

NEWS & INSIGHTS

Department of Education: Title IX regulations to revert to 2020

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On January 31, 2025, in a “Dear Colleague” letter to K-12 and higher education institutions, the Department of Education and Office of Civil Rights announced yet another round of changes to the ever-shifting Title IX landscape.¹ Effective immediately, the DOE and OCR will enforce Title IX exclusively under the 2020 Regulations, and any school districts and institutions currently operating under the 2024 Final Rule should immediately revert to the 2020 regulations. The Dear Colleague letter provides helpful clarification for school districts and institutions caught in the whiplash of the change in Presidential administrations and provides guidance on next steps.

While it harkens a significant reversion to the 2020 Regulations, the Dear Colleague letter is not a surprise. It comes shortly after the District Court ruling in *Tennessee v. Cardona*, which entered an order vacating the 2024 Final Rule,² and the letter further resolves any confusion resulting from *Cardona*.³ It also follows a January 20, 2025 Executive Order entitled “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government,”⁴ through which President Trump directed all departments within the Executive Branch to enforce laws without consideration of gender identity issues.⁵ Notably, the 2020 Regulations do not provide the same protections that the now-withdrawn 2024 Final Rule had provided for trans students.

In combination, *Cardona*, the Dear Colleague Letter, and President Trump’s Executive Order provide a roadmap for schools moving forward. For institutions that enacted new policies in accordance with the 2024 Final Rule, they should revert to their 2020 Regulations policies. All new investigations should be initiated in accordance with the 2020 regulations. And, if your school or institution has opened investigations under the 2024 Final Rule, those investigations “should be immediately reevaluated to ensure consistency with the requirements of the 2020 Title IX Rule and the preexisting regulations at 34 C.F.R. 106 et. seq.”⁶

Our [Title IX team](#) at Saxton & Stump recognizes how frustrating the ebbs and flows of the Title IX framework are as the political winds continue to blow. Many school districts and higher education institutions have worked tirelessly to learn and implement the 2024 Final Rule, only to now be told to revert to the 2020 regulations. For any questions on navigating this process, or for assistance with investigations or policy making, please [contact our team](#).

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1. OCR released the original letter on January 31, 2025 and then updated it with a new letter on February 4, 2025. The most recent letter from OCR can be found at <https://www.ed.gov/media/document/title-ix-enforcement-directive-dcl>. ↵
 2. See *Tennessee v. Cardona*, Civ. A. No. 2:24-0272 (E.D. Ky.). ↵
 3. For a detailed discussion about *Tennessee v. Cardona*, see Saxton & Stump’s January 16, 2025 article, available at [District court ruling vacates Title IX regulations nationwide: What are your institution’s next steps? – Saxton & Stump](#). ↵
 4. The Executive Order is available at <https://www.whitehouse.gov/presidential-actions/2025/01/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal-government/>. ↵
 5. See *supra* note 1 ↵
 6. See *id.* ↵

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