



Title IX Regulations Issued April 19, 2024
Effective Date August 1, 2024
Summary of Key Provisions

The Department of Education's 2024 amendments to its Title IX Rule mark a shift in policy and approach from the final rule issued in 2020, in several key ways.

1. Sexual orientation and gender identity are specifically included. The regulations broaden the definition of discrimination based on sex to include not only discrimination based on sex stereotypes, sex characteristics, and pregnancy or related conditions, but also (for the first time) ***sexual orientation*** and ***gender identity***.
2. Sexual harassment includes more scenarios. The term "**sex-based harassment**" has been defined more broadly to include harassment based on sexual orientation and gender identity. Sex-based harassment creates a "hostile environment" in more situations, as well. A hostile environment exists when "unwelcome sex-based conduct ... is subjectively and objectively offensive and is so severe **or** pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity."
3. Although more possible conduct may constitute sex-based discrimination or harassment, the final regulations permit more **flexibility and informality** in the procedures schools must use to address it "to account for variations in school size, student populations, and administrative structures."
 - o Grievance procedures may be simpler.
 - o Schools may use a single-investigator model in some, but not all, cases as long as it is clear in their grievance procedures when it will use this model.
 - o Schools may offer an informal resolution process for sex discrimination complaints unless the

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