



Response/Action Required

February 21, 2025

To: Administrators and Supervisors
From: Dr. Chad Golden, Assistant Superintendent, Human Resources
Regarding: **Title IX Rules Update**

On January 9, 2025, a federal court issued a decision vacating the U.S. Department of Education's Title IX rules that went into effect in August 2024. Consistent with the court's order, the Department will no longer enforce the 2024 Title IX rules in any U.S. state, including Washington.

On February 4, 2025, the Department's Office of Civil Rights (OCR) issued guidance stating that it will begin enforcing Title IX pursuant to the 2020 Title IX rules. Washington state law expressly prohibits discrimination based on sexual orientation, gender identify, and gender expression. The court's order vacating the 2024 Title IX rules does not impact Washington schools' obligations to prohibit discrimination based on these legally protected classes. Washington law also prohibits sex discrimination, including sexual harassment in schools.

For these reasons, the impact of the reversion to the 2020 Title IX rules on Washington schools is primarily procedural, impacting how school districts respond to complaints of sexual harassment as defined under the Title IX regulations versus sexual harassment as defined under Washington law.

While implementing the 2020 Title IX rules, Washington school districts must continue to meet the following requirements for responding to sexual harassment, as established in state law.

Washington law, at [RCW 28A.640.020](#), defines sexual harassment as unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or verbal or physical conduct or communication of a sexual nature if:

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education or employment;
- Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education or employment; or
- That conduct or communication has the purpose or effect of substantially interfering with an individual's educational or work performance, or of creating an intimidating, hostile, or offensive educational or work environment.

Required Action:

All administrators and supervisors need to review the OSPI [Bulletin No. 007-25](#) regarding guidance on returning to the 2020 Title IX rules and responding to sexual harassment.

Approved for Distribution:

Chad Golden