



June 27, 2024

Dear K-12 and Higher Education Administrators:

**On behalf of the 69 undersigned organizations, we urge all school and university administrators to swiftly implement policies consistent with Title IX of the Education Amendments of 1972's federal regulations, as updated on April 29, 2024, by the implementation deadline of August 1, 2024.**<sup>1</sup> Administrators are obligated to ensure learning environments are safe and free from discrimination. The recent updates to Title IX's regulations provide clear directives to build safer and more inclusive institutions for all students, including LGBTQI+ students, student survivors of sexual violence, and pregnant and parenting students. These protections are also crucial for women and girls of color and disabled students, who are more likely to experience sexual violence, and yet less likely to receive support. Education programs and activities receiving federal financial assistance are legally required to comply with the Title IX regulations and be ready to implement the recent updates by August 1.

Sex-based discrimination, including harassment, significantly impacts students' success, resulting in reduced academic achievement, higher likelihood of missing classes or leaving school, and adverse mental health outcomes. Sex-based discrimination also exacerbates challenges that institutions have struggled to address, including the youth mental health crisis, post-COVID learning and achievement gaps, and student retention. The April 29 updates to the Title IX regulations work to address different facets of sex-based discrimination in education, including by:

- Making explicit that discrimination on the basis of sexual orientation, gender identity, or sex characteristics constitutes sex-based discrimination, consistent with decades of legal precedent culminating in the U.S. Supreme Court's landmark *Bostock v. Clayton County* decision in 2020;
- Clarifying that schools must allow students to participate in classes and activities, use bathrooms and locker rooms, and dress consistent with their gender identity;
- Strengthening protections for students who experience sex-based harassment and violence, including an institution's obligation to provide supportive measures and allowing institutions more procedural flexibility in implementing grievance procedures; and
- Clarifying an institution's obligations to provide reasonable modifications and accommodations for students who are pregnant and parenting or have related medical conditions.

**Title IX preempts any conflicting state or local policy, and an institution's failure to comply with federal nondiscrimination law could jeopardize access to federal funding.** Unfortunately, many state actors, groups, and individuals have spread disinformation about the

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<sup>1</sup> Nondiscrimination on the Basis of Sex in Educational Programs or Activities Receiving Federal Financial Assistance, 89 Fed. Reg. 33474 (Apr. 29, 2024), <https://www.federalregister.gov/d/2022-13734>.

Title IX regulations, despite the [strong and needed protections](#) the regulations provide for *all* students. We also recognize some state and local policies contravene the updated Title IX regulations, which become effective on August 1, 2024. For example, twelve states have adopted “bathroom ban” laws that prohibit institutions from allowing transgender students access to facilities that are consistent with their gender identity. These discriminatory policies predate the recent regulatory updates and have already triggered federal investigations and litigation. A majority of courts already have concluded these state and local policies violate Title IX. And while some state governors or education agencies have directed schools to disregard the updated Title IX regulations, those state officials are putting schools at risk for an investigation for violating federal civil rights law and ultimately, losing federal funds.

**Despite pending litigation, all schools and universities should still work towards implementing the regulations by the August 1 effective date.** Many state attorneys general have filed lawsuits challenging the updated Title IX regulations. But even if an injunction is issued in any of these cases, the injunction could be lifted or stayed by an appeals court, and schools will still have to ensure they are ready to implement the Title IX regulations by August 1, or risk losing their federal funds. In addition, any injunction will only prohibit the federal government from enforcing the Title IX regulations and will not protect noncompliant schools from private lawsuits filed by students.

We look to you as administrators to serve as responsible stewards of institutions that guarantee equal educational opportunity for all students. Please consider our organizations as a resource as you review policies and consider updates that will enhance student safety at your institution.

Sincerely,

GLSEN and National Women’s Law Center, *joined by:*

AFT  
American Association of University Women  
American Atheists  
American Humanist Association  
AnitaB.org  
Athlete Ally  
Autistic Self Advocacy Network  
Black Women's Blueprint  
California National Organization for Women (CA NOW)  
Center for Learner Equity  
Center for WorkLife Law  
Chicago Alliance Against Sexual Exploitation (CAASE)  
Clearinghouse on Women's Issues  
Colorado Coalition Against Sexual Assault  
Council of Parent Attorneys and Advocates  
EdTrust

Education Law Center-PA  
End Rape On Campus  
Equal Rights Advocates  
Family Equality  
Feminist Majority Foundation  
GA Coalition Against Domestic Violence  
Gender Equality Law Center, Inc.  
Healthy Teen Network  
Human Rights Campaign  
Illinois Coalition Against Sexual Assault  
Institute for Women's Policy Research  
interACT: Advocates for Intersex Youth  
It's On Us  
Japanese American Citizens League (JAACL)  
Jewish Women International  
Just Solutions  
Justice + Joy National Collaborative  
KWH Law Center for Social Justice and Change  
Ladder Consulting LLC  
Legal Momentum, The Women's Legal Defense and Education Fund  
Louisiana Foundation Against Sexual Assault (LaFASA)  
Maine Women's Lobby  
National Alliance to End Sexual Violence  
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)  
National Center for Transgender Equality  
National Council of Jewish Women  
National Education Association  
National Organization for Women  
National Organization for Women, Columbia Area  
National Organization for Women, Missouri  
National Resource Center on Domestic Violence  
National Women's Political Caucus  
Ohio National Organization for Women  
PFLAG National  
Public Justice  
Red Wine & Blue  
Rocky Mountain Victim Law Center  
Sexual Violence Prevention Association (SVPA)  
Stop Sexual Assault in Schools  
The Army of Survivors  
The Every Voice Coalition  
Transgender Legal Defense and Education Fund (TLDEF)  
Ujima, The National Center on Violence Against Women in the Black Community

UltraViolet Action  
Union for Reform Judaism  
VALOR  
Virginia National Organization for Women (NOW)  
VOICEINSPORT Foundation  
Women of Reform Judaism  
Women's Media Center  
YWCA USA