

# KNOW YOUR RIGHTS

# ANTI-DISCRIMINATION PROTECTIONS FOR TRANS & NON-BINARY YOUTH IN ILLINOIS

ACLU Illinois

## WHAT IS THE ILLINOIS HUMAN RIGHTS ACT?

Illinois law – specifically the Illinois Human Rights Act (IHRA) – protects LGBTQ+ people from being treated unfairly – including young people like you and your friends – both in school and other places.

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## WHAT ARE MY RIGHTS IN SCHOOL?

*Your rights will depend on if you attend a public or private school (like a religious or single-gender school). If you do attend a private school, the IHRA's protections are limited.*

**In a public school, you and your friends allowed to use the bathrooms and locker rooms that align with your gender identities.** For trans, non-binary, and gender non-conforming students, it is a violation of Illinois law for a school to force you to use the bathroom or locker room based on your sex assigned at birth. Both the Illinois Department of Human Rights (IDHR) and the Illinois State Board of Education (ISBE) have stated that students, including non-binary and gender non-conforming students, are allowed to use facilities that they prefer, or that align with their gender identity.

**In a public school, you and your friends are allowed to participate in school trips and activities, including sports teams, that align with your gender identity.** The IDHR and ISBE have also stated that this includes protection for both school campuses and public spaces you go to for a school activity, like at a park, museum, restaurant, library, or hotel. ISBE recommends that the schools help protect you and your classmates on trips and during other activities by knowing what public accommodation protections may apply on a trip that isn't happening on another school campus where school protections apply.

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## WHAT ARE MY RIGHTS OUTSIDE OF SCHOOL?

**You and your friends are allowed to use bathrooms that align with your gender identity when accessing most public facilities accessed by others.** This includes places accessible by the public, like libraries, hotels, and parks. Illinois law prevents non-binary or gender non-conforming people from being forced to use facilities based on your sex assigned at birth. There are some exceptions, like professionals and service providers are allowed to refuse service to you or your friends if they would have refused or referred you if you were not trans and/or non-binary.

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## WHAT HAPPENS WHEN MY RIGHTS ARE VIOLATED?

The Illinois Department of Human Rights (<https://dhr.illinois.gov/filing-a-charge/public-accommodations.html>) helps enforce the IHRA when it is violated. You can find out more at [www.dhr.illinois.gov](http://www.dhr.illinois.gov).

If you have been treated unfairly in school or somewhere else, and want to report it, you can fill out our intake form at [www.aclu-il.org/intake](http://www.aclu-il.org/intake).

For more resources, visit our site: [www.aclu-il.org](http://www.aclu-il.org), or email [advocacy@aclu-il.org](mailto:advocacy@aclu-il.org) with any questions.