

Attorney General Raoul Supports Federal Proposal That Strengthens Protections Against Sexual Harassment In Schools

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CHICAGO – Attorney General Kwame Raoul, as part of a coalition of 20 attorneys general, today filed a comment letter in support of the federal government’s proposed rule aimed at strengthening protections against sex discrimination — including sexual violence and harassment — under Title IX of the Education Amendments Act of 1972 (Title IX).

Title IX requires schools to provide educational programs and activities free from sex discrimination, sexual harassment, and sexual violence. In the comment letter, Raoul and the coalition applaud the federal government’s efforts to reverse many of the critical missteps of the 2020 rulemaking that imposed a harmful new process for Title IX sexual violence school proceedings. The comment letter also highlights additional areas for regulatory action under Title IX to help combat sex discrimination in all its forms.

“I am committed to protecting students in the classroom and empowering our educators to create a safe learning environment for our children. The Department of Education’s proposed rule under Title IX ensures students will have robust protections against sex discrimination, sexual harassment, and sexual violence,” Raoul said. “School is no place for sex discrimination in any form. I applaud the department for restoring and strengthening Title IX after it was gutted. It is time students have the support they deserve.”

In 2020, the U.S. Department of Education abruptly deviated from more than 30 years of consistent implementation of Title IX to impose an onerous and harmful new process for Title IX sexual violence and harassment proceedings in schools. The department promulgated new rules that work to significantly change how Title IX is enforced. These amendments simultaneously weaken protections for individuals subjected to sexual violence and harassment and burden schools with duplicative, courtroom-like Title IX proceedings. Rather than supporting state efforts to implement Title IX, the 2020 amendments hinder ongoing work to prevent and address school-based sexual violence and assault at the state level. The 2020 amendments also impose unnecessary barriers to student survivors seeking relief unique only to sexual harassment. These changes were put in place [despite clear warnings](#) from Illinois and coalition states the year prior. Accordingly, the states subsequently [filed a lawsuit](#) challenging the previous administration’s final rule in an effort to protect students and shield schools nationwide from the unreasonable implementation timeframe imposed at the onset of the COVID-19 pandemic.

The states strongly support the current efforts by the U.S. Department of Education to end many of the harms imposed by the 2020 amendments. For instance, Raoul and the attorneys general are supporting comprehensive standards for Title IX that better meet its primary objectives, i.e., providing individuals with effective protection against sex discrimination and harassment and to ensure that federal funds are not used to support

such misconduct. The current proposed rule realigns Title IX's implementing regulations with the statute's nondiscrimination mandate. It also helps preserve schools' resources by limiting potential duplicate procedures. Additionally, of particular importance to the states, the proposal complements state laws that ensure greater protections for survivors, while preserving the rights of respondents under Title IX to fair and equitable proceedings.

In the comment letter, Raoul and the coalition address how the proposed rule:

- Better effectuates Title IX and aligns with congressional intent and longstanding practices.
- Standardizes and codifies definitions and procedures across Title IX enforcement.
- Improves the sexual violence and harassment complaint process for students in colleges and K-12 schools.
- Realigns Title IX's sexual harassment standards and higher education proceedings to ensure a prompt and equitable resolution process for all students.
- Reinforces critical protection against discrimination based on gender identity, sexual orientation, and pregnancy and parenting status.
- May be further strengthened to help combat sex discrimination in all its forms.

Joining Attorney General Raoul in submitting the comments are the attorneys general of California, New Jersey, Pennsylvania, Connecticut, Delaware, the District of Columbia, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New York, North Carolina, Oregon, Rhode Island, Vermont, and Washington.