

# Title IX: Here We Go Again (Part Deux)

Allen Keller

© 2024 Schulman, Lopez, Hoffer & Adelstein, LLP.

1

## June 13, 2022 Notice of Proposed Rulemaking

Proposed updates to Title IX Final Rule

© 2024 Schulman, Lopez, Hoffer & Adelstein, LLP.

2

# Proposed Rulemaking

Amend scope of sex discrimination to include discrimination on the basis of:

- Sex stereotypes
- Sex characteristics
- Pregnancy or related conditions
- Sexual orientation
- Gender identity

© 2024 Schulman, Lopez, Hoffer & Adelstein, LLP.



# Proposed Rulemaking

Public comment period ran July 11 – September 12, 2022.

**PUBLISHED DOCUMENT**

Start Printed Page 41390

**AGENCY:**  
Office for Civil Rights, Department of Education.

**ACTION:**  
Notice of proposed rulemaking.

240182

© 2024 Schulman, Lopez, Hoffer & Adelstein, LLP.



# April 6, 2023 Notice of Proposed Rulemaking

## Proposed updates to Title IX Final Rule and Athletics Participation

© 2024 Schulman, Lopez, Hoffer & Adelstein, L.L.P.

5

## PROPOSED RULEMAKING – ATHLETICS PARTICIPATION

- Department of Education engaged in two years of outreach to stakeholders to discuss uncertainty by schools, students, parents, and coaches about when and how transgender students can participate in school sports.
- Recognition that some states have adopted laws and policies on athletics participation that target transgender students.



© 2024 Schulman, Lopez, Hoffer & Adelstein, L.L.P.

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Title IX Update: Here We Go Again (Part Deux)

First appeared as part of the conference materials for the  
39<sup>th</sup> Annual School Law Conference session  
"Title IX Update: Here We Go Again"