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Res. No. 69

Resolution unequivocally opposing President Trump's executive order restricting protections for transgender students and calling on the New York State Department of Education to ensure that all schools in New York City continue to uphold policies that protect the rights and dignity of transgender and gender-nonconforming students, regardless of federal directives

By Council Members Cabán, Hudson, Ossé, Louis, Brewer, Epstein, Farías, Banks, Wilson and the Public Advocate (Mr. Williams)

Whereas, On January 29, President Donald J. Trump signed an executive order titled "Ending Radical Indoctrination in K-12 Schooling," aimed at eliminating protections for transgender students and restricting instruction related to race, gender, and other topics in K-12 schools; and

Whereas, This executive order seeks to strip away critical protections for transgender students by targeting their ability to be recognized by their gender identity, use their preferred names and pronouns, and access facilities and programs consistent with their gender identity; and

Whereas, The executive order calls on federal agencies to rescind and withhold funding from K-12 schools that recognize transgender students' gender identities, allow them to participate in sports consistent with their gender identity, or provide inclusive restroom and locker room access; and

Whereas, The executive order also seeks to forcibly out transgender students to their parents by restricting schools from respecting a student's request for privacy regarding their gender identity; and

Whereas, The order directs the Attorney General to coordinate with State Attorneys General and local prosecutors to take legal action against educators and school officials who affirm a student's transgender identity, threatening teachers and administrators with punitive measures; and

Whereas, Research indicates that hostile social and policy environments that stigmatize LGBTQ people

contribute to adverse health outcomes, including increased rates of depression, substance use, and suicide among transgender youth; and

Whereas, A 2023 Trevor Project study found that one in three LGBTQ youth reported poor mental health most or all of the time due to anti-LGBTQ policies and legislation, and that transgender and non-binary students in non-affirming schools were more likely to attempt suicide than those in affirming schools; and

Whereas, Denying transgender youth access to facilities consistent with their gender identity has been linked to negative physical and mental health outcomes, with 73% of transgender youth in a 2021 GLSEN survey reporting avoidance of school bathrooms due to fear of discrimination and harassment, leading to increased risks of dehydration, urinary tract infections, and kidney-related health issues; and

Whereas, Policies that forcibly out transgender students put them at risk of family rejection, abuse, and homelessness, with studies showing that LGBTQ youth who experience family rejection face increased rates of suicide attempts, substance use, and housing instability; and

Whereas, New York City Human Rights Law prohibits discrimination based on actual or perceived gender in employment, housing, and public accommodations, and the November 2024 amendment to the New York State Constitution further strengthens these protections by explicitly protecting the rights of individuals against discrimination based on sexual orientation, gender identity, and gender expression; and

Whereas, The executive order is in direct conflict with city and state law, creating confusion and legal uncertainty for schools, teachers, and staff, and potentially exposing schools to litigation; and

Whereas, These actions are in direct conflict with New York City's commitment to fostering an inclusive and affirming educational environment that respects and upholds the rights of transgender and non-binary students; and

Whereas, The New York City Department of Education has long recognized the importance of inclusive policies that protect transgender and gender-nonconforming students, ensuring they have equal access to educational opportunities and resources; and

Whereas, The executive order represents a dangerous rollback of civil rights protections and creates a hostile environment for LGBTQ youth, who already face disproportionately high rates of bullying, discrimination, and mental health challenges; and

Whereas, The City of New York stands firmly in support of transgender students and all students' rights to a safe, inclusive, and affirming education; now, therefore, be it

Resolved, That the Council of the City of New York unequivocally opposes President Trump's executive order restricting protections for transgender students and calls on the New York State Department of Education to ensure that all schools in New York City continue to uphold policies that protect the rights and dignity of transgender and gender-nonconforming students, regardless of federal directives.

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