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PETRARCA, GLEASON, BOYLE & IZZO, LLC
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COURT DENIES CHALLENGE TO NEW TITLE IX AMENDMENTS

You may recall that we recently reported on the amendments to Title IX of the Education Amendments of 1972. The amendments to Title IX became final on May 6, 2020 and must be followed by school districts beginning today, August 14, 2020. The amendments, among many other things, accomplished the following:

- Changed the timeline for which schools must respond to complaints of sexual harassment;
- Changed Title IX's definition of "sexual harassment;"
- Required schools to designate a Title IX Coordinator to coordinate the school's efforts to comply with Title IX responsibilities; and
- Added certain requirements to what must be contained in a school's response to allegations of sexual harassment.

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In its most recent issue, the Illinois Association of School Boards' Policy Reference Subscription Service ("PRESS") included a suggested, revised Title IX policy along with several Administrative Procedures for the policy (Policy #2:265 in most school boards' policy manuals).

Two days ago, on August 12, 2020, the United States District Court for the District of Columbia denied an attempt by 18 state Attorneys General to block the Title IX amendments. This means that the Title IX amendments are still set to take effect today unless the applicable United States Court of Appeals reverses the District of Columbia court's decision. Therefore, school districts should still be prepared to follow the Title IX amendments and any policy revisions their school boards may adopt.

If you have any questions about the amendments' requirements or the process for your school board to adopt the amendments' requirements, please contact your attorney at Hauser, Izzo, Petrarca, Gleason & Stillman, LLC.

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