



COMMUNITY EDUCATION DISTRICT COUNCIL 30

28-11 Queens Plaza North, Room 512
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RESOLUTION 192 - IN SUPPORT OF GENDER-AFFIRMING SCHOOLS AND OPPOSING LETTER FROM US DEPARTMENT OF EDUCATION ACTING ASSISTANT SECRETARY FOR CIVIL RIGHTS CRAIG TRAINOR

WHEREAS, public education in the United States has a constitutional obligation to provide an inclusive and equitable learning environment for all students, regardless of race, gender, or background; and

WHEREAS, the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution ensures that all children are treated fairly and equitably in public education; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program receiving federal financial assistance, including public schools; and

WHEREAS, Title IX of the Education Amendments of 1972 prohibits discrimination based on sex, including protections for LGBTQ+ students, in educational institutions receiving federal funding; and

WHEREAS, Acting Assistant Secretary Craig Trainor's September 16, 2025 Letter (Trainor Letter) to Chairperson Faulkner alleging an "identification of a civil rights compliance issue with the New York City Department of Education and New York City Public Schools"¹ (NYC DOE or NYCPS) is a gross mischaracterization and misinterpretation of the NYC DOE's *Guidelines to Support Transgender and Gender Expansive Students*; and

WHEREAS, the Trainor Letter inappropriately asserts that the *Guidelines to Support Transgender and Gender Expansive Students* "can move in and move out of intimate facilities reserved for both sexes on a day-to-day basis simply by asserting a change in their gender identity"; and

WHEREAS, the aforementioned inappropriate assertion dismisses the lived realities of people with transgender and non-binary identities. Leading medical and psychological organizations affirm that gender identity is a deeply rooted aspect of self, not unstable and changed on a whim. For example, the American Medical Association states "Empirical evidence has

¹ <https://nypost.com/2025/09/17/us-news/trump-admin-threatens-to-withhold-millions-in-funding-for-magnet-school-programs-in-nyc-chicago-and-northern-virginia/>



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demonstrated that trans and non-binary gender identities are normal variations of human identity and expression”²; and

WHEREAS, such mischaracterizations and misinterpretations and the related “steps to obtain compliance” within the Trainor Letter seek to ostracize students based on their gender identity, are in direct violation of students’ civil rights and their right to a truthful and inclusive education; and

WHEREAS, the aforementioned “steps to obtain compliance” within the Trainor Letter restrict the meaning of “sex” in Title IX to exclude gender identity, which cannot be done unilaterally. As stated within the *2025 Joint Statement of the Office of the Attorney General and the State Education Department Regarding Transgender Students’ Rights*, this change to the meaning within of “sex” Title IX, “would require an act of Congress—or, at a minimum, notice-and-comment rulemaking.”³ and

WHEREAS, NYSED has also affirmed the rights of transgender, nonbinary, and gender-expansive students in New York public schools⁴, ensuring their ability to access facilities, programs, and an educational environment that affirms their identities; and

WHEREAS, New York City public schools (NYCPS) have been implementing culturally responsive and gender-affirming education since 2019, as defined by the Panel for Educational Policy approval of the definition for CRSE in NYCPS, with students reporting that such efforts make them feel seen, valued, and lead to improved educational outcomes⁵; and

WHEREAS, the NYC DOE’s *Guidelines to Support Transgender and Gender Expansive Students* remains in compliance with and upholds the New York State Human Rights Law as amended by the Gender Expression Non-Discrimination Act (GENDA)⁶, which states that “transgender and gender expansive students are entitled to use the restroom or locker room that aligns with their gender identity” and prevents the violation of these student’s civil rights as districts must continue to follow State law, as directed by the State Education Department and

² <https://glaad.org/medical-association-statements-supporting-trans-youth-healthcare-and-against-discriminatory/>

³ <https://www.nysed.gov/sites/default/files/nysed-oag-joint-statement-regarding-transgender-students.pdf>

⁴ <https://www.nysed.gov/sites/default/files/programs/student-support-services/creating-a-safe-supportive-and-affirming-school-environment-for-transgender-and-gender-expansive-students.pdf>

⁵ <https://www.schools.nyc.gov/about-us/vision-and-mission/culturally-responsive-sustaining-education#:~:text=The%20DOE%20uses%20an%20educational,Sustaining%20Education%20in%20Schools%2C%20below.>

⁶ <https://www.nysed.gov/sites/default/files/nysed-oag-joint-statement-regarding-transgender-students.pdf>



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Office of the Attorney General to uphold the State's commitment to equal educational opportunities for all students⁷; and

WHEREAS, on September 19, 2025, NYCPS General Counsel sent a response to the Trainor Letter which requests that the US DOE – Office for Civil Rights provides a reasonable extension of 30 days, explain the violation of Title IX and provide due process required by federal regulation, explain the nexus of Title IX and the discontinuation of the MSAP grant funding, explain why the three districts chosen were selected, confirm MSAP grant funding authorized but not yet spent can be carried over; and written procedures for objections, hearings, and appeals as required by 34 CFR 200.342; and

WHEREAS, New York City has made significant financial investments in evidence-driven initiatives such as Black Studies, the Hidden Voices curriculum, the LGBTQ+ curriculum, and other Culturally Responsive-Sustaining Education (CRSE) programs, reinforcing its commitment to an inclusive and equitable teaching through learning and culture (TTC) instruction; and

WHEREAS, studies have demonstrated that culturally responsive⁸ and gender-affirming curricula improve student outcomes, increase engagement, and foster safer and more supportive school environments for all children, particularly students of color and LGBTQ+ youth⁹; and

WHEREAS, the suppression of discussions about race, gender identity, and systemic inequities harms all students by failing to prepare them for participation in a diverse and democratic society¹⁰; and

NOW, THEREFORE, BE IT RESOLVED that the Community Education Council of District 30 (CEC 30) strongly opposes Acting Assistant Secretary Craig Trainor's September 16, 2025 Letter and any related federal efforts to revoke or rescind the grants from the Magnet School Assistance Program (MSAP); and

⁷ *ibid*

⁸ Ladson-Billings, G. (2021). Three Decades of Culturally Relevant, Responsive, & Sustaining Pedagogy: What Lies Ahead? *The Educational Forum*, 85(4), 351–354.
<https://doi.org/10.1080/00131725.2021.1957632>

⁹ Kelley J, Pullen Sansfaçon A, Gelly MA, Chiniara L, Chadi N. School Factors Strongly Impact Transgender and Non-Binary Youths' Well-Being. *Children* (Basel). 2022 Oct 4;9(10):1520. doi: 10.3390/children9101520. PMID: 36291456; PMCID: PMC9599998.

¹⁰ <https://www.glsen.org/sites/default/files/2024-05/Inclusive%20Learning%20Research%20Brief.pdf>



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BE IT FURTHER RESOLVED that CEC 30 reaffirms its commitment to providing culturally responsive and gender-affirming education in accordance with the New York State Education Department's guidance and the legal rights of students under federal and state law; and

BE IT FURTHER RESOLVED that CEC 30 supports the NYCPS General Council's response letter sent on September 19, 2025, requesting a reasonable extension; explanations for the Trainor Letter's allegations of Title IX violations; and the nexus between Title IX and the MSAP grant funds being discontinued; and

BE IT FURTHER RESOLVED that CEC 30 calls on NYCPS to continue to oppose the directives provided within the Acting Assistant Secretary Craig Trainor's September 16, 2025 Letter; and

BE IT FURTHER RESOLVED that CEC 30 calls on NYCPS to direct all schools under its jurisdiction to continue implementing curriculum and instructional practices that affirm the identities of all students, foster critical thinking, and ensure that all children—regardless of race, gender identity, or background—have access to an education and facilities that reflect and respects their experiences; and

BE IT FURTHER RESOLVED that CEC 30 calls on NYCPS to continue to uphold the *Guidelines to Support Transgender and Gender Expansive Students* as these guidelines uphold the New York State Human Rights Law as amended by the Gender Expression Non-Discrimination Act (GENDA), which states that "transgender and gender expansive students are entitled to use the restroom or locker room that aligns with their gender identity;"¹¹ and

BE IT FURTHER RESOLVED that CEC 30 calls on all city, state, and federal elected officials that represent the neighborhoods included within the geographic borders of Community School District 30 to work together to ensure that NYCPS remains adequately funded if there is a projected loss of federal funding due to opposing the directives within the Trainor Letter; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the New York State Education Department, the New York City Department of Education, the Office for Civil Rights at the U.S. Department of Education, the Governor of New York, elected officials that represent the neighborhoods included within the geographic borders of Community School District 30 and other relevant stakeholders in the fight for inclusive and equitable education.

Adopted this 6th day of October, 2025, by the Community Education Council of District 30.

¹¹ <https://dhr.ny.gov/system/files/documents/2022/04/nysdhr-genda-guidance-2020.pdf>