**Discriminatory and Sexual Harassment**

On August 14, 2020, [U.S. Department of Education rules](https://www.govinfo.gov/content/pkg/FR-2020-05-19/pdf/2020-10512.pdf) implementing Title IX of the Education Amendments of 1972 (Title IX) went into effect. These new rules represent a significant shift in federal standards for how schools respond to sexual harassment. Specifically, compared to former federal guidance on sexual harassment, the new rules include three major changes: the rules include a new definition of sexual harassment, change the standard for schools to respond to sexual harassment to “deliberate indifference,” and require schools to implement a new, prescriptive complaint process.

The U.S. Department of Education, Office for Civil Rights (OCR) has provided the below guidance to assist schools in understanding the requirements and standards in the new Title IX rules.

[Title IX: U.S. Department of Education Title IX Final Rule Overview](https://www2.ed.gov/about/offices/list/ocr/docs/titleix-overview.pdf)

[Title IX: Summary of Major Provisions of the Department of Education’s Title IX Final Rule](https://www2.ed.gov/about/offices/list/ocr/docs/titleix-summary.pdf)

[Title IX: Summary of Major Provisions of the Department of Education’s Title IX Final Rule and Comparison to the NPRM](https://www2.ed.gov/about/offices/list/ocr/docs/titleix-comparison.pdf)

[OCR Webinar: Title IX Regulations Addressing Sexual Harassment](https://www.youtube.com/watch?v=TdfT5R8ibm4&feature=youtu.be)

[Questions and Answers Regarding the Department’s Final Title IX Rule](https://www2.ed.gov/about/offices/list/ocr/docs/qa-titleix-20200904.pdf)

[OCR Title IX Coordinator Resource Guide (2015)](https://www2.ed.gov/policy/rights/guid/ocr/title-ix-coordinators.html)

[OCR Q&A on Campus Sexual Misconduct (2017)](https://www2.ed.gov/about/offices/list/ocr/docs/qa-title-ix-201709.pdf)

[OCR Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties (2001)](https://www2.ed.gov/about/offices/list/ocr/docs/shguide.pdf)

[OCR Guidance on Schools’ Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability (2010)](https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf)

[OCR Guidance on the Prohibition of Retaliation (2013)](https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201304.pdf)

The U.S. Department of Education’s Office for Civil Rights issued a Questions and Answers resource and related Appendix on the Title IX Regulations on Sexual Harassment. The Q&A resource clarifies how OCR interprets schools’ existing obligations under the 2020 amendments to the Department’s Title IX regulations, including the areas in which schools have discretion in their procedures for responding to reports of sexual harassment. The Appendix provides examples of Title IX procedures that may be adapted and helpful to schools in implementing the 2020 amendments. This document was updated on June 28, 2022. Read the Q&A and Appendix [PDF](https://www2.ed.gov/about/offices/list/ocr/docs/202107-qa-titleix.pdf) (1.16M) [OCR-000129]