



# Public Policy News

A monthly dispatch from the AAUW California Public Policy Team

## NEW TITLE IX RULES

### New Schoolboard Project Toolkit Guidance!

On April 13, 2024, the Biden Administration released its revisions to Title IX. Significantly, it clarified and strengthened protections for LGBTQ+ students. Accordingly, the School Board Project committee has modified the suggested script for speaking out at school board meetings to include these provisions, which are binding on all schools receiving federal funds. These changes have been made to the School Board Project ToolKit, which can be found [here](#).

Scroll down to page 2 to read a newsletter article that includes more information about the Title IX rules change, including current legal challenges from a number of states and conservative advocacy organizations.

## ACTION ALERTS!

### Use Resistbot to Move our Sponsored Bill

Time to take action! Please help us advance one of our sponsored bills by reaching out to CA senators using **Resistbot**. Click on [THIS LINK](#) to “sign” the petition in support of [AB 2326](#). When you “sign,” Resistbot will prompt you, through your preferred text message system, to send a letter with the petition text to your CA State Senator. Click [here](#) to access talking points and [here](#) to access a fact sheet for AB 2326 before signing. This bill may look familiar, as we asked you to advocate for it during Lobby Days. We thank you in advance!

## WHERE IS THAT?

### Find All Things Public Policy

Key links to your public policy resources:

- [Google Workspace](#)
- [AAUW Policy Leaders Manual from National](#)
- [Branch liaisons](#)
- Contact us at [publicpolicy@aauw-ca.org](mailto:publicpolicy@aauw-ca.org).
- Tell us about your branch public policy events by filling out this [form](#).
- Sign up for CA Legislative Action Alerts [HERE!](#)

## NEXT MEETING FOR BRANCH PUBLIC POLICY CHAIRS

Wednesday 06/05 @ 2pm PT

Click [HERE](#) for meeting information.

2024-2025 branch public policy chairs' meeting schedule will be released in July/August 2024.

## SIGN UP FOR ACTION ALERTS [HERE.](#)

*click here!*

[2024 Bill Tracker](#)

## 2024 Updates to Title IX: An Overview of Changes and Challenges

By Missy Maceyko, Co-Chair, AAUW California Public Policy Committee

On Friday, April 19, 2024, the Biden Administration released long-awaited guidance on the application and administration of Title IX. The rule changes rework Trump Administration guidance on the handling of campus sexual assault, providing expanded protections for survivors and expanding Title IX protections against sex/gender-based harassment and discrimination to protect members of the LGBTQ+ community, as well as pregnant and parenting students.

In sum, the 2024 regulations clarify what sex-based discrimination is and who should be protected from sex-based discrimination under Title IX: the regulations prohibit discrimination not only on the basis of sex, but also on the basis of sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Many of the major changes in guidance under Title IX come from a centering of the term “sex-based,” including a redefinition of “sexual harassment” as “sex-based harassment.” Under this redefinition, sex-based harassment still includes sexual harassment, sexual assault, dating violence, domestic violence and stalking, but, importantly, allows harassment to be defined as conduct that contributes to the creation of a sex-based hostile environment, more broadly. This means that unwelcome sex-based conduct can be more holistically understood as problematic, including a consideration of conduct that is not only offensive but also so severe or pervasive that it limits one’s ability to participate in or benefit from an education program or activity.

The 2024 guidance also reforms the process for reporting, hearing, and resolving Title IX complaints, which is an important shift, as guidance issued under the Trump Administration created a reporting environment that many experts agreed was friendlier to those accused of misconduct than to those who were victimized by misconduct.

Because the focus of Title IX guidance has shifted to protecting against “sex-based” forms of discrimination and harassment, it also clarifies the boundaries of pregnancy-related discrimination and expands protections to the LGBTQ+ community. Both of these expansions under Title IX align with current interpretations of federal law under Title VII of the Civil Rights Act, which prohibit workplace discrimination on the basis of sex/gender.

While the changes to Title IX have been widely supported as an overall good by a wide coalition of gender equity advocates, including AAUW National, a coalition of states and conservative advocacy organizations have started to file lawsuits to block the new rules from going into effect, as scheduled, on August 1, 2024. Furthermore, at the time of this writing, at least eight states’ governors have issued executive orders that openly refuse to comply with the new guidance, putting their state universities at risk of losing all federal funding.

Officials who have filed suit and/or who refuse to comply with the new Title IX guidance claim that the rules conflict with their state laws, especially those aimed at the due process rights of those accused of misconduct, LGBTQ+ material in curricula, and the regulation of transgender students’ access to bathrooms and sports teams. Therefore, these state officials claim that they should not have to follow the new guidance.

For a concise overview of major rule changes under the 2024 guidance, check out the coverage in Ms. Magazine, here. For continued updates, you can also peruse upcoming issues of Public Policy News via AAUW California throughout the summer.