

SUPPORTING TITLE IX: A DELAWARE PERSPECTIVE

JUNE 2026



What Is Title IX?

June 23, 2026, will mark the 54th anniversary of Title IX of the Education Amendments of 1972 (Title IX), the landmark Federal statute aimed at prohibiting sex discrimination in educational programs and activities. According to the U.S. Department of Education, “Title IX states that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”[i] Title IX is a sweeping law that applies to all education institutions that receive federal funds and is enforced by the U.S. Department of Education’s Office for Civil Rights (OCR).[ii]

Compliance with Title IX

Complying with Title IX is the responsibility of the entire institution, from the school administration to the Title IX coordinator, to athletic directors and other staff members. Each recipient of federal funds, including all public schools and universities in Delaware, is required to have a Title IX coordinator that oversees the institution’s compliance with Title IX. Under Title IX, schools must ensure that students are not excluded from participation; denied benefits; treated unfairly; nor subjected to harassment.[iii]

Title IX protects students, staff, and employees, regardless of gender. While many people associate Title IX with sports, Title IX protections apply to many aspects of school life, such as admissions and enrollment; athletics and extracurricular activities; career and technical education; STEM programs; protection from sexual harassment; support for pregnant and parenting students; and equal access to school resources.[iv] The U.S. Department of Health and Human Services shares the following examples of conduct that would be prohibited by Title IX based on a student’s sex, including but not limited to athletes and pregnant students:[v]

- Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
- Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- Deny any person any such aid, benefit, or service;
- Subject any person to separate or different rules of behavior, sanctions, or other treatment;
- Discriminate against any person in the application of any rules of appearance;
- Apply any rule concerning the domicile or residence of a student or applicant, including eligibility for in-state fees and tuition;
- Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;
- Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

Title IX applies to:

- Public K–12 schools
- Colleges and universities
- Charter schools
- Career and technical programs
- Any education program receiving federal funding

Compliance with Title IX

Title IX has dramatically transformed athletics programs and increased opportunities, especially for women and girls. An institution must meet all of the following requirements in order to be in compliance with the athletics portion of Title IX:[vi]

- ▶ For participation requirements, institutions must meet one of the following three tests:
 - Provide participation opportunities for women and men that are substantially proportionate to their respective rates of enrollment of full-time undergraduate students. For athletics, institutions do not need to offer identical sports but an equal opportunity to play.
 - Demonstrate a history and continuing practice of program expansion for the underrepresented sex.
 - Fully and effectively accommodate the interests and abilities of the underrepresented sex.

- ▶ Female and male student-athletes must receive athletics scholarship dollars proportional to their participation.

- ▶ Equal treatment of female and male sports in the following provisions:
 - equipment and supplies
 - scheduling of games and practice times
 - travel and daily allowance/per diem
 - access to tutoring
 - coaching
 - locker rooms, practice and competitive facilities
 - medical and training facilities and services
 - housing and dining facilities and services
 - publicity and promotions
 - support services
 - recruitment of student-athletes



Title IX also requires equal access to STEM and career programs, including science and technology programs, engineering and mathematics programs (STEM) career and technical education (CTE) programs. Schools have an obligation to ensure that students are not discouraged from certain programs based on gender, training opportunities are equally available, and that students receive fair treatment in classroom settings.[vii] These protections help prepare students for future careers and economic independence.

Key Changes in Recent Years

Federal Title IX regulations have changed significantly in recent years. Schools must follow current federal requirements issued by the U.S. Department of Education, as well as applicable court decisions. In 2020, new federal regulations clarified how schools must respond to sexual harassment and sexual violence. These rules require schools to:[viii]

- Investigate formal complaints
- Provide supportive services to affected students
- Establish grievance procedures
- Protect students from retaliation

These rules also formally recognized sexual harassment, including sexual assault, as a form of sex discrimination. Title IX protects students from harassment based on sex. This includes:[ix]

- Sexual harassment
- Sexual assault
- Dating violence
- Domestic violence
- Stalking
- Harassment based on sex stereotypes
- Harassment related to pregnancy or parenting status

Schools must respond promptly to complaints; offer supportive services; provide fair investigation processes; and protect individuals from retaliation.[x] Supportive services may include counseling, schedule adjustments, academic support, safety planning, and no-contact orders.[xi] Students can receive supportive services even if they do not file a formal complaint.



Key Changes in Recent Years

In April 2024, the U.S. Department of Education issued updated Title IX regulations that expanded protections for students. Key updates include:[xii]

- Expanded responsibilities for schools to provide reasonable modifications
- Clearer expectations for complaint procedures
- Expanded protections against retaliation
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- Clearer expectations for complaint procedures
- Expanded protections against retaliation

These updates strengthen protections for students facing barriers related to pregnancy, harassment, and unequal treatment. In particular, the 2024 updates protections for students who are pregnant, have recently given birth, or are parenting in the following ways.[xiii] Schools must:

- Allow students to continue participating in classes and activities
- Provide reasonable academic adjustments when needed
- Excuse pregnancy-related absences when medically necessary
- Allow students to make up missed work
- Provide access to lactation spaces
- Protect students from discrimination based on pregnancy or parenting status

Schools may offer special programs for pregnant students, but participation must always be voluntary. These protections help ensure that pregnancy does not prevent students from completing their education.

Ongoing Legal Developments

As of 2025–2026, portions of the 2024 regulations are involved in ongoing federal court challenges. This means that:

- **Implementation may vary across states**
- **Schools must follow current applicable federal and state law**
- **Policies may continue to evolve**

For this reason, schools and families should stay informed about current Title IX requirements.

STAY UPDATED

Title IX in Delaware Schools

In Delaware, public schools receiving federal funding must comply with Title IX.

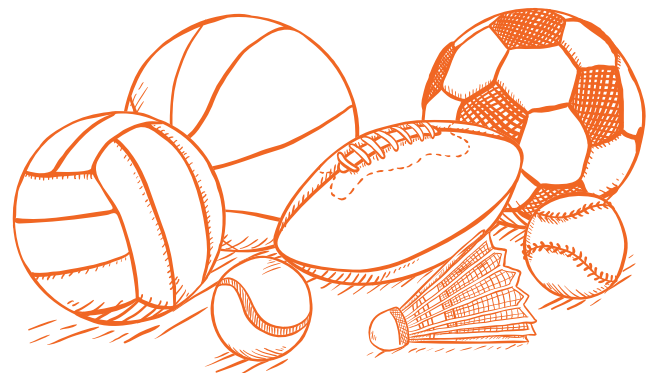
Each school district must:

- Designate a Title IX Coordinator
- Develop grievance procedures
- Respond to complaints of discrimination
- Provide training and support to staff

Delaware public schools include nineteen school districts and twenty-three charter schools, each of which is required to have a Title IX Coordinator. Title IX Coordinators play a key role in investigating complaints, monitoring patterns of discrimination, providing guidance to school staff, and ensuring policy compliance. In Delaware, schools should list Title IX information on their websites, including the name of the Title IX Coordinator, contact information, and complaint procedures. A Title IX Coordinator has the responsibility to oversee all complaints of sex discrimination, as well as identify and address patterns or systemic problems that arise during the review of such complaints. The Delaware Department of Education is also a resource on Title IX and includes information and FAQs on their website.[xiv] Students and families can also seek assistance from the U.S. Department of Education Office for Civil Rights, which investigates civil rights complaints.

Regarding sports in particular, the Delaware Interscholastic Athletic Association (DIAA) plays a vital role in overseeing and regulating interscholastic athletics, ensuring compliance with Title IX, and promoting equitable access to sports opportunities for all student-athletes across member schools. According to the DIAA website, “the purpose of the Delaware Interscholastic Athletic Association (DIAA) is:[xv]

- to preserve and promote the educational significance of interscholastic athletics
- to ensure that interscholastic athletics remain compatible with the educational mission of the member schools;
- to provide for fair and equitable competition between the member schools;
- to promote sportsmanship and ethical behavior;
- to establish and enforce standards of conduct for athletes, coaches, administrators, officials, and spectators;
- to protect the physical well-being of the athletes; and
- to promote healthy adolescent lifestyles.



Title IX in Delaware Schools

Membership in the DIAA includes 118 schools (61 high schools and 55 middle schools).[xvi] The DIAA works closely with the athletic directors of participating members in order to provide Delaware students with a meaningful and fair experience in athletics. While the DIAA is housed within the Department of Education, it is not an agency of the Department.

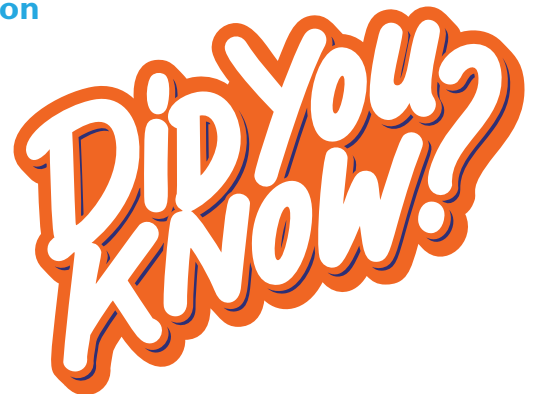
The DIAA organizes and conducts 36 boys' and girls' state championships and sponsors 26 sports, resulting in the involvement of over 1,100 teams and nearly 30,000 participants.[xvii] The DIAA has a number of other key functions including providing a variety of rulebooks, handbooks, and signal charts, as well as preseason clinics for coaches, workshops for new athletic directors, standing committees, conferences, and more.[xviii] The DIAA also makes a "Gender Equity Self-Audit Tool" available to athletic directors that can help member schools "to develop basic, concise, practical information on major components of gender equity" with the goal of "improved gender equity in high school activities" as "improvement starts with awareness." [xix] Taken together, these responsibilities position the Delaware Interscholastic Athletic Association as a central driver of fairness, accountability, and gender equity in school athletics across Delaware.

The U.S. Office for Civil Rights collects critical data on education and civil rights issues through the Civil Rights Data Collection (CRDC), covering nearly every public school in the country. However, although schools receiving federal funding are only required to report Title IX–related data to the U.S. Department of Education every two years, this reporting schedule leaves significant gaps in timely information. As of May 2026, the most recent CRDC data available for individual states are from the 2020–21 school year, limiting the ability of policymakers, educators, and advocates to identify and respond to current gender equity challenges in school programs.[xx] More frequent and up-to-date data collection would better equip schools and decision-makers to proactively address disparities and ensure compliance with Title IX.

What Families and Students Should Know

Students and families should know and understand their rights under Title IX. You may want to contact your school's Title IX Coordinator if:

- **A student experiences harassment or discrimination**
- **A pregnant student is denied participation**
- **Athletic opportunities appear unequal**
- **A student is treated unfairly based on sex**



Conclusion

Title IX has played a major role in expanding opportunities for women and girls in education. Before Title IX many schools offered limited athletic opportunities for girls, women were underrepresented in STEM programs, and pregnant students were often excluded from school. Today, Title IX continues to support equal access to education, create safer school environments, increase participation in athletics, expand career opportunities, and improve educational outcomes.[xxi] While tremendous progress has been made, ongoing attention and vigilance is needed to help ensure that all students have equal opportunities to succeed.

Title IX Timeline

- 1972 — Title IX enacted into law**
- 1975 — Federal Title IX regulations issued**
- 1992 — U.S. Supreme Court allows monetary damages in Title IX cases**
- 2005 — Retaliation protections clarified**
- 2020 — Federal Title IX regulations updated**
- 2021 — Federal interpretation clarified protections related to sexual orientation and gender identity**
- 2024 — Updated Title IX Final Rule issued expanding protections**
- 2025–Present — Ongoing legal review affecting implementation in some states**

Source: Compiled from federal statute, U.S. Supreme Court case law, and U.S. Department of Education regulations (1972–2024).

KEEP TITLE IX STRONG

Disclaimer: This fact sheet reflects federal Title IX regulations and guidance available as of May 2026. Federal rules may change due to new regulations or court decisions.

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