

## **Advocacy Comments on the Department of Education’s “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.”**

On February 15, 2019, the Office of Advocacy filed public comments in response to the Department of Education’s (Department) November 29, 2018 notice of proposed rulemaking entitled “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.”

The Department asserts that the proposed regulations would specify how educational institutions covered by Title IX must respond to incidents of sexual harassment consistent with Title IX's prohibition against sex discrimination, and would clarify and modify Title IX regulatory requirements pertaining to the availability of remedies for violations, the designation of a coordinator to address sex discrimination issues, and the adoption of grievance procedures

Advocacy recommends that the Department:

- Analyze the economic impact that the proposed rule will have on small entities.
- Consider regulatory alternatives that reduce the potential impact that the rule would have on small entities while accomplishing agency objectives.
- Consult with Advocacy on the appropriate size standard before proceeding with this rulemaking.

For more information, visit Advocacy’s webpage at <https://www.sba.gov/advocacy>, or contact Assistant Chief Counsel Rosalyn Steward at 202-205-7013, or [rosalyn.steward@sba.gov](mailto:rosalyn.steward@sba.gov).