

U.S. Department of Education Delays Release of Title IX Final Rules to October 2023

Article By:

Federico G. Barrera

Lisa Karen Atkins

Amanda T. Quan

James C. Pennington

The much-anticipated release of the Biden administration's final revisions to the regulations implementing Title IX of the Education Amendments of 1972 will be delayed to October 2023, the U.S. Department of Education [recently announced](#). Previously, the administration targeted a May 2023 release. The [current regulations](#) were issued on May 19, 2020, and became effective four months later, on August 14, 2020.

Quick Hits

- **The U.S. Department of Education is giving itself more time to review the more than 240,000 comments it received on proposed amendments to Title IX regulations.**
- **Higher education institutions may need to evaluate policies for implementation in the 2023-2024 academic year.**

In July 2022, the U.S. Department of Education released proposed amendments to the Title IX regulations, reversing some of the Trump administration's 2020 regulatory changes and enhancing protections for pregnant and LGBTQ+ students, among other changes. The U.S. Department of Education sought public comment, and received an extraordinary response:

The Department received more than 240,000 public comments on the proposed rule—nearly twice as many comments as the Department received during its last rulemaking on Title IX [in 2020]. Carefully considering and reviewing these comments takes time, and is essential to ensuring the final rule is enduring. That is why the Department is updating its Spring Unified Agenda to now reflect an anticipated date of October 2023 for the final Title IX rule.

Although many had planned for a busy summer of policy revisions and trainings, this modified schedule for the release of the final Title IX rules means that institutions of higher education and

schools may need to evaluate their policies and pivot during the 2023-2024 academic year.

© 2025, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., All Rights Reserved.

National Law Review, Volume XIII, Number 153

Source URL: <https://natlawreview.com/article/us-department-education-delays-release-title-ix-final-rules-to-october-2023>