



Schulman,  
Lopez, Hoffer  
& Adelstein, LLP  
*Attorneys & Counselors at Law*

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

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1

## June 13, 2022 Notice of Proposed Rulemaking

Proposed updates to Title IX Final Rule

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2

## Proposed Rulemaking

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






<input type="checkbox"/>	Sex stereotypes	<input type="text"/>
<input type="checkbox"/>	Sex characteristics	<input type="text"/>
<input type="checkbox"/>	Pregnancy or related conditions	<input type="text"/>
<input type="checkbox"/>	Sexual orientation	<input type="text"/>
<input type="checkbox"/>	Gender identity	<input type="text"/>

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3

## Proposed Rulemaking

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

PUBLISHED DOCUMENT	
	 Start Printed Page 41390
	<b>AGENCY:</b> Office for Civil Rights, Department of Education.
	<b>ACTION:</b> Notice of proposed rulemaking.
	

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4



# April 6, 2023 Notice of Proposed Rulemaking

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

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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.

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6

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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"