



CITY OF NEW YORK  
**MANHATTAN COMMUNITY BOARD  
FOUR**

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**JESSICA CHAIT**  
Chair

**JESSE R. BODINE**  
District Manager

May 9, 2024

David Banks  
Chancellor  
Department of Education  
52 Chambers Street  
New York NY, 10007

Re: Denouncing CECD2 Resolution 248

Dear Chancellor Banks,

On the recommendation of its Arts, Culture, Education and Schools (ACES) committee, Manhattan Community Board 4's (MCB4) Full Board at its regularly scheduled meeting on May 1, 2024, voted 39 in favor, 0 opposed, 0 abstaining, and 0 present but not eligible to vote, to (1) commend your protection of the Department of Education's (DOE) Gender Guidelines in the wake of the anti-trans Resolution #248 recently adopted by the District 2 Community Education Council (CECD2); (2) request an investigation to determine if there are any violations by CECD2 members of their Code of Conduct; and (3) request a mandatory training session for all CECD2 members regarding the Code of Conduct and all applicable DOE anti-bullying and anti-discrimination policies.

There are 32 Community Education Councils in New York City, each which act solely in an advisory capacity as a liaison between public school parents in their respective school district and the Department of Education (DOE). The schools assigned to CECD2 are public Pre-K programs, elementary schools, and middle schools in School District 2 in Manhattan. Students in these grades range in age typically from 4-13. According to its website, CECD2 is committed to "fostering a supportive and enriching learning environment for our students" in grades pre-K-8. CECD2 has no purview over any high schools in District 2.<sup>1</sup> The Public School Athletic League (PSAL) coordinates all sports competitions in NYC high schools. CECD2 does not have any advisory oversight of any PSAL programs as there are no high schools assigned to CECD2.

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<sup>1</sup> The only high school students who attend a school in CECD2's purview are the students who attend the Clinton School, which expanded from a Middle School to grades 6-12 and was grandfathered into CECD2's purview.

Ignoring its commitment to addressing issues at its pre-K-8<sup>th</sup> grade schools, and ignoring its commitment to fostering a supportive environment for all its students, CECD2 adopted a resolution at its general meeting on March 20, 2024, that:

- (1) challenged the supportive, inclusive Guidelines to Support Transgender and Gender Expansive Guidelines (“Gender Guidelines”) adopted by the DOE in 2019; focused primarily on high school students and the PSAL;
- (2) failed to make any reference to its pre-K-8 students and how this policy would serve them;
- (3) made sweeping, contentious statements with no data to back them up; and
- (4) ignored the significant number of parents who spoke against the resolution.

Specifically, CECD2’s Resolution #248 asks the DOE to immediately convene a Gender Guidelines review committee to revise the Gender Guidelines to exclude trans girls from sports. CECD2 went even further down the anti-trans crusade by specifying several groups that should be included in its proposed review committee but remaining conspicuously silent about the inclusion of any trans athletes and/or parents of trans kids.

Chancellor Banks, thank you for condemning Resolution #248 and calling it what it is: “despicable” and “hateful”. We are grateful that the DOE has made it very clear that this anti-trans resolution has no legal effect, and that the DOE is committed, as always, to respecting and protecting all kids and their right to participate in sports. We applaud the following statement from your DOE spokesperson Chyann Tull:

“At New York City Public Schools, all students have the right to have their gender, gender identity, and gender expression recognized and respected... In our schools, every student can participate in sports and competitive athletics in accordance with their gender identity, and we prohibit any exclusion of students based on their gender identity or expression.” Bravo!

Again, the role of CEC’s is to act as a liaison between parents and the DOE and to address issues of concern for the families in the schools within their district. Every year, the DOE surveys parents to determine the priorities and concerns in their child’s school. Sadly, CECD2 has decided to use its time, energy, and resources to address an issue about which there are no known complaints by any parents in District 2 or even at the level of the PSAL. CECD2 has done a grave disservice to the parents and students in their educational District by ignoring the very real issues raised by parents and choosing instead to advance the divisive, hateful, anti-trans political agenda of some members on the CECD2.

At MCB4, we share the DOE’s commitment to providing a safe, supportive environment to all kids – including trans kids. It is egregious that CECD2 has voted to send the opposite message to some of the most vulnerable students in District 2. Despite having no legal or policy impact, CECD2’s resolution sends a clear signal to trans families in District 2 that CECD2 wants to exclude trans girls from sports.

Chancellor Banks, thank you for upholding the Gender Expression Non-Discrimination Act (GENDA) amendment to the New York State Human Rights Law and for standing firm to protect the rights and athletic opportunities for our youth in New York City Public Schools. We urge you to direct the DOE Equity Compliance Officer and the Special Commissioner of

Investigation for the NYC School District to investigate the public statements made by CECD2 members regarding Resolution #248 and trans youth to determine if there are any violations of the CEC Code of Conduct (Chancellor's Regulation D-210). Further, we ask that the DOE's Office of Family and Community Engagement conduct a mandatory training session for all CECD2 members regarding the Code of Conduct and all applicable anti-bullying and anti-discrimination policies.

Sincerely,



Jessica Chait  
Chair  
Community Board 4



Matt Green  
Co-Chair  
ACES Committee



Josephine Ishmon  
Co-Chair  
ACES Committee

CC: Hon. Eric Adams, Mayor  
Hon. Brad Hoylman-Sigal, State Senator  
Hon. Tony Simone, State Assembly Member  
Hon. Jumaane Williams, Public Advocate  
Hon. Mark Levine, Manhattan Borough President  
Hon. Rita Joseph, Council Member  
Hon. Erik Bottcher, Council Member  
Kelly McGuire, Superintendent, NYC Department of Education, Schools District 2  
Dr. Cristina Meléndez, Executive Director, FACE  
Dr. Angela Green, Chairperson, PEP  
CECD2