



School Law FYI

Boardman Clark and WASB Release Training on 2020 Title IX Regulations

RICK VERSTEGEN | 08.21.25

Wisconsin school officials are preparing for the new school year. This preparation includes ensuring that staff receive appropriate training, especially if such training is required by state or federal law. One important training requirement is related to Title IX of the Education Amendments Act of 1972. The Title IX regulations require training of certain individuals involved in addressing reports and formal complaints related to Title IX, particularly related to allegations of sexual harassment under Title IX. School officials must comply with this training, and our law firm has again partnered with the Wisconsin Association of School Boards (WASB) to offer training on Title IX.

PAST AMENDMENTS TO TITLE IX REGULATIONS

The Title IX regulations were amended in August 2020 and made significant changes applicable to sexual harassment. The 2020 amendments required districts to revise their policies and procedures and to ensure that certain individuals received training related to the regulations. Our firm provided significant guidance to school districts at that time on [the 2020 revisions to the Title IX regulations](#).

In 2024, the Department of Education again amended the Title IX regulations. However, those 2024 amendments to the Title IX regulations were subjected to immediate challenges in court. Based on these challenges in court, the 2024 amendments to the Title IX regulations were invalidated and vacated. As a result, the 2024 amendments are not in effect. [We informed districts of this change at that time](#). Because of the timing of the 2024 regulations being invalidated, many districts had taken steps to begin compliance with those changes. This included modifying policies and training on the new regulations. However, it is now clear the 2024

amendments should not be used. School districts must now apply and follow [the Title IX regulations that went into effect in 2020](#).

2020 TITLE IX REGULATIONS

The 2020 Title IX regulations require training for Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. Such individuals must receive training on (1) the definition of sexual harassment under Title IX; (2) the scope of the school district's education program or activity; (3) how to conduct an investigation and navigate the grievance process; and (4) how to serve impartially, including by avoiding prejudging the facts at issue, conflicts of interest, and bias. Investigators must also receive training on issues of relevance to prepare an investigation report that fairly summarizes relevant evidence. Decision-makers must also receive training on issues of the relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Districts may also choose to provide additional training to other employees. Under the 2020 Title IX regulations, school districts are deemed to have actual knowledge of sexual harassment if any employee of the district has notice of an incident of alleged sexual harassment or a report of alleged sexual harassment. As a result, some districts require all employees to participate in sexual harassment training. Additionally, because the 2024 training was required for all staff, some districts are providing all staff with the 2020 training to minimize confusion.

UPCOMING TITLE IX TRAINING

Boardman Clark and WASB have recently released revised Title IX training related to this training requirement. The training includes sessions for Title IX Coordinators, investigators and for all employees. Additional training sessions for decision-makers, informal resolution facilitators, and administrators are also available. We will also be releasing training on retaliation, compliance, and athletics. Information about this training can be found on [the WASB website](#).

School districts should review their own individual policies to determine what type of training may be required and how often such training is required. The current Title IX regulations do not require annual training, but it is very important for any individual who is involved with Title IX matters to be trained on the 2020 regulations. The lack of training can create legal issues for any school district. School districts should also consider training on their own local policies and procedures. To this end, districts

may elect to contact Boardman Clark or WASB to assist with such localized, policy-based training.

Our attorneys have been actively working to ensure that Wisconsin school districts, technical colleges, and higher educational institutions are provided with guidance on Title IX. We will continue to provide updates on these regulations. Please contact an attorney in our [School Law Practice Group](#) with any specific questions on these regulations.

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