



MEMORANDUM

Date: February 13, 2025

To: Taylor R. Randall, President

From: Phyllis J. Vetter, General Counsel and Vice President

Copies: Jeff C. Herring, Chair, Institutional Policy Committee
Harriet Hopf, President, Academic Senate

Subject: Interim Rule R1-012A: *Non-Discrimination Rule* and
Interim Rule R1-012B: *Complaint Process Rule*

On January 9, 2025, the U.S District Court for the Eastern District of Kentucky issued its decision in *Tennessee v. Cardona*, vacating the 2024 Final Rule regarding Title IX of the Education Amendments of 1972 (Title IX). The Court's decision applies nationwide, meaning the 2024 Final Rule – the federal regulations that mandate specific University responses to Title IX events – is not in effect in any jurisdiction.

On January 31, 2025, the Department of Education announced that due to the *Tennessee v. Cardona* decision, the Department of Education would begin to enforce the 2020 Title IX regulations nationwide. The University of Utah previously complied with the 2020 Title IX regulations from August 14, 2020, until August 1, 2024, when it necessarily amended University regulations to comply with the 2024 Final Rule.

Following the Court's decision and the guidance published by the Department of Education, required changes to Rule R1-012A: *Non-Discrimination Rule* and to Rule R1-012B: *Complaint Process Rule* have been drafted. These changes satisfy the University's obligations under Title IX, are consistent with state law and best practices in this area and allow the University to manage reports of discrimination consistent with known standards.

I recommend that you approve these interim changes to Rules R1-012A: *Non-Discrimination Rule* and R1-012B: *Complaint Process Rule* effective on the date of your signature. The University will undertake to remove the interim status of the rules through the normal approval process in the following months. Future changes to the federal regulations, congressional action, and federal litigation may eventually require other unforeseen changes to these rules.

Approved this 13th day of February, 2025

Taylor R. Randall, President