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Title IX Update: Lessons Learned Since Returning to the 2020 Regulations

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FRANCZEK

Trump administration revokes Biden rules on sex discrimination in education

Schools and universities must revert to Title IX guidance on sexual misconduct complaints from first Trump term

<https://www.theguardian.com/us-news/2025/jan/31/trump-title-ix-discrimination>

Department of Education Reverts to Trump's Title IX Rule

Advocates for victims of sexual violence said the decision would put students at greater risk of harassment while conservative lawmakers and advocates applauded the move, arguing it would make students safer.

<https://www.insidehighered.com/news/government/politics-elections/2025/02/03/departments-education-reverts-trumps-title-ix-rule>

Title IX Statute

(20 U.S.C. §§ 1681–1688)

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

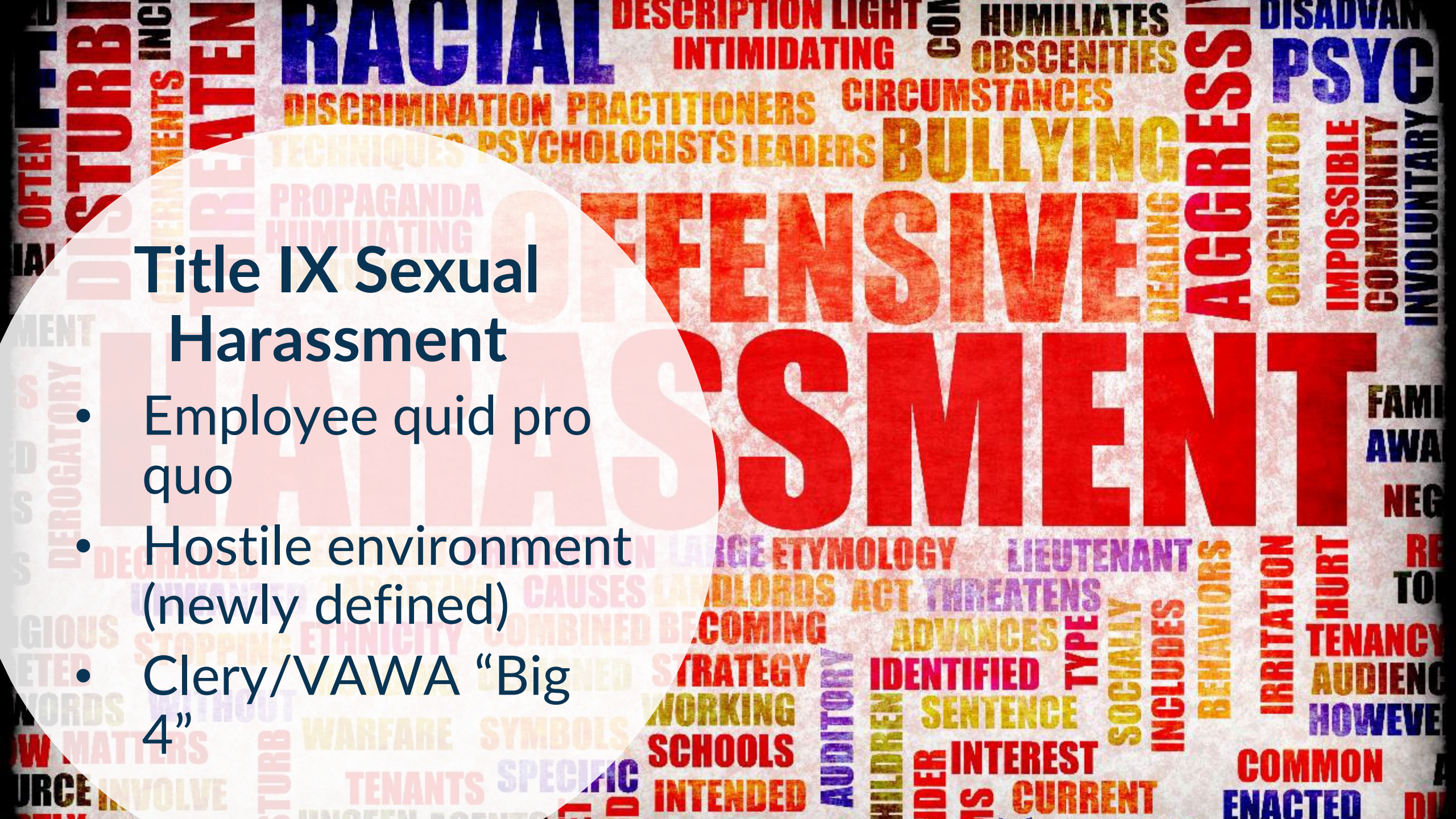
Title IX Regulations

(34 C.F.R. Part 106 – Amended as of 8/14/2020)

- Prohibit discrimination on the basis of sex
- Establish procedural requirements
 - Policy + detailed grievance procedure
 - Designation of Title IX coordinator(s)
 - And many more requirements!

Title IX Sexual Harassment

- Employee quid pro quo
- Hostile environment (newly defined)
- Clery/VAWA “Big 4”



Grievance Procedure Response

Initial Response
& Supportive
Measures

Informal
Resolution
(Voluntary)

Investigation

Decision

Appeal

Title IX Team Members

Title IX Coordinator

Investigator

Informal Resolution Facilitator

Decisionmaker (Complaint)

Decisionmaker (Appeal)

Training



Required training for Title IX team members



Training materials must be posted on the school's website

EDUCATION

Trump further guts Education Dept. by shifting oversight of special ed, civil rights

JUNE 16, 2026 · 1:04 PM ET

By [Jonaki Mehta](#), [Cory Turner](#)

<https://www.npr.org/2026/06/16/nx-s1-5717030/special-ed-civil-rights-education-department>

Lesson: Title IX Grievance Procedure Required for Complaints of Title IX Sexual Harassment

Faulkner University (2026)

University procedures improperly allowed complaints of Title IX Sexual Harassment and sexual assault to be filed under a non-Title IX grievance procedure policy (without required elements)

Failed to include live hearing

Other grievance procedure deficiencies

Lesson: Clearly Identify the Title IX Coordinator

Faulkner University
(2026)

University failed to
include Title IX
Coordinator's office
address in student
handbook

Lesson: Post TIX Training Materials on School's Website



- [Arkansas Baptist College \(2025\)](#)
- [Cleveland University \(2025\)](#)
- [Cottey College \(2025\)](#)
- [Infinity College \(2025\)](#)
- [Louisiana Christian University \(2025\)](#)
- [Southern Arkansas University Tech \(2025\)](#)
- Etc.

Lesson: Promptly Inform Complainant How to File a Formal Complaint & of Availability of Supportive Measures

Cottonwood-Oak Creek Schools (2025):

- Despite having actual notice of alleged sexual harassment, Title IX Coordinator failed to notify the Complainant about how to file a formal complaint under Title IX until months later
- Notice provided was defective because it failed to detail availability of supportive measures

Illinois Law Note on Supportive Measures

- Article 26A of the School Code, 105 ILCS 5/26A
- Requires policies and procedures in place to ensure students that are, in part, victims of domestic or sexual violence are provided with support services
- Support services may include:
 - Excused absences
 - Home instruction
 - Interdistrict transfers
 - Mitigation and support person during disciplinary proceedings

Lesson: Look for TIX SH Allegations in Non-TIX Complaints

Jefferson County Schools (2025)

- District's investigation of alleged Title IX Sexual Harassment under bullying policy was insufficient
- Complaint should have been investigated under Title IX Grievance Procedure, despite being filed as a bullying complaint

Lesson: Confer with Title IX Coordinator When Receiving Complaints Related to Sex-Based Conduct

Lincoln Public Schools (2025)

- Allegations in bullying/harassment complaint may have constituted Title IX Sexual Harassment
- Information was not routed to the Title IX Coordinator to determine if a response was required

Lesson: School-Based Investigation is Still Required, Despite Law Enforcement Involvement

Dennis-Yarmouth Regional School District (2025):

District's response to allegations of sexual harassment violated Title IX because the District abdicated its Title IX responsibilities by referring the matter to law enforcement and taking no additional steps toward resolution.

Lesson: Complete Title IX Investigations as Promptly as Possible

Wake County Public Schools System (2025)

- OCR opined that an approximately 6-month-long Title IX process may not be sufficiently prompt
- Schools must communicate with parties regarding any reasons for delay

Lesson: Schools Must Provide an Opportunity for Cross-Examination

Montgomery Community College (2025)

- Parties must have an opportunity to participate in a live hearing
- College's procedure improperly restricted cross-examination

Lesson: Take Immediate and Effective Action to End Harassment, Prevent its Recurrence, and Remedy its Effects

Sacred Heart University (2025)

- University failed to implement remedial measures promptly and with fidelity
- University did not consider the effects of Respondent's conduct on others or take steps to eliminate those effects and prevent future harassment

Questions?

