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Client Alert: Department of Education Considers Revising Title IX Regulations

BY CHELSIE A. VOKES • APRIL 7, 2021

On April 6, 2020, the Department of Education (“Department”) announced that it will [re-examine the Trump Administration’s 2020 amendments to the Title IX regulations](#) (the “Regulations”). The Department’s announcement follows President Biden’s [April 6 Executive Order](#), which directed the Department to re-examine the Regulations and consider “suspending, rescinding, or revising” them.

In its announcement, the Department outlined the steps that it will take to re-examine the Regulations: The Department will first allow interested parties, including Institutions, to comment on the Regulations during scheduled public hearings. The Department will post further information regarding the hearings, including dates and locations, on the [News Room section of its website](#). Following the public hearings, the Department expects to issue a Notice of Proposed Rulemaking to amend the Regulations. Interested parties, including Institutions, will have an opportunity to comment on the proposed regulations before any final regulations are issued.

The Department also plans to issue a Q&A document in the coming months, which will explain OCR’s interpretation of Institutions’ existing obligations under the Regulations.

In light of these new developments, Institutions should:

- Continue to follow the Regulations, as they are still in effect
- Look out for the Department’s forthcoming Q&A
- Check the Department’s website for information regarding the public hearings
- After the public hearings, look out for the Notice of Proposed Rulemaking