERS:

TIM WALBERG, MICHIGAN, *Chairman*

JOE WILSON, SOUTH CAROLINA
VIRGINIA FOXX, NORTH CAROLINA
GLENN THOMPSON, PENNSYLVANIA
GLENN GROTHMAN, WISCONSIN
ELISE M. STEFANIK, NEW YORK
RICK W. ALLEN, GEORGIA
JAMES COMER, KENTUCKY
BURGESS OWENS, UTAH
LISA C. MCCLAIN, MICHIGAN
MARY E. MILLER, ILLINOIS
JULIA LETLOW, LOUISIANA
KEVIN KILEY, CALIFORNIA
MICHAEL RULLI, OHIO
JAMES C. MOYLAN, GUAM
ROBERT F. ONDER, JR., MISSOURI
RYAN MACKENZIE, PENNSYLVANIA
MICHAEL BAUMGARTNER, WASHINGTON
MARK HARRIS, NORTH CAROLINA
MARK B. MESSMER, INDIANA
RANDY FINE, FLORIDA

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

MINORITY MEMBERS:

ROBERT C. "BOBBY" SCOTT, VIRGINIA,
Ranking Member

JOE COURTNEY, CONNECTICUT
FREDERICA S. WILSON, FLORIDA
SUZANNE BONAMICI, OREGON
MARK TAKANO, CALIFORNIA
ALMA S. ADAMS, NORTH CAROLINA
MARK DESAULNIER, CALIFORNIA
DONALD NORCROSS, NEW JERSEY
LUCY MCBATH, GEORGIA
JAHANA HAYES, CONNECTICUT,
ILHAN OMAR, MINNESOTA
HALEY STEVENS, MICHIGAN
GREG CASAR, TEXAS
SUMMER L. LEE, PENNSYLVANIA
JOHN MANNION, NEW YORK
ADELITA GRIJALVA, ARIZONA

May 13, 2026

Dr. Macquline King
Superintendent and CEO
Chicago Public Schools
42 W. Madison Street
Chicago, IL 60602

Dear Dr. King:

As part of its oversight and legislative responsibilities, the Committee on Education and Workforce of the U.S. House of Representatives (Committee) is examining Chicago Public Schools' (CPS) compliance with Title VI of the *Civil Rights Act of 1964* (Title VI), Title IX of the *Education Amendments of 1972* (Title IX), the *Family Educational Rights and Privacy Act* (FERPA), and the *Elementary and Secondary Education Act of 1965* (ESEA). The Committee is also examining whether there is a need for new legislation or changes to existing bills concerning parental rights, inappropriate content, and related topics.

To that end, on April 16, 2026, the Committee invited you to testify at a hearing titled, "Breaking Trust: Attacks on Parental Rights, Inappropriate Content, and Legal Abuses in America's Schools," to occur on June 3, 2026.[1] The invitation letter explained the scope of the hearing, the oversight authority of the Committee, and the legislative history of three Committee-reported bills (H.R. 2616, PROTECT Kids Act; H.R. 2617, *Say No to Indoctrination Act*; and H.R. 7661, *Stop the Sexualization of Children Act*), which would amend the ESEA and are related to the hearing topic.[2] The letter explained that the Committee is continuing to review parental rights and other related issues addressed by these bills as well as the use of federal funds by school districts under the ESEA. The letter also articulated how the hearing will further the Committee's understanding of the effectiveness of federal spending and whether additional remedial legislation may be warranted.[3]

---

[1] Letter from Rep. Tim Walberg, Chairman, H. Comm. on Educ. and Workforce, to Dr. Macquline King, Superintendent and CEO, Chicago Public Schools (Apr. 16, 2026) (on file with the Comm.).
[2] E-mail from R.J. Martin, Professional Staff, H. Comm. on Educ. and Workforce, to Elizabeth K. Barton, Acting General Counsel, Bd. of Educ. of the City of Chicago (Apr. 16, 2026, 5:12 PM EDT) (on file with Comm.); *see supra* note 1.
[3] *See supra* note 1.

As one of the country's largest school districts and a significant recipient of federal funding, CPS plays an important role in the implementation of federal K-12 education policy. The Committee's review of CPS's compliance with the above-mentioned laws, as well as other civil rights and privacy laws, will help the Committee to determine whether and, if so, what further changes in law may be needed to ensure children are protected and federal funds are spent responsibly.

On April 20, you responded to the Committee's invitation by stating that you "will not be able to participate in the hearing due to prior scheduling commitments"[4] and that, because the U.S. Department of Education's Office for Civil Rights (OCR) had "opened investigations into CPS policies pertaining to Title VI and Title IX,"[5] you would be "limited with respect to the information . . . [you are] able to share."[6] Committee staff responded the same day by email, explaining that the authority to determine hearing dates rests with the Committee, not witnesses.[7] However, as an accommodation, you were provided additional dates to testify: June 4, 9, 10, 24, 25, and 30.[8] Your attorney responded on April 22, reiterating your initial statement about the OCR Title VI and Title IX investigations[9] and that you must "decline the Committee's invitation to testify."[10] Specifically, your attorney wrote:

> In light of these investigations, Dr. King would not be able to discuss CPS's policies in detail or share any substantive insight into the process of creating or adopting those policies. We do not believe it would be helpful or informative to the Committee for Dr. King to participate in this hearing given those constraints. For that reason, she must respectfully decline the Committee's invitation to testify.[11]

Your attorney's response, however, did not address the six alternative hearing dates Committee staff provided as an accommodation, did not reference your earlier "scheduling commitments,"[12] and did not address why you would be unable to respond to questions on topics other than Title VI or Title IX.

On April 24, Committee staff spoke with your attorney, informing her of the potential actions the Committee might take should you decline to attend the hearing and noting Committee Members'

---

[4] E-mail from Elizabeth K. Barton, Acting General Counsel, Bd. of Educ. of City of Chicago, to R.J. Martin, Professional Staff, H. Comm. on Educ. and Workforce (Apr. 20, 2026, 4:43 PM EDT) (attaching letter from Dr, Macquline King, Superintendent and CEO, to Rep. Tim Walberg, Chairman (Apr. 20, 2026)) (e-mail and letter on file with Comm.).
[5] Letter from Dr. Macquline King, Superintendent and CEO, Chicago Public Schools, to Rep. Tim Walberg, Chairman, H. Comm. on Educ. and Workforce (Apr. 20, 2026) (on file with Comm.).
[6] *Id.*
[7] E-mail from R.J. Martin, Professional Staff, H. Comm. on Educ. and Workforce, to Elizabeth K. Barton, Acting General Counsel, Bd. of Educ. of City of Chicago (Apr. 20, 2026, 3:53 PM EDT) (on file with Comm.).
[8] *Id.*
[9] E-mail from Elizabeth K. Barton, Acting General Counsel, Bd. of Educ. of City of Chicago, to R.J. Martin, Professional Staff, H. Comm. on Educ. and Workforce (Apr. 22, 2026, 2:11 PM EDT); *see supra* letter at note 9.
[10] E-mail from Elizabeth K. Barton, Acting General Counsel, Bd. of Educ. of City of Chicago, to R.J. Martin, Professional Staff, H. Comm. on Educ. and Workforce (Apr. 22, 2026, 2:11 PM EDT) (on file with Comm.).
[11] *Id.*
[12] *See supra* notes 3, 11, and 14.

interest in the hearing topics. Your attorney reiterated her earlier arguments and transmitted substantially the same message via email to Committee staff on April 27, stating:

> [T]he pending investigations by the ... Office for Civil Rights (OCR) place significant constraints on Dr. King's ability to provide substantive testimony regarding Title VI and Title IX compliance. For these reasons, as well as the pressing logistical demands of the final month of the school year, Dr. King must respectfully decline the invitation to appear for oral testimony .... [W]e remain open to assisting the Committee in other ways that respect the legal and operational boundaries currently facing the District.[13]

On the same date, Committee staff emailed your attorney, stating that CPS's latest response would be communicated to others on staff and that other options were available to the Committee, including a subpoena to compel your attendance.[14]

In sum, attorneys for CPS have offered two excuses thus far—scheduling conflicts, and pending OCR investigations—and the Committee is not persuaded that either warrants you not participating in the hearing. Those same arguments, moreover, will no longer be legally valid reasons for refusing to appear in the face of a duly issued subpoena. Therefore, the Committee has determined it is necessary to compel your attendance at the hearing.

First, the existence of vague and undefined "scheduling conflicts" is not a valid legal basis to avoid attending a Congressional hearing. To be clear, the Committee has made reasonable efforts to accommodate your schedule. Despite providing no details about your specific "logistical demands" or "scheduling commitments," the Committee offered six different dates for when the hearing could be held. Unfortunately, you have failed to acknowledge these alternative dates, which suggests that any scheduling conflict is not the actual reason you are declining to appear voluntarily.

Second, the fact that CPS is under federal investigation, including the OCR investigations, is not a valid legal reason to halt a Congressional inquiry.[15] There is no "ongoing investigation" privilege in statutory or common law.[16] The Supreme Court has noted, contrary to the position of

---

[13] E-mail from Elizabeth K. Barton, General Counsel, Bd. of Educ. of City of Chicago, to Kent Talbert, Investigative Counsel, H. Comm. on Educ. and Workforce (Apr. 27, 2026, 1:51 PM EDT) (on file with Comm.).
[14] E-mail from Kent Talbert, Investigative Counsel, H. Comm. on Educ. and Workforce, to Elizabeth K. Barton, General Counsel, Bd. of Educ. of City of Chicago (Apr. 27, 2026, 6:42 PM EDT) (on file with Comm.).
[15] *See Hutcheson v. United States*, 369 U.S. 599, 613 (1962) ("'It may be conceded that Congress is without authority to compel disclosures for the purpose of aiding the prosecution of pending suits; but the authority of that body, directly or through its committees, to require pertinent disclosures in aid of its own constitutional power is not abridged because the information sought to be elicited may also be of use in such suits.' ...The pertinency of the observation in *Sinclair* is not lessened by the circumstance that in this instance the state proceeding involved was criminal, rather than civil." (quoting *Sinclair v. United States*, 279 U.S. 263, 295 (1929)).
[16] *See* Christopher R. Smith, *I Fought the Law and the Law Lost: The Case for Congressional Oversight Over Systemic DOJ Discovery Abuse in Criminal Cases*, 9 Cardozo Pub. L. Pol'y & Ethics J. 85, 107 (2010) ("To preclude Congress from investigating prosecutorial misconduct because of open investigations would completely undermine Congress's constitutional duty to investigate government misconduct, an important legislative branch

you and your counsel, that "a congressional committee ... engaged in legitimate legislative investigation need not grind to a halt" in the face of an ongoing criminal investigation.[17] In any case, even if the OCR investigations were a reason for you not to answer specific questions at the hearing, they do not provide a basis to decline to appear at all—especially considering that there are several topics other than Title VI or Title IX about which Members may inquire at the hearing.

As such, because your stated reasons for declining the Committee's invitation are not legally valid justifications, the Committee has determined a subpoena is necessary to compel your attendance at the hearing, which is now scheduled for June 10, 2026, at 10:15 a.m. (Eastern Daylight Time).

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."[18] This includes the ESEA, FERPA, and civil rights laws, among others. The Committee's inquiry into school districts' compliance with the foregoing laws is well within the Committee's jurisdiction and serves a valid legislative purpose.

Attached please find a subpoena compelling your attendance at the hearing on June 10, 2026. Should you have questions, please feel free to reach out to Kent Talbert of the Committee staff at 202-225-4527 or kent.talbert@mail.house.gov.

Sincerely,

Tim Walberg
Chairman
U.S. House Committee on Education and Workforce

Attachments

---

check on the executive branch."); *see also* William McGurn, *The 'Ongoing Investigation' Dodge on Hunter Biden*, Wall St. J. (July 10, 2023) (quoting former Assistant U.S. Attorney Andrew McCarthy as stating, "The executive branch response of 'ongoing investigation' is really a political objection, rather than a legal one. There is no 'ongoing investigation' privilege.").

[17] *Hutcheson v. United States*, 369 U.S. 599, 618 (1962).

[18] RULES OF THE HOUSE OF REPRESENTATIVES, 119th Cong. at 7, 10 (Jan. 16, 2025).

SUBPOENA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To Dr. Macquline King, Superintendent and CEO, Chicago Public Schools

You are hereby commanded to be and appear before the

Committee on Education and Workforce

of the House of Representatives of the United States at the place, date, and time specified below.

☐ **to produce the things identified on the attached schedule** touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: _____

Date: _____ Time: _____

☐ **to testify at a deposition** touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____ Time: _____

☑ **to testify at a hearing** touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: 2175 Rayburn House Office Building, Washington, DC 20515

Date: June 10, 2026 Time: 10:15 a.m.

To The U.S. Marshals Service, or any authorized Member or congressional staff

to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, D.C. this 12 day of May, 2026.

Attest: Kevin F. McCumber

Clerk

Jim Walberg

Chairman or Authorized Member