

Federal Court Vacates 2024 Title IX Regulations Nationwide

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Thursday, January 9, 2025, a federal district court in Kentucky issued a ruling and judgment in *Tennessee vs. Cardona* regarding the legality of the United States Department of Education’s (“DOE”) 2024 Title IX regulations (“2024 Title IX Regulations”). This is one of several lawsuits around the country challenging the 2024 Title IX Regulations. The judgment in this case vacates (sets aside) the 2024 Title IX Regulations in full as unlawful on several grounds; in other words, the DOE must rescind the 2024 Title IX Regulations.

Broader Impact of the Judgment

Previously, in this case, the court issued a preliminary injunction banning implementation of the 2024 Title IX Regulations in specific states and districts. The new final judgment is not so limited and instead in essence impacts all school districts nationwide because of the requirement that the DOE vacate the regulations.

Potential Changes Under the New Administration

Certain events could occur that would change the outcome and impact of the judgment in *Tennessee vs. Cardona*, namely if the DOE were to appeal the judgment and/or seek a stay of the judgment while an appeal is pending. However, given the incoming Presidential administration’s disfavor of the 2024 Title IX Regulations, there is a strong possibility that following inauguration in the coming weeks, the new administration would abandon any efforts to appeal or stay the judgment.

Recommendations for School Districts

Lozano Smith is reviewing this decision and other federal court decisions in the Title IX context to determine their applicability and impact to our clients and will provide updates and guidance as soon as possible.

It is also important to keep in mind that while this update relates to and impacts the procedures and protections under the 2024 Title IX Regulations, it has no impact on the protections and procedures under California law which remain in place, including those with regard to harassment and discrimination based

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upon gender identity and related protected categories. Please stay tuned for further updates and guidance.

If you have any questions about Title IX, please contact your Lozano Smith attorney or Client Services with any specific questions.

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