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Office for Civil Rights Blog

NEXT STEPS IN OCR'S COMPREHENSIVE REVIEW OF TITLE IX ACTIONS: A NEW Q&A AND THE PUBLIC HEARING TRANSCRIPT

July 20, 2021



As the Office for Civil Rights continues our comprehensive review of the U.S. Department of Education's actions under Title IX, the landmark law that prohibits discrimination based on sex in our nation's schools, we are pleased to share several recent steps—including two taken today.

With each new step, we are guided by a commitment to proceeding with thoughtful urgency on two Title IX priorities set out in President Biden's executive orders on guaranteeing all students an educational environment free from sex discrimination (<https://www.govinfo.gov/content/pkg/FR-2021-03-11/pdf/2021-05200.pdf>), including sexual violence, and preventing and combating discrimination based on gender identity and sexual orientation. (<https://www.govinfo.gov/content/pkg/FR-2021-01-25/pdf/2021-01761.pdf>)

That is, we recognize that we must both move quickly to protect the rights of all students to be free from sex discrimination and take time to listen to and learn from those most impacted by the law.

Last month, OCR convened the first-ever virtual national public hearing focused on strengthening the Department's enforcement of Title IX, with live comments from over 280 students, teachers, professors, school administrators and leaders, advocates, parents, and other members of the public from throughout the United States, in addition to many written comments. We are grateful for all who participated. Thank you for sharing your insights, expertise, and deeply personal experiences.

Today, OCR took these additional steps:

- **Q&A on Title IX.** OCR released a Questions and Answers resource (</about/offices/list/ocr/docs/202107-qa-titleix.pdf>) explaining how OCR interprets schools' obligations under the 2020 amendments to the Title IX regulation,
 - The 2020 amendments remain in effect while OCR's comprehensive review of Title IX actions is ongoing, and the Q&A aims to assist schools, students, and others by highlighting areas in which schools may have discretion in their procedures for responding to reports of sexual harassment.
 - The Q&A includes an appendix that responds to schools' requests for examples of Title IX procedures that may be adaptable to their own circumstances and helpful in implementing the 2020 amendments.

- **Title IX Public Hearing transcript.** We are also pleased to share the transcript (</about/offices/list/ocr/docs/202106-titleix-publichearing-complete.pdf>) of OCR's public hearing, which captures in detail the invaluable and often moving testimony provided by participants from June 7 – 11, 2021. The hearing brought together an extraordinary range of voices and views from across the United States and Puerto Rico, and the comments, both live and written, will help inform our future work to safeguard the protections of Title IX. We heard directly from the public about what matters most to you—your experiences, your concerns, and your opinions—and that testimony is now available for all to read.

Today's actions continue OCR's efforts to ensure that schools are providing students with educational environments free from sex discrimination, including sexual violence and discrimination based on sexual orientation and gender identity (</about/offices/list/ocr/blog/20210616.html>). We are also glad to highlight here the Biden-Harris Administration's important steps to advance equality for transgender Americans (<https://www.whitehouse.gov/briefing-room/statements-releases/2021/06/30/fact-sheet-biden-harris-administration-advances-equality-for-transgender-americans/>), including a new White House Toolkit on Transgender Equality (<https://www.whitehouse.gov/wp-content/uploads/2021/06/WH-Toolkit-on-Transgender-Equality.pdf>) that includes a resource sheet from the Department of Education on Supporting Transgender Youth in Schools, along with resources from several other agencies. We also want to highlight OCR's page on Resources for LGBTQI+ Students (</about/offices/list/ocr/lgbt.html>), where these resources, as well as others, can be found.

Again, my heartfelt thanks to everyone who contributed to the Title IX public hearing. Your input will help to ensure that all students can learn and thrive, free from discrimination.

Suzanne B. Goldberg

Acting Assistant Secretary for Civil Rights

Deputy Assistant Secretary for Strategic Operations and Outreach

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