

## ***A Letter to Our Board of Education: A Community Call for Transparency***

*Note to Reader:* As policies impacting our children’s education evolve rapidly, the need for transparent communication has never been more critical. Parents have been left with little to no understanding as to why mascots have been removed, sexually graphic and explicit books are being assigned or available, or that their children participated in activities in which parents did not have full details or consent. While this letter is addressed to our Boards of Education, it provides everything you need to know: a complete timeline, policy information, and details on the upcoming vote that will have lasting effects on our children’s education. All community members are invited to join us in this important conversation—especially those who may be unaware of the significant changes taking place that directly affect their children. We encourage you to share this message.

### **To Board of Education Members:**

As elected officials entrusted with the education and welfare of our children, it is your responsibility to ensure that parents and community members are fully informed of any policy changes that significantly impact students and the learning environment. Since 2019, New York State has implemented several key laws impacting minors. These laws have led to New York School District policies that are reshaping how schools address issues such as gender identity, student privacy, and parental involvement. However, many of these policies have been introduced without proper communication to parents, teachers, and, in some cases, board members themselves.

The following timeline outlines critical legal developments and policy implementations affecting New York school districts:

### **Timeline**

**January 2019:** The newly elected New York State Legislature passed the Gender Expression Non-Discrimination Act (GENDA), expanding anti-discrimination protections to include gender identity and gender expression. This law supersedes Title IX in some instances, affecting how schools manage disclosures about gender identity and their interactions with parents.

**January 2020:** Federal and state funding began to flow under the American Rescue Plan (ARP) and related initiatives, incentivizing school districts to adopt specific guidance related to diversity and inclusion. Concerns over loss of funding for not complying became the driving mechanism for board members to comply without question.

**April 2021:** The Diversity, Equity, and Inclusion (DEI) Curriculum—known as the *Culturally Responsive-Sustaining* (CR-S) Framework—was introduced by the New York State Education Department (NYSED). The framework emphasized for schools to teach students to become “agents of social change” (Page 7 of mentioned italicized document). However, these directives were not adequately communicated to parents.

**January 2021:** The *L.N. & E.V. v. Brookhaven-Comsewogue School District* lawsuit revealed that a 10-year-old student had undergone a gender transition at school without parental knowledge. Parents were only informed when their child began to experience emotional distress, no longer wanting to transition, and the 10-year-old child wrote a suicide note. This incident highlights the importance of clear

communication with parents about sensitive issues involving their children. As DEI and Social Justice policies expanded across New York since 2019, so did education lessons, programs, and state guidance imposing “selective language”, redefining gender as a “societal structure”, viewing police as “oppressors”, and teaching that “sexual identity” is something to be determined after experimentation. Comsewogue is not the only school district being affected. School administrators from Nassau & Suffolk counties to Upstate NY claim they are “following the law” in withholding information from parents.

**April 2022:** New York amended its Human Rights Law (Article 296), incorporating language from GENDA, and added an additional **11** protective class categories, including “age”, completely overriding Title IX and expanding “protected classes” to a point where it conflicts with individual civil and religious rights. In addition, this allows for school staff to be charged with “student harassment” if they disclose a student’s gender identity to parents without student consent, regardless of the student’s age. (Article 296 Subsection 2; Subsection 4). This policy has led to growing concerns among parents who feel excluded from key decisions about their children’s well-being, as parents are unaware that this law has been in effect since 2022!

**June 2023:** New York State Education Department (NYSED) released the *Safe, Supportive, and Affirming School Environments for Transgender and Gender Expansive Students* guidance. A “guidance” is a set of recommendations from NYSED for schools to follow, such as certain programs, curriculum, or policies. Schools don’t have to follow them, but if they do, they can receive additional state funding, which encourages many districts to adopt these “guidances”. The “*Supporting & Affirming*” guidance, in particular, directed schools to be “mindful” that “only students can decide when it is safe to share their identity with caregivers” (Page 16 of mentioned italicized document). This guidance was adopted by several school districts across New York state in different capacities and under different names. Various school leaderships claim they must follow “Regulations” as if it is law, and use this as justification for adopting these guidelines, even though they are actually optional. Parents are not properly informed of this, and so they are not aware of how their child’s school experience, development, and psychological & emotional growth is going to be affected.

**2020–2024:** Over the years, many districts incorporated DEI policies into their documents, which included materials on “gender expression and sexuality” in school libraries, student surveys on sexual identity and pronouns, and training for teachers on incorporating social justice and social-emotional learning (SEL) principles into their classrooms. Again, many parents were not notified of these changes.

### **The Role of the Board of Education**

Board of Education members have an ethical and legal duty, under New York State Education Law and the Dignity for All Students Act (DASA), to ensure transparency with parents about significant policy changes, particularly when these changes affect student rights, parental involvement, and the school environment.

While many well-intended board members may fear losing funding by resisting these policies, pushing them through without careful consideration eliminates fundamental parental rights. Under the Family Educational Right and Privacy Act (FERPA) and Protection of Pupil Rights Amendment (PPRA), parents have the right to access and be informed about their child’s education records. Yet, these new policies risk circumventing that right, eroding trust between schools and families and undermining the core principles of parental involvement in their children’s education.

We respectfully request that the Board of Education take the following actions to restore transparency and trust:

**Immediate and Proactive Notification:** Implement clear, direct communication channels to notify parents of all changes in policies regarding these initiatives and student privacy. These could include:

- Notices sent directly to homes via mail or email.
- Prominent alerts on school district websites.
- Letters sent home with students.

**Transparency in Policy Implementation:** Ensure that all educators and school staff are fully informed and trained on these policies. This transparency must also extend to parents, who deserve to understand how these policies are being applied in their children's schools.

**Restoration of Parental Rights and Trust:** While protecting student privacy is important, it should not come at the cost of excluding parents from critical decisions about their children's well-being. Parents are not merely passive observers in their children's education. The policy changes introduced since 2019 have had significant implications for students, and it is imperative that all stakeholders—parents, teachers, and board members—are fully informed and involved in these discussions. We urge the Board to take immediate action to rectify the current lack of communication and ensure that all future policy changes are clearly and directly communicated without bias or slant to parents and the public.

### **Proposal 1 - The Equal Rights Amendment on the November Presidential Ballot in NY**

In addition to the current policies and laws, it's important to note that the 2024 Ballot will include

**Prop 1: The Equal Rights Amendment.** This proposal seeks to cement HR Article 296 into permanent law, which includes adding "age", "gender identity", "gender expression", "national origin" and more to the New York Constitution. This proposal would allow minors to make critical decisions about their mental health, sexual identity, and reproductive choices without needing parental consent. What's more, it places teachers in a difficult position by labeling it "student harassment" if they inform parents about these decisions. Schools will be monitored by NYSED for discrimination of any sort, including sports, bathrooms and locker rooms.

The wording of the proposal is wrapped in misleading language to hide its true impact. The reality is that it strips away parental involvement under the guise of protecting all students.

### **Prop 1 Wording On The November 2024 Voting Ballot:**

"This proposal would protect against unequal treatment based on ethnicity, national origin, age, disability, and sex, including sexual orientation, gender identity and pregnancy. It also protects against unequal treatment based on reproductive healthcare and autonomy. A "YES" vote puts these protections in the New York State Constitution. A "NO" vote leaves these protections out of the State Constitution."

**If Prop 1 is passed, these changes will be irreversible and further limit parental involvement in key decisions affecting their children's education, sports, medical, religious, and dignity rights.**

The ramifications of these policies are significant: biological females may be compelled to share personal spaces and participate in sports with biological males, and vice versa. Additionally, children, adolescents, and teens may feel pressured to explore their sexual identity without parental guidance. The inclusion of “reproductive health” could lead to school practices that facilitate access to abortion for minors without parental consent. Furthermore, Social Emotional Behavior Modification practices could lead to arbitrary assessments of children’s behaviors by unlicensed employees, potentially determining their worth based on subjective judgments of tolerance and empathy. While these policies may not immediately affect children, granting the state and school districts the authority to impose such changes poses significant risks, especially when parents and community members are not being properly informed.

For the School Boards or any school officials to simplify these laws and policies by claiming they will only improve the treatment of marginalized students is to tell only a portion of the story, minimizing and distracting from the greater consequences they impose.

### **A Collective Concern: We Need Your Attention**

Regardless of where any individual stands on these policies, whether they fully support them or disagree with them, one thing must be indisputable: every parent and community member has the right to know about the policies being enacted. Every board member, along with the superintendent and lawyers they rely on, has the legal and moral responsibility to be transparent and honest about funding, influences, and manner in which a policy or “Regulation” will change children’s educational experience. Even if some believe that it’s acceptable *not* to inform parents directly about a child’s gender transition, it is non-negotiable that parents be fully aware that such policies exist—policies that grant schools the discretion to withhold such information. This isn’t about politics or personal beliefs; it’s about trust, transparency, and ensuring that families, even those with the most limited involvement in the school, are informed about the key decisions that may deeply impact their children.

Our communities are diverse, with households where parents may work full-time, juggling multiple responsibilities. They may not have the luxury of attending board meetings or engaging in school activities as regularly as others, but that does not mean they should be left in the dark. Transparency should be accessible, loud, and clear, and should never rely solely on someone finding the time to dig through documents or websites to uncover what could profoundly affect their child’s well-being.

We urge you to reflect on the weight of this responsibility. Maintaining a posture of deliberate indifference, or partaking in state-created harm, allows fundamental rights to slip away, not by active opposition but by passive neglect. Let us commit to a standard of communication that rises above any personal stance and ensures that every parent is empowered with the right to make informed decisions.

With Trust and Integrity,

### **The Voices of Your Community**

Licensed Educators, Administrators, Lawyers, Medical Professionals, and Concerned Parents