



U.S. Department of Education
Office for Civil Rights

Notice of Language Assistance

Notice of Language Assistance: -

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400 CAREGIVERS ON SEXUAL VIOLENCE, issued by the Office for Civil Rights at the U.S. Department of Education, dated April 4, 2011.

x Questions and Answers on Title IX and Sexual Violence, issued by the Office for Civil Rights at the U.S. Department of Edu

led to the deprivation of rights for many students, both accused students denied fair process and victims denied an adequate resolution of their complaints. The guidance has not succeeded in adding clarity for educational institutions or in leading institutions to guarantee educational opportunities on the equal basis that Title IX requires. Instead, schools face a confusing and counterproductive set of regulatory mandates, and the objective of regulatory compliance has displaced Title IX's goal of educational equity.

The Department imposed these regulatory burdens without affording notice and the opportunity for public comment. Under these circumstances, the Department has decided to ~~amend~~ ^{amend} the above referenced guidance documents in order to develop an approach to student sexual misconduct that responds to the concerns of stakeholders and that aligns with the purpose of Title IX to achieve fair access to educational benefits. The Department ~~intends~~ ^{intends} to implement such a policy through a rulemaking process that responds to public comment. The Department will not rely on the withdrawn documents in its enforcement of Title IX.

The Department refers you to the Q&A on Campus Sexual Misconduct ~~issued~~ ^{issued} contemporaneously with this letter, and will continue to rely on its Revised Sexual Harassment Guidance ~~which~~ ^{which} was informed by a notice-and-comment process and issued in 2001, ~~as well as the reaffirmation of the Guidance in the Dear Colleague Letter on Sexual Harassment issued January 25, 2006.~~ ^{as well as the reaffirmation of the Guidance in the Dear Colleague Letter on Sexual Harassment issued January 25, 2006.} ~~always,~~ ^{always,} the Department's enforcement efforts proceed from Title IX ~~its~~ ^{its} and its implementing regulations.

In the forty-five years since the passage of Title IX, we have seen remarkable progress ~~to~~ ^{to} toward educational environment free of sex discrimination. That progress resulted in large part from the vigorous enforcement of Title IX by the Office for Civil Rights at the Department of Education. The Department remains committed to enforcing these ~~legal~~ ^{legal} protections and intends to do so consistent with its mission under Title IX to protect fair and equitable access to education.

The Department has determined that this letter is a significant guidance document under the Final Bulletin for Agency Good Guidance Practices of the Office of Management and Budget, 72 Fed. Reg. 3432 (Jan. 25, 2007). ~~This~~ ^{This} letter does not add requirements to applicable law.

Sincerely,

/s/

Candice Jackson
Acting Assistant Secretary for Civil Rights
U.S. Department of Education

³ The Revised Sexual Harassment Guidance is available at <https://www2.ed.gov/about/offices/list/ocr/docs/shguide.html>

⁴ The 2006 Dear Colleague Letter is available at <https://www2.ed.gov/about/offices/list/ocr/letters/sexhar2006.html>

⁵ 20 U.S.C. §§ 681-88.

⁶ 34 C.F.R. § 606.1 et seq; see also 34 C.F.R. § 68.46(h) (implementing requirements of the Violence Against Women Act).

⁷ If you have questions or are interested in commenting on this letter, please contact the Department of Education at ocr@ed.gov or 800-421-3481 (TDD: 800-777-8339).