

FACT SHEET: U.S. Department of Education’s 2024 Title IX Final Rule Overview

Title IX of the Education Amendments of 1972 (Title IX) was signed into law more than 50 years ago. In the decades since, Title IX’s protections have paved the way for tremendous strides in access to education and more for millions of students across the country and have opened doors for generations of women and girls. In spite of this historic progress, rates of sexual harassment and assault in our nation’s schools and colleges remain unacceptably high. Many women see their education derailed because of pregnancy discrimination. And many LGBTQI+ students face bullying and harassment just because of who they are. The Biden-Harris Administration believes that the promise of Title IX, an education free from sex discrimination, remains as vital now as it was when it was first signed into law.

On April 19, 2024, the U.S. Department of Education released its final rule to fully effectuate Title IX’s promise that no person experiences sex discrimination in federally funded education. Before issuing the proposed regulations, the Department received feedback on its Title IX regulations, as amended in 2020, from a wide variety of stakeholders. The regulations released today draw on the Department’s engagement with tens of thousands of students, parents, educators, State government representatives, advocates, lawyers, researchers, and representatives from elementary schools, secondary schools, and postsecondary institutions. After releasing the proposed regulations in July 2022, the Department received and reviewed more than 240,000 comments from the public to inform this rulemaking.

The final regulations will help to ensure that all persons, including students and employees, receive appropriate support if they experience sex discrimination in schools and that schools’ procedures for investigating and resolving complaints of sex discrimination are accurate and fair to all involved. The final regulations strengthen several major provisions from the current regulations and provide schools with information to meet their Title IX obligations while providing appropriate discretion and flexibility to account for variations in school size, student populations, and administrative structures. The final regulations also provide greater clarity an educational environment free from discrimination on the basis of

The final regulations strengthen vital protections from all forms of sex-based harassment, including sexual violence and unwelcome sex-based conduct that creates a hostile environment by limiting or denying a person's ability to participate in or benefit from a school's education program or activity.

Require schools to take prompt and effective action to end any sex discrimination in their education programs or activities—and to prevent its recurrence and remedy its effects.

The final regulations promote accountability and fulfill Title IX's nondiscrimination mandate by requiring schools to act promptly and effectively in response to information about conduct that reasonably may constitute sex discrimination, including sexual violence and other forms of sex-based harassment. These regulations also require that schools train employees about the school's obligation to address sex discrimination, as well as employees' obligations to notify or provide contact information for the Title IX Coordinator.

Require schools to provide supportive measures to complainants and respondents affected by conduct that may constitute sex discrimination, including sexual violence and other forms of sex-based harassment.

Under the final regulations, schools are required to offer supportive measures, as appropriate, to restore or preserve a party's access to the school's education program or activity or provide support during a school's grievance procedures or the informal resolution process. Supportive measures cannot be unreasonably burdensome to a party and cannot be imposed for punitive or disciplinary reasons.

Require schools to respond promptly and effectively to all complaints of sex discrimination with a fair, transparent, and reliable process that includes trained, unbiased decisionmakers to evaluate all relevant and not otherwise impermissible evidence.

The final regulations strengthen requirements for schools to conduct reliable and impartial investigations of all sex discrimination complaints. The final regulations maintain several major provisions from the current regulations to ensure consistency for schools while updating required procedures to more effectively protect against sex discrimination in the nation's elementary schools, secondary schools, and postsecondary institutions.

The Department's final regulations include the following:

- All schools must treat complainants and respondents equitably.
- Title IX Coordinators, investigators, decisionmakers, and facilitators of an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
- A school's grievance procedures must include a presumption that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the school's grievance procedures.
- A school's grievance procedures must require adequate notice to the parties of the allegations, dismissal, delays, meetings, proceedings, and determinations.
- A school's grievance procedures must give the parties an equal opportunity to present and access relevant and not otherwise impermissible evidence, as well as provide a reasonable opportunity for each party to respond to that evidence.

EMBARGOED UNTIL FRIDAY, APRIL 19 at 5 AM ET

based on pregnancy or related conditions, allow for reasonable break time for lactation for employees, and access to a clean, private lactation space for students and employees.

The final regulations also require that when a student, a parent of a minor student, or other authorized legal representative informs a school employee of a student's pregnancy or related conditions, the employee then must provide the individual with information about the school's obligations to prevent discrimination and ensure equal access. The final regulations also prohibit schools from disclosing personally identifiable information they obtain through complying with Title IX, including information about reasonable modifications for pregnancy or related conditions, with limited exceptions.

Prohibit discrimination against LGBTQI+ students, employees, and others.

The rule prohibits discrimin.

~~Prohibit discrimination against LGBTQI+ students, employees, and others.~~

EMBARGOED UNTIL FRIDAY, APRIL 19 at 5 AM ET