



EXECUTIVE ORDER

2019 - 11

**EXECUTIVE ORDER STRENGTHENING OUR COMMITMENT TO
AFFIRMING AND INCLUSIVE SCHOOLS**

WHEREAS, Illinois law prohibits discrimination and harassment based on gender identity in schools;

WHEREAS, it is the policy of the State of Illinois to promote fairness and equality and to combat unlawful discrimination and harassment;

WHEREAS, transgender, nonbinary, and gender nonconforming students are more likely to have negative experiences at school, feel unsafe, and experience victimization;¹

WHEREAS, 80% of transgender students report feeling unsafe at school;²

WHEREAS, over 70% of transgender, nonbinary, and gender nonconforming students report experiencing discriminatory policies or practices at school;³

WHEREAS, discriminatory policies and practices have the effect of creating an unwelcoming and hostile school environment;

WHEREAS, a hostile school environment has a profound effect on students' academic success and health;

WHEREAS, students who experience higher levels of victimization because of their gender expression were more than three times as likely to have missed school, more likely to have been disciplined at school, had lower grade point averages, were less likely to pursue post-secondary education, and had higher levels of depression and lower levels of self-esteem;⁴

WHEREAS, when transgender, nonbinary, gender nonconforming students are supported and affirmed, they have the opportunity to fully engage in their education and thrive;

WHEREAS, education and health experts have affirmed that policies supporting transgender, nonbinary, and gender nonconforming students are beneficial for all students. This includes the American Academy of Pediatrics, National Association of School Psychologists, the American School Counselors Association, the National Association of Secondary School Principals, and the National Education Association.

WHEREAS, Illinois is committed to fostering school environments that are welcoming, safe, supportive, inclusive, and free of discrimination and harassment for all students; and

THEREFORE, I, JB Pritzker, Governor of Illinois, by virtue of the executive authority vested in me by Article V of the Constitution of the State of Illinois, hereby order as follows:

¹ Joseph G. Kosciw, et al., GLSEN, *The 2017 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual, Transgender, and Queer Youth in our Nation's Schools* (2017).

² *Id.*

³ *Id.*

⁴ *Id.*



I. Definitions

As used in this Executive Order:

“School” means any non-sectarian preschool, primary, or secondary school.

“Task Force” means the Affirming and Inclusive Schools Task Force.

II. Establishment of the Affirming and Inclusive Schools Task Force

The Affirming and Inclusive Schools Task Force is established in the Office of the Governor to identify strategies and best practices for ensuring welcoming, safe, supportive, and inclusive school environments for transgender, nonbinary, and gender nonconforming students and to promote cooperation and collaboration between relevant stakeholders and the State.

III. Membership of the Task Force

The Task Force shall consist of at least one representative from the Office of the Governor and no more than twenty-five (25) members, selected by the Governor, who have experience or expertise related to supporting transgender, nonbinary, and gender nonconforming students in schools including, but not limited to, students, parents or guardians, teachers, school administrators, lawyers, medical professionals, and representatives from community-based organizations. The Task Force shall be chaired by a person or persons to be selected by the Governor. The members of the Task Force shall serve without compensation.

IV. Reporting of the Task Force

By January 1, 2020, the Task Force shall deliver a report to the Office of the Governor containing the following:

- a) an overview of the legal rights of transgender, nonbinary, and gender nonconforming students to be free of discrimination and harassment in schools;
- b) a description of best practices for ensuring welcoming, safe, supportive, and inclusive school environments for transgender, nonbinary, and gender nonconforming students; and
- c) its findings and recommendations for ensuring transgender, nonbinary, and gender nonconforming students are fully supported in Illinois schools.

V. Illinois State Board of Education

The Illinois State Board of Education is requested to do the following:

- a) develop and make publicly available non-regulatory guidance on the legal rights of transgender, nonbinary, and gender nonconforming students in schools;
- b) develop and make publicly available a model policy or procedures setting forth best practices for inclusion of transgender, nonbinary, and gender nonconforming students in schools including, but not limited to, access to facilities, participation in physical education classes and school-based programs and activities, student records, names and pronouns, and dress codes; and
- c) make publicly available other published resources relating to supporting transgender, nonbinary, and gender nonconforming students in schools.



VI. Term of the Task Force

The Task Force shall be dissolved upon submission of its report to the Office of the Governor, subject to renewal by a succeeding Executive Order.

VII. Savings Clause

Nothing in this Executive Order shall be construed to contravene any federal or State law or regulation. Nothing in this Executive Order shall affect or alter the existing statutory powers of any State agency or be construed as a reassignment or reorganization of any State agency.

VIII. Prior Executive Orders

This Executive Order supersedes any contrary provision of any other prior Executive Order.

IX. Severability Clause

If any part of this Executive Order is found to be invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect. The provisions of this Executive Order are severable.

X. Effective Date

This Executive Order shall take effect immediately upon its filing with the Secretary of State.

JB Pritzker, Governor

Issued by Governor: June 30, 2019

Filed with Secretary of State: July 1, 2019