



STATE OF ALABAMA
DEPARTMENT OF EDUCATION



Eric G. Mackey, Ed.D.
State Superintendent of Education

April 29, 2024

Alabama
State Board
of Education

MEMORANDUM

Governor Kay Ivey
President

TO: City and County Superintendents of Education

Jackie Zeigler
District I

FROM: Eric G. Mackey *EGM*
State Superintendent of Education

Tracie West
District II
Vice President

RE: Title IX Rule Changes

Stephanie Bell
District III

On April 19, 2024, states were notified that the [US Department of Education had reinterpreted Title IX](#), essentially changing the application of the law. Many state attorneys general, including Alabama Attorney General Steve Marshall, have stated their concerns about this new interpretation, including possible Constitutionality issues.

Yvette M. Richardson, Ed.D.
District IV

Based on the recommendation from Attorney General Marshall, all local education agencies (LEAs) in the state of Alabama are advised **not** to implement the new Title IX rules at this time due to the pending litigation. Further, LEAs should note that, as drafted, the federal regulations have an August 1, 2024, effective date. Additional guidance will be issued once the courts have weighed in on the validity of these regulations.

Tonya S. Chestnut, Ed.D.
District V
President Pro Tem

In the meantime, LEAs in Alabama are reminded that this prohibition relates to the new rule change expanding the definition of "sex" only, and that LEAs should still comply with existing Title IX requirements, including that no one, on the basis of sex, "be excluded from participation in, be denied the benefits of, or be subjected to discrimination" in education programs and activities. 20 U.S.C. §1681(a).

Marie Manning
District VI

EGM:LAK

Belinda McRae
District VII

FY24-1001

Wayne Reynolds, Ed.D.
District VIII

Eric G. Mackey, Ed.D.
Secretary and
Executive Officer