

Dear PSUSD Community,

We hope this message finds you well. We are writing to inform you of a significant development in the legal landscape surrounding Title IX regulations that may impact our district's policies and procedures. On January 9, 2025, the U.S. District Court for the Eastern District of Kentucky issued a ruling that vacated the Biden administration's 2024 Title IX regulations, in *Tennessee vs. Cardona*, one of the several lawsuits against the 2024 Title IX Regulations. This ruling applies nationwide, effectively reinstating the 2020 Title IX final rule and prior Title IX regulations.

What Does This Vacatur Mean?

A *vacatur* refers to the legal annulment of a regulation or provision, and in this case, the court's decision vacates the 2024 Title IX regulations put in place by the Biden administration. As a result, the previous 2020 Title IX regulations are now in effect. This court decision has national implications, ending what has been an extensive period of litigation regarding the 2024 regulations.

The court's ruling means that the protections and guidelines outlined in the 2024 Title IX regulations—particularly those expanding protections related to gender identity, sexual orientation, and provisions affecting how schools address sexual harassment, athletics, and other matters—are no longer in effect. However, the state of California continues to enforce legal protections that safeguard the rights of all students, and Palm Springs Unified School District (PSUSD) remains steadfast in its commitment to upholding these protections for every student.

What Does This Mean for PSUSD?

In light of the January 9th ruling, we are assessing how these changes impact our district's policies and practices. Here's a summary of the key implications:

- 1. Reverting to 2020 Title IX Regulations**

With the vacatur of the 2024 regulations, we will now return to the 2020 Title IX regulations, which primarily focused on issues of sexual harassment and procedural fairness in investigations, including defining the scope of what constitutes harassment and the specific procedures schools must follow for investigations and hearings. We will ensure that our district's policies and procedures are aligned with these guidelines as we transition back to the previous regulatory framework.

- 2. Impact on Gender Identity and Sexual Orientation Protections**

The vacated 2024 regulations had explicitly extended Title IX protections to include discrimination based on gender identity and sexual orientation. With the court's January 9th ruling, the 2020

Title IX regulations—which do not include these explicit protections—are now in effect. However, it's important to note that California state laws provide robust protections against discrimination based on gender identity and sexual orientation. As a result, our district remains fully committed to ensuring a safe, inclusive, and supportive environment for all students, including those who identify as LGBTQ+. While the federal regulations have shifted, we will continue to uphold these state protections and prioritize respect, equity, and non-discrimination in all areas of school life. Our Title IX practices will revert to the 2020 guidelines for now, unless further legal developments at the federal level prompt changes.

3. **Athletics and Gender Equity**

The vacated 2024 regulations included specific provisions related to gender equity in athletics, including participation based on gender identity. With the reinstatement of the 2020 regulations, we will review our athletics programs to ensure alignment with those rules. Additionally, we will continue to closely monitor legal updates, as future rulings may impact how these issues are addressed going forward. California laws and CIF regulations will also be considered as part of this assessment. PSUSD remains committed to ensuring the rights and protections of all students.

4. **Sexual Harassment Procedures**

The ruling also impacts how we handle Title IX sexual harassment complaints, as the 2020 regulations set forth detailed procedures for investigating under Title IX and adjudicating these claims. These regulations focus on fairness and due process, ensuring that both complainants and respondents are treated equitably. We will continue to provide clear reporting channels, support for those involved in the process, and ensure our procedures are compliant with the legal requirements of the 2020 rule.

What This Means for You

While this legal decision does bring clarity to the current regulations, Title IX itself remains in force, prohibiting sex-based discrimination in educational programs and activities. Our commitment to providing a safe, inclusive, and non-discriminatory environment for all students remains unchanged. We will continue to:

- **Review and update our Title IX policies** to reflect the reinstatement of the 2020 regulations and ensure compliance with the current legal framework.
- **Offer training and educational opportunities** for staff, students, and families to ensure everyone understands their rights and responsibilities under Title IX.



- **Provide clear reporting and support systems** for anyone impacted by sexual harassment or discrimination.

Looking Ahead

We will closely monitor any additional legal developments that may affect Title IX regulations, as this area of law is subject to ongoing litigation and potential future rulings. As always, our priority is to ensure that all students, staff, and families are aware of their rights and supported throughout any legal processes or changes.

If you have any questions or concerns regarding how the vacatur of the 2024 Title IX regulations might affect our district, please do not hesitate to contact me. We value your engagement and feedback as we continue to navigate these changes.

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Thank you for your continued support as we strive to maintain a safe and equitable educational environment for all students at PSUSD.

Sincerely,

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