



# TAX CREDIT SCHOLARSHIP EDUCATION RIGHTS

Children who apply for and/or receive Illinois Tax Credit Scholarships have certain rights under the Invest in Kids Act (which governs Tax Credit Scholarships) and other Illinois and federal laws. These rights depend on the type of school a child attends. Empower Illinois does not have any oversight or enforcement authority over school admissions, operations, or facilities at the school level for any particular child. There are, however, state and federal agencies that help individuals who believe their students' rights have been violated.

Please note that this document is intended to educate you, in general, about some of the rights you may have under state and federal law and agencies that may help. This should not be construed as legal advice and Empower Illinois cannot advise you on these issues. This document is not intended to be comprehensive with respect to all education law and the rights that may be asserted under them.

## WHAT ARE MY STUDENT'S RIGHTS?

The Invest in Kids Act requires schools to:

- Provide you an annual written explanation of your student's progress in school;
- Give your student tuition qualifications and requirements that are similar to students who do not receive grants (such as the same public service requirements);
- Provide your student annual standardized testing; and
- Tell you when your student does not follow the school's published policies.

Regardless of the type of school your student attends, schools are required to:

- Make admissions decisions without regard to race, color, or national origin;
- Prevent sexual harassment;
- Provide equal access to, or reasonable accommodations for, school facilities and activities regardless of your student's disability status (such as ramps for wheelchair access), and
- Have written school policies available for your review

In addition, if your student attends a school that receives federal funds, federal law prohibits your school from:

- Discriminating based on blindness or vision impairment;
- Discriminating based on sex, except if your school is religious or making admissions decisions (for example, a Catholic all-boys or all-girls school); and
- Making discriminatory admissions decisions based on physical or mental disability.

If your student attends a non-religious school, Illinois also prohibits non-religious schools from:

- Discriminating based on ancestry (where your ancestors are from);
- Discriminating based on religion; and
- Discriminating based on actual or perceived sexual orientation.

## WHAT DO I DO IF I BELIEVE MY STUDENT'S RIGHTS HAVE BEEN VIOLATED?

Empower Illinois does not have any oversight or enforcement authority over school admissions, operations, or facilities at the school level or for any particular child. Empower Illinois cannot advise you on these issues. If you feel that your, or your student's, rights have been violated, the following state or federal agencies may be able to help:

### ILLINOIS GOVERNMENT AGENCIES

#### Illinois Department of Human Rights

- Fill out a complainant information sheet:  
[https://www2.illinois.gov/dhr/FilingCharge/Documents/CIS\\_Emp\\_PA\\_FC\\_SH.pdf](https://www2.illinois.gov/dhr/FilingCharge/Documents/CIS_Emp_PA_FC_SH.pdf)
- Mail the complainant information sheet or call:
  - Department of Human Rights Chicago Office
    - 100 West Randolph Street, 10th Floor, Intake Unit, Chicago, IL 60601
    - Or call: (312) 814-6200; (866) 740-3953 (TTY)
  - Department of Human Rights Springfield Office
    - 535 West Jefferson, 1st Floor, Intake Unit, Springfield, IL 62702
    - Or call: (217) 785-5100; (866) 740-3953 (TTY)

#### Illinois Attorney General

- Fill out a complaint at: <https://illinoisattorneygeneral.gov/rights/civilrights.html>
- Mail or email the complainant information sheet or call
  - Email complaint form to: [civilrights@atg.state.il.us](mailto:civilrights@atg.state.il.us)
  - Or mail to: Civil Rights Bureau, Office of the Attorney General, James R. Thompson Center, 11th floor, 100 W. Randolph St., Chicago, IL 60601
  - Or call: (877) 581-3692

#### Illinois State Board of Education Multilingual Department (for cases of English-learner discrimination)

- Please send a complaint to: Illinois State Board of Education Multilingual Department, 100 W Randolph, Suite 14 – 300, Chicago, Illinois 60601, Attn: Complaints

### FEDERAL GOVERNMENT AGENCIES

#### U.S. Department of Education, Office of Civil Rights

- Fill out a complaint form available at: <https://ocrcas.ed.gov/welcome-to-the-ocr-complaint-assessment-system>
- Email complaint form to: [ocr@ed.gov](mailto:ocr@ed.gov)

#### U.S. Department of Justice, Civil Rights Division

- Fill out an online complaint at: <https://civilrights.justice.gov/report/>