



Introduction to the 2022 Title IX Notice of Proposed Rulemaking:

Joint Resources Portfolio

On June 23, 2022, the fiftieth anniversary of the enactment of Title IX, the U.S. Department of Education (ED) released the unofficial text version of the new Notice of Proposed Rulemaking (NPRM) for the Title IX Regulations. The official text of the 2022 Title IX Regulations were published on July 12, 2022. The ED allows for a comment period on the new regulations that lasts 60 days—until September 12, 2022.

The Department proposed these new regulations in an effort to better align the regulations with Title IX's nondiscrimination mandate and to guarantee an educational environment free from sex-based discrimination. The new regulations also clarify the scope and application of Title IX and the obligations of postsecondary institutions acting in compliance with Title IX.

Overall, many significant changes have been projected by this NPRM, and SUNY is working with attorneys based all over the country to provide information regarding these proposed changes on its new webpage, [the Title IX 2022 NPRM Joint Resources Portfolio](#), which breaks down the major changes as outlined the chart below.

This Joint Resources Portfolio website also includes all of the ED's formal resources released since the NPRM was published in the Federal Register. The Federal Register's comment portal is also a resource for individuals to view all formal public comments that have already been submitted to the U.S. Department of Education. **All comments on the NPRM must be submitted by September 12, 2022 through the Federal Register portal**, located [here](#).

Generally, the ED has expanded the types of complaints that trigger grievance procedures, the scope of individuals that must be trained to meet an institution's notice obligations, and the scope of individuals who must report information relating to potential sex discrimination to the Title IX Coordinator. The ED has also revised the grievance procedures for sex-based harassment. Further details regarding these proposed changes and more are reflected in the resource documents available on our webpage as highlighted below. Please routinely check the website as the Resources Portfolio will be updated.

Title IX of the Education Amendments of 1972- 2022 Notice of Proposed Rulemaking



2022 Title IX NPRM Joint Resources Portfolio

2022 Title IX NPRM Section	2022 Title IX NPRM Section Topic
§ 106.2	Sex-Based Harassment Defined
§§ 106.2, 106.8(d), 106.44(a)–(e)	Complainant Autonomy (See ARTICLE for further guidance)
§§ 106.8(d), 106.44(c); 106.44(d)	Training and Notification Requirements
§§ 106.2, 106.21(c), 106.40, 106.57	Discrimination Based on Pregnancy or Related Conditions
§§ 106.2, 106.45, 106.46	Relevance (Evidentiary)
§§ 106.2, 106.71	Retaliation
§ 106.10, 106.31(a)(2), 106.41(b)(2)	Sex Discrimination Prohibition, Including Based on Sexual Orientation, Gender Identity, and Sex Characteristics
§ 106.11	Hostile Environment Due to Off-Campus Conduct that Creates or Contributes to a Hostile Environment in a Recipient’s Education Program or Activity
§ 106.44(a)	Sex Discrimination Response (General)
§ 106.44(c)	Sex Discrimination Response- Recipient (Institution) Employee Notification Requirements
§ 106.44(f)(3)	Supportive Measures
§ 106.44(f)-(g)	Sex Discrimination Response- Title IX Coordinator
§ 106.44(k)	Informal Resolutions
§ 106.45	Grievance Procedures- All Sex Discrimination Complaints under Title IX
§ 106.46	Grievance Procedures - Additional Requirements for Sex-Based Harassment Complaints Involving a Postsecondary Student

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THANK YOU to all of our PARTICIPATING CONTRIBUTORS!

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For specific questions, please email [Project Coordinator Kelly Hendricken](#).