



From the Cabinet

By Tara Brandner, General Counsel

New Title IX Regulations

On April 19, 2024, the United States Department of Education released revisions Title IX the Education Amendments of 1972 (“Title IX”). Title IX protects people from discrimination based on sex in educational programs and activities that receive federal financial assistance. Fargo Public Schools is a recipient of federal financial assistance. As a result, the District must operate its educational programs and activities in a nondiscriminatory manner free of discrimination on the basis of sex.

The amended Title IX regulations codify protections for LGBTQIA2S+ students, employees, and parents. Now, for the first time, the regulations specifically prohibit discrimination, including harassment, based on sexual orientation and gender identity.

The most significant procedural changes in the amended Title IX regulations address how the District responds to sex-based misconduct in school. The amended regulations remove some of the burdensome procedural requirements thereby providing districts with more flexibility in how allegations of sex-based misconduct are addressed. The District is currently reviewing the amended regulation and making all necessary changes to District policy, including Administrative Policy 4060/5060/6060 – Nondiscrimination and Anti-Harassment.

While the changes are voluminous, the most important thing for the Fargo Public Schools students, staff, and community to understand is that they do not change the District’s commitment to provide an educational environment free from discrimination and harassment. Similarly, the new regulations do not change the District’s commitment to offering a supportive and fair process when allegations of sex-based misconduct are raised.

The amended Title IX regulations will be effective on August 1, 2024. All changes to AP 4060/5060/6060 will be published and available on the District’s website.

