

## Recent Federal District Court Decision Concerning Title IX Regulations: What it Means for Your School

On January 9, 2025, the United States District Court for the Eastern District of Kentucky ordered *vacatur* of the 2024 Title IX regulations (the “Order”).<sup>[1]</sup> In effect, the Order suggests that the 2024 Title IX regulations are set aside nationwide and the 2020 Title IX regulations are again controlling. We expect the U.S. Department of Education to issue additional guidance regarding the Order and its effects in due course.

In the meantime, please be reminded that Massachusetts law and Massachusetts Department of Elementary and Secondary Education guidance have included robust protections against sex-based discrimination for many years, including protections against discrimination and harassment based upon gender identity, sexual orientation, and pregnancy and related conditions. As such, we recommend that Massachusetts public schools and private schools that receive federal financial assistance continue to follow their current Title IX policies and grievance procedures until additional guidance is issued. We are working to prepare revised Title IX templates and training materials for our clients to support compliance with these recent developments, and we will continue to monitor the status of the Title IX regulations as the law and guidance develop.

Please reach out to K&B attorneys Bettina Toner ([btoner@kb-law.com](mailto:btoner@kb-law.com)) or Eric Jordan ([ejordan@kb-law.com](mailto:ejordan@kb-law.com)) with any questions or requests you may have regarding Title IX.

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<sup>[1]</sup> State of Tennessee v. Cardona, No. 2:24-00072-DCR (E.D. Ky. Jan. 9, 2025)