



As of July 31, 2024, pursuant to Federal court orders, the Department is currently enjoined from enforcing the 2024 [Final Rule](#) in the states of Alabama, Alaska, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, and Wyoming; the Department is also currently enjoined from enforcing the 2024 Final Rule at the schools on the list located at <https://www2.ed.gov/about/offices/list/ocr/docs/list-of-schools-enjoined-from-2024-t9-rule.pdf>. Per Court order, this list of schools may be supplemented in the future. The Final Rule and this resource do not currently apply in those states and schools. Pending further court orders, the Department's Title IX Regulations, as amended in 2020 ([2020 Title IX Final Rule](#)) remain in effect in those states and schools.

## 2024 Title IX Regulations: Pointers for Implementation July 2024

On April 29, 2024, the U.S. Department of Education published [changes](#) to its Title IX regulations that go into effect on August 1, 2024 (2024 Title IX Regulations). To support schools in preparing for implementation, below is a list of key components of the 2024 Title IX Regulations. For a more comprehensive discussion of these provisions, see the preamble to the 2024 Title IX Regulations.<sup>1</sup> This resource is geared towards recipients of funding from the Department that are educational institutions and uses the term “schools” to refer to all such recipients, including school districts, colleges, and universities.

- **Designate a Title IX Coordinator to coordinate your school’s compliance with Title IX** consistent with [34 C.F.R. § 106.8\(a\)](#). If you have more than one Title IX Coordinator, make clear which Title IX Coordinator has ultimate oversight over your school’s Title IX compliance. Make sure the Title IX Coordinator is ready and able to perform all of their duties.
- **Update your school’s nondiscrimination policy and notice of nondiscrimination** consistent with [34 C.F.R. § 106.8\(b\)](#) and [106.8\(c\)](#). (The Department has provided this [resource](#) to assist in drafting this policy and notice.)
- **Develop and/or update the Title IX training your school provides for all employees**, as set forth in [34 C.F.R. § 106.8\(d\)](#) and consistent with other changes to the regulations and your school’s policies.
- **Develop and/or update training tailored** for Title IX Coordinators and their designees, informal resolution facilitators, investigators, decisionmakers, individuals with the authority to modify or terminate supportive measures, and other persons responsible for implementing grievance procedures or obligations to students based on pregnancy or related conditions, as set forth in [34 C.F.R. §§ 106.8\(d\), 106.40\(b\), and 106.44](#).
- **Update your school’s recordkeeping practices** consistent with [34 C.F.R. § 106.8\(f\)](#).
- **Revise the grievance procedures** your school uses for sex discrimination complaints consistent with the revised requirements of [34 C.F.R. § 106.45](#), and if applicable [34 C.F.R. § 106.46](#), including revision of dismissal and appeals procedures where appropriate. Postsecondary institutions must comply with the grievance procedures requirements in both

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<sup>1</sup> Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 89 Fed. Reg. 33,474 (Apr. 29, 2024), <https://www.federalregister.gov/documents/2024/04/29/2024-07915/nondiscrimination-on-the-basis-of-sex-in-education-programs-or-activities-receiving-federal>.

34 C.F.R. §§ 106.45 and 106.46 for sex-based harassment complaints involving a student party. (The Department has provided this [resource](#) to assist in drafting grievance procedures.)

- **Ensure your school’s Title IX policies and procedures are consistent with [34 C.F.R. §§ 106.2](#) and [106.10](#).**
- **Develop and/or update policies and processes to ensure your school responds promptly and effectively to knowledge of conduct that reasonably may constitute sex discrimination** consistent with [34 C.F.R. § 106.44](#). The Title IX regulations require these processes to include **monitoring for and responding to barriers** to reporting information about conduct that reasonably may constitute sex discrimination, identifying any **confidential employees**, and **notifying all employees** of their notification responsibilities consistent with [34 C.F.R. § 106.44\(a\)-\(d\)](#).
- **Develop and/or update the processes your school uses to respond to notice of a student or employee’s pregnancy or related conditions**, including by developing processes to provide: reasonable modifications for students; reasonable break time for lactation for employees; and lactation spaces for students and employees consistent with [34 C.F.R. §§ 106.40 and 106.57\(e\)](#).
- **If your school separates or treats individuals differently based on sex in a context that Title IX generally permits, ensure that it does so in a manner that does not discriminate on the basis of sex consistent with [34 C.F.R. § 106.31\(a\)\(2\)](#). For example, if a school maintains sex-separate restroom facilities, it must not prevent students from accessing the restroom consistent with their gender identity because doing so causes them more than de minimis harm.** Consistent with [34 C.F.R. § 106.31\(a\)\(2\)](#), this requirement does not apply to eligibility for sex-separate athletic teams or where a statutory exception or carveout applies (*i.e.*, 20 U.S.C. 1681(a)(1)-(9), 1686).

*This resource does not bind the public or impose new legal requirements, nor does it bind the Department in the exercise of its enforcement authority under Title IX. This resource does not have the force and effect of law.*