



2024 Joint Guidance on Federal Title IX Regulations Analysis on: Effective Date

July 1, 2024

Note: This document focuses on a summary analysis of the Effective Date of the Title IX Regulations.¹ For a full overview of the changes from the 2020 Regulations and the 2024 Final Regulations, see *Title IX Text for Text 2020 and 2024 Regulation Final Comparison*, available at <https://system.suny.edu/sci/titleix/>.

Effective Date for 2024 Title IX Final Regulations

The effective date for these regulations is August 1, 2024.² The U.S. Department of Education (the Department), has made it clear that the new regulations will not apply retroactively.³ Under the federal Administrative Procedure Act, the effective date for final regulations cannot be fewer than thirty days after the final regulations are published in the Federal Register unless special circumstances justify a statutorily specified exception for an earlier effective date.⁴

With respect to sex discrimination that allegedly occurred prior to August 1, 2024, regardless of when it was reported, the Department will evaluate a recipient's compliance against the Title IX statute and the Title IX regulations in place at the time that the alleged sex discrimination occurred.⁵

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¹ The effective date of these Regulations will be August 1, 2024 and will apply prospectively. The Department has stated it will provide technical assistance during the transition period and after the effective date.

² Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 89 Fed. Reg. 33,474, 33,476 (Apr. 29, 2024) (to be codified at 34 C.F.R. pt. 106) (hereinafter "2024 Title IX Final Rule").

³ 2024 Title IX Final Rule, 89 Fed. Reg. 33482.

⁴ *Id.*; 5 U.S.C. § 553(d)(3).

⁵ 2024 Title IX Final Rule, 89 Fed. Reg. 33841.