



To the Administrator Addressed

Commissioner Mike Morath

1701 North Congress Avenue • Austin, Texas 78701-1494 • 512 463-9734 • 512 463-9838 FAX • tea.texas.gov

DATE:	June 13, 2024
SUBJECT:	Title IX Regulations
CATEGORY:	Enforcement
NEXT STEPS:	Share with appropriate staff

The purpose of this letter is to provide guidance to school systems regarding Title IX regulations.

Recently, the U.S. Department of Education (USDE) published new Title IX regulations that take effect on August 1, 2024. On April 29th, Governor Abbott issued a letter indicating that the State of Texas would not comply with the USDE's effort to rewrite Title IX. Additionally, Attorney General Paxton has filed suit in federal district court, seeking to postpone, hold unlawful, and set aside the new regulations. More than half of the states have filed similar suits opposing the USDE's proposed Title IX rule.

Texas takes seriously the rules guaranteeing all students equal access to effective and enriching educational programs, regardless of sex, and has historically worked with the federal government regarding compliance with Title IX. Texas laws protect children, including protections for participation in interscholastic athletic competitions, and enforce policies that prohibit bullying, irrespective of subject matter.

As the date approaches for the rule change, TEA will continue to monitor the Texas lawsuit and the many others that have been filed around the country. While the underlying legality of the federal regulation remains in question, TEA will not take steps to implement the new federal regulations, and the agency shall comply with the version of the regulations that have been in effect since 2020.

Texas school districts and charter schools seeking to receive grants funds from TEA should likewise comply with the version of the regulations that have been in effect since 2020. Developments in related litigation over Title IX confirm the guidance that both TEA and the Governor have already given to date. See *Texas v. Cardona*, 4:23-cv-00604, ECF No. 37 (N.D. Tex. June 11, 2024).