

# PROTECTING TRANS STUDENT'S RIGHTS

## ACLU Illinois

The Illinois Human Rights Act mandates that students in our public schools cannot be discriminated against on the basis of sexual orientation and gender identity. This means that schools must provide equal access to facilities, like restrooms and locker rooms. This protection is a matter of fundamental fairness that must be followed by all school districts in the state. But it can be difficult for local school boards to uphold these fundamental rights when the individuals and groups attacking trans, non-binary, gender non-conforming, and queer students' rights are the only ones who speak out and show up at public meetings. These groups often claim to speak for an entire community, but they do not. When rights are being threatened in your community, each of us needs to show up.

### STEPS YOU CAN TAKE:

- Contact the ACLU of Illinois. We want to know where you are seeing attempts to discriminate against trans, non-binary, gender non-conforming, and queer students. And we may be able to help you and others you recruit to fight back.
- Attend a public meeting – including your local school board meeting – to show your support for LGBTQ+ kids, whether by preparing your own remarks, standing in solidarity with those who do, making signs, or otherwise showing your support in a peaceful and respectful way.
- Write emails, make calls, or speak directly to your local officials.
- Write an op-ed or letter to the editor in your local paper.
- Activate people to take action along with you.
- Use and share our IHRA Know Your Rights materials for LGBTQ+ students and let us know if you would like to host a Know Your Rights session in your community.

### TALKING POINT FOR SPEAKING IN SUPPORT OF TRANS, NON-BINARY, GENDER NON-CONFORMING, AND QUEER STUDENTS' RIGHTS:

#### SCHOOL RESTROOMS AND LOCKER ROOMS

- Under Illinois law, public school students are allowed to use the restroom and locker room that aligns with their gender identity.
- It is discrimination, and a violation of Illinois law, for a school to force LGBTQ+ students to use a restroom or locker room based on their sex assigned at birth.
- Schools are a place for students to grow and learn but targeting LGBTQ+ students by treating them differently denies them an opportunity for affirmation and integration into a school community.
- There are no known incidents of harassment by a transgender student in a restroom or locker room.
- The Illinois Department of Human Rights (IDHR) and the Illinois State Board of Education (ISBE) have stated that trans, non-binary, and gender non-conforming students are allowed to use facilities that they prefer, or that align with their gender identity.

#### SCHOOL SPORTS AND ACTIVITIES

- Under Illinois law, public school students are allowed to participate equally in school trips and activities, including sports teams, that align with their gender identity.
- Students often learn important life lessons and develop new skills and confidence by participating in extracurricular activities, including athletics. We should not deny those opportunities to students who are transgender, non-binary, or gender non-conforming.
- The Illinois Department of Human Rights (IDHR) and the Illinois State Board of Education (ISBE) have stated that schools must provide equal access to activities on school campuses and public spaces that students go to for a school activity, like at a park, museum, restaurant, library, or hotel.
- Denying LGBTQ+ students' equal access to sports and activities is discrimination and is against Illinois law.

**Find more information and resources at [www.aclu-il.org/trans-students](http://www.aclu-il.org/trans-students)**

If you are a student experiencing discrimination or your loved one has faced discrimination because of sexual orientation and gender identity at an Illinois public school, you can request legal assistance at [www.aclu-il.org/intake](http://www.aclu-il.org/intake).