

Client Alert: Analysis of the Department of Education's New Title IX Regulations

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On May 6, 2020, the Department of Education released its long-awaited regulations under Title IX of the Education Amendments of 1972. The rule, entitled *Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance*, comes over two years after the Department rescinded Obama-era guidance, issued interim policies and pledged to remake how colleges and universities handle complaints of sexual assault and harassment. The Department issued a notice of proposed rulemaking more than a year ago previewing some of the changes, and received over 124,000 comments in response.

Although many schools will have to make substantial changes to their sexual misconduct investigation and adjudication procedures in light of the new regulations, they do not have much time to put new compliance regimes in place. The new policies take effect in just three months, on August 14, 2020, despite repeated pleas from higher education groups to delay implementation in light of the ongoing COVID-19 crisis. The Department suggests its August rollout “[t]ak[es] into account this national emergency,” but what it demands of schools is substantial, complex and costly. The challenges it presents are all the more significant in the current environment.

To read the full article, please [click here](#).

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