

Abandoned Priorities and Cases in Limbo:

An Analysis of Title IX Enforcement in the First Year of Trump's Second Term

January 2026

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During President Trump's second term, the Department of Education's Office for Civil Rights has resolved far fewer cases than his first term or the ten year average, and has not resolved a single case of discrimination based on sexual assault, sexual harassment, or pregnancy/parental status.

Background

Title IX of the Education Amendments of 1972 ("Title IX") prohibits sex discrimination in federally funded education programs.¹ For over 50 years, the primary enforcement mechanism of the law has been the Office for Civil Rights ("OCR")—first as a part of the Department of Health, Education, and Welfare, and later under the Department of Education. OCR investigates complaints of Title IX violations against institutions receiving federal financial assistance, mediates resolutions, and issues opinions and findings of violations.²

When the Trump administration took office in early 2025, the Department of Education closed seven of 12 regional civil rights offices and laid off nearly half of its staff responsible for handling complaints of discrimination.³ This downsizing took place despite a backlog of nearly 3,000 open Title IX investigations,⁴ and resulted in remaining staff having more than double their typical caseloads.⁵

With much of its staff either terminated or on forced administrative leave, in the summer of 2025, the administration revealed in court disclosures that OCR had dismissed 3,424 complaints in just over 100 days.⁶ By December 2025, OCR reportedly had a backlog of roughly 25,000 pending complaints of discrimination, including complaints of sex

¹ 20 U.S.C. § 1681 et seq.

² See, e.g., *About OCR*, U.S. DEPT OF EDUC., <https://www.ed.gov/about/ed-offices/ocr/about-ocr> (last reviewed Apr. 15, 2025).

³ Jodi S. Cohen & Jennifer Smith Richards, *Massive Layoffs at the Department of Education Erode Its Civil Rights Division*, PROPUBLICA (Mar. 12, 2025, 10:30 AM), <https://www.propublica.org/article/education-department-civil-rights-division-eroded-by-massive-layoffs>; Collin Binkley, *Education Department layoffs gut its civil rights office, leaving discrimination cases in limbo*, ASSOCIATED PRESS (Mar. 14, 2025), <https://www.ap.org/news-highlights/spotlights/2025/education-department-layoffs-gut-its-civil-rights-office-leaving-discrimination-cases-in-limbo>.

⁴ Under the Biden administration, OCR published a list of open investigations and updated it weekly; the page hasn't been updated since January 14, 2025. *Pending Cases Currently Under Investigation at Elementary-Secondary and Post-Secondary Schools*, U.S. DEPT OF EDUC., <https://ocrcas.ed.gov/open-investigations> (last updated Jan. 14, 2025).

⁵ STAFF OF S. COMM. ON HEALTH, EDUC., LABOR AND PENSIONS, 119TH CONG, MINORITY STAFF REPORT: PRESIDENT TRUMP'S DECISION TO GUT THE OFFICE FOR CIVIL RIGHTS HAS LEFT OVER 46 MILLION STUDENTS WITHOUT PROTECTION FROM DISCRIMINATION (Mar. 27, 2026), <https://www.sanders.senate.gov/wp-content/uploads/03.27.25-OCR-Report-Draft-v9.pdf>.

⁶ Declaration of Rachel Oglesby, New York v. McMahon, No. 1:25-cv-11042-MJJ (D. Mass 2025) (Doc. 44-1), <https://storage.courtlistener.com/recap/gov.uscourts.mad.283711/gov.uscourts.mad.283711.44.1.pdf>.

discrimination brought under Title IX.⁷ While we are unable to reliably analyze what forms of discrimination or harassment were at issue in dismissed complaints, OCR has published documentation of the cases it resolved as well as investigations opened prior to January 15, 2025, which are the focus of our research.

To understand the scope of Title IX enforcement amidst the changes at the Department of Education, WorkLife Law's Pregnant Scholar team reviewed the Department's publicly available case resolution reports⁸ and notices of violation⁹ from January 20, 2025 to January 20, 2026. We also compared the case resolutions and published notices from this administration with those from the preceding ten years (2015-2024) and pending investigations to better understand trends in enforcement, using the OCR's categorization of the discrimination involved.¹⁰ We found a radical shift in both the number and types of cases resolved by the current OCR.

Findings

OCR output less than a quarter of Trump's first year

The Department of Education OCR has completed only 32 Title IX case resolutions during the first year of President Trump's second term.¹¹ This is less than one quarter of the cases resolved during the first year of his administration's first term and accounts for just 1% of the thousands of Title IX cases that were under investigation when the new administration took office in January 2025.¹² Of the cases resolved this term, only four (13%) were filed before 2025, indicating the case investigation backlog remains. On average in the last 10 years, the OCR has resolved over two and a half times as many Title IX cases each year than the current OCR.¹³

⁷ Cory Turner, *Education Department recalls fired attorneys amid civil rights complaint backlog*, NAT'L PUB. RADIO (Dec. 10, 2025 5:00 AM ET), <https://www.npr.org/2025/12/10/nx-s1-5637464/education-department-layoffs-civil-rights>.

⁸ Office for Civil Rights Recent Resolution Search, U.S. DEP'T OF EDUC., <https://ocrcas.ed.gov/ocr-search> (last visited Jan. 15, 2025).

⁹ Stakeholder Correspondence Regarding Civil Rights, U.S DEP'T OF EDUC. <https://www.ed.gov/about/ed-offices/ocr/stakeholder-correspondence> (last visited Jan. 7, 2025).

¹⁰ One notice of violation was published only on the OCR's Stakeholder Correspondence page, *Id.*, and was not categorized into a discrimination type by the Department. We analyzed the letter and categorized it as relating to Athletics. *Re: ED OCR Case Numbers 05254060 and 05258901 - Letter of Findings (Notice of Violation)*, HHS OCR Transaction No. 25-626-433-RV-CRR (Notice of Violation), DEP'T OF EDUC. (September 30, 2025), <https://www.ed.gov/media/document/ocr-letter-of-findings-re-case-numbers-05254060-and-05258901-mde-and-mshsl-notice-of-violation-september-30-2025-112441.pdf>.

¹¹ U.S. DEP'T OF EDUC., *supra* note 8.

¹² While there are varying predictions of how many cases were outstanding, this calculation is based on the Department's own data of open investigations as of January 14, 2025. See U.S. DEP'T OF EDUC., *supra* note 4.

¹³ Note that the preceding ten-year time period includes 36 days of government shutdown, while the current time period includes 43 days. *Funding Gaps and Shutdowns in the Federal Government*, U.S.

OCR limited enforcement to primarily address procedural issues, athletics, and single-sex scholarships

The Department of Education has not resolved a single case of discrimination based on pregnancy or parental status during President Trump's second term. Likewise, not a single resolution addressed sexual assault or sexual harassment.

To assess how the types of cases handled by the current OCR compared with recent administrations, we reviewed the cases resolved by the OCR over the past 10 years, using OCR's categorization of the type of discrimination at issue in each case.¹⁴ That period, 2015-2024, included the tenures of Presidents Barack Obama and Joe Biden, as well as President Donald Trump's first term. We found that sexual harassment and assault had been at the core of Title IX enforcement over the last decade, representing more than half of Title IX case resolutions; the sudden absence of resolutions on these and other issues raised by students marks a significant shift.¹⁵ Out of the 32 published Title IX case resolutions or notices of violations during President Trump's second term, 15 addressed procedural issues, eight related to athletics, eight related to single sex scholarships, and one related to retaliation.

Cases on the procedural requirements of Title IX made up nearly half (47%) of the cases resolved under this OCR. All of the procedural cases were based on complaints raised in 2015¹⁶ alleging that the educational institution did not publish their Title IX training materials, with seven also alleging the institution did not adopt and publish compliant grievance procedures.

Eight resolutions (25% of resolutions) in the current term addressed discrimination in athletics. Six of these resolutions were based on "directed investigations" initiated by the OCR without a complaint being received and block or restrict transgender students from participating in athletic activities. In one resolution, a complaint over a policy that allowed transgender students to participate in athletic activities with students of their gender was combined with the directed investigation. The final two cases resolved complaints from 2019 regarding the discriminatory provision of resources to girl athletes in a North Carolina school district.

HOUSE OF REPRESENTATIVES HIST., ART & ARCHIVES,

<https://history.house.gov/Institution/Shutdown/Government-Shutdowns/> (last visited Jan. 21, 2026).

¹⁴ Some cases were assigned more than one category. Note that one notice of violation was published only on the OCR's Stakeholder Correspondence page and was not categorized into a discrimination type by the Department. We analyzed the letter and categorized it as relating to Athletics. See *supra* note 10.

¹⁵ See Figure 1.

¹⁶ The date of complaints was established based on analysis of the case number assigned by the agency.

Another eight resolutions involved cases where postsecondary institutions were found to have violated Title IX for offering, administering, or promoting scholarships with sex preferences or restrictions. Seven of the cases alleged discrimination against males, while two alleged discrimination against females. Finally, there was one case of retaliation, in which a complaint related to disability discrimination included claims that OCR concluded should've been investigated by the school under Title IX.

Athletics cases were the only cases resolved between the inauguration and August 1, 2025. Overall, three quarters of the cases resolved this year were resolved in August and September of 2025, and just one case (on procedural issues) was resolved in both November and December.

OCR is not addressing discrimination critical to students

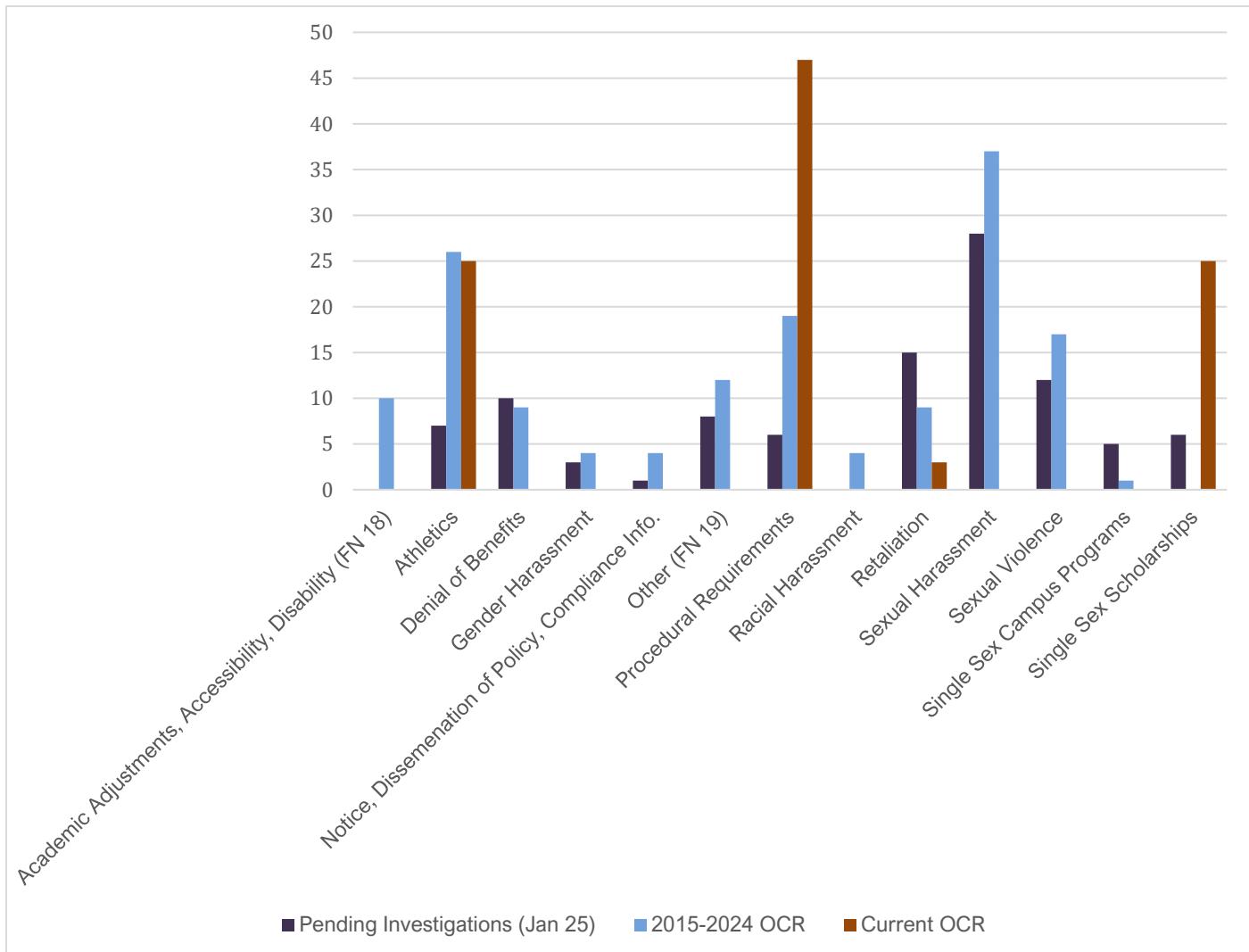
In its first year, this administration deviated significantly from the practices of the OCR from the preceding 10 years, failing to address several forms of discrimination critical to students' wellbeing and educational access. From 2015-2024, 37% of OCR resolutions involved sexual harassment and 17% involved sexual violence. The current OCR reached no resolutions on these issues, despite that sexual harassment and violence made up 28% and 12%, respectively, of the pending investigations at the start of the term.

Over the same 10-year period, discrimination in athletics accounted for 26% of cases, compared with 25% of cases resolved by the current OCR, and 7% of the investigations pending at the start of the term. Discrimination relating to procedural requirements made up 19% of resolutions in the past, 47% under the current OCR, and just 6% of pending investigations. In the 10 years prior to this administration, there had only been one case resolution in 2024 addressing discrimination in single-sex scholarships, while under the current OCR the issue made up 24% of case resolutions; this issue made up 6% of pending investigations at the start of the term.

Finally, relevant to the population WorkLife Law serves, pregnancy-related issues are spread across several categories, including Academic Adjustments, Denial of Benefits, and Other/Not Listed Above. There were no cases in those categories resolved during this administration and no cases related to pregnant students located in other categories.¹⁷

¹⁷ While the Academic Adjustments, Denial of Benefits, and Other/Not Listed Above categories made up 18% of pending cases, it is not possible to determine which of these pending investigations address pregnancy discrimination using publicly available data.

Figure 1: Percentage of OCR Case Resolutions and Pending Cases by Discrimination Type



¹⁸ This category includes Academic Adjustments, Accessibility, Disability Harassment, FAPE (Free Appropriate Public Education).

¹⁹ This category includes Admissions, Admissions and Recruitment, English Language Learners, Discipline, Discrimination Prohibited, Treatment of Postsecondary Students, GT/STEM/CCR/CTE, GT/STEM/CTE and Not Listed Above.

Discussion

WorkLife Law's findings show a significant decrease in the number of case resolutions reached by OCR under the second Trump administration. Despite a backlog of thousands of cases, the Office was less than half as productive as in the preceding decade and resolved only four open investigations from the backlog. The lack of progress in addressing these cases has left thousands of students with their cases in limbo, deferring justice, and in many cases, the ability of students to continue their education. This inaction on behalf of students facing sex discrimination is particularly appalling in light of the fact that hundreds of OCR attorneys have been on administrative leave for months—literally being paid to *not* work to resolve complaints of discrimination.²⁰ Reporting also indicates complaints of racial harassment in education are not being resolved by the Trump administration, compounding these harms.²¹

Our research also reveals a startling shift in OCR's focus, with no cases resolved relating to sexual harassment, sexual violence, racial harassment, gender harassment, denial of benefits, academic adjustments, or disability. Specific to the primary population that WorkLife Law's Pregnant Scholar Initiative serves, there were no cases resolved in the past year relating to pregnant students. Instead of meeting the needs of students struggling to pursue their education in the face of discrimination and violence, this OCR used its extremely limited resources to conduct directed investigations to block or restrict transgender students' participation in athletics. Athletics cases were the only cases resolved in the first eight months of the year, and *no* cases of any kind were resolved in five months of the year.

A lack of OCR case resolutions certainly does not mean that students are not facing discrimination, harassment, or assault; the backlog of Title IX cases is proof of this, and based on recent Department reports there were undoubtedly thousands of *new* cases filed as well.²² Calls to WorkLife Law's Pregnant Scholar helpline²³ continue to pour in from around the country, with postsecondary students and staff raising concerns about barriers to securing academic adjustments and maternity leave, as well as harassment of pregnant and postpartum students.

²⁰ Turner, *supra* note 7.

²¹ Jennifer Smith Richards, Megan O'Matz & Jodi S. Cohen, *Monkey Sounds, "White Power" and the N-Word: Racial Harassment Against Black Students Ignored Under Trump*, PROPUBLICA (Dec. 19, 2025, 5:30 AM), <https://www.propublica.org/article/trump-education-department-civil-rights-racial-harassment>.

²² In 2024 alone nearly 12,000 complaints were filed with the Department. U.S. DEP'T OF EDUC. OFFICE FOR CIVIL RIGHTS, REPORT TO THE PRESIDENT AND SECRETARY OF EDUCATION (2024),

<https://www.ed.gov/media/document/ocr-report-president-and-secretary-of-education-2024-109012.pdf>.

²³ The Pregnant Scholar operates a helpline to provide assistance to pregnant and parenting students as well as faculty and campus administrators with questions about the rights of those students.

Without the ability to rely on the Department of Education to pursue justice, some students who are able to find a lawyer will look to courts instead, as Title IX provides a right to sue.²⁴ For example, in October 2025, New York City settled a case for \$100,000 after a student alleged she wasn't provided adequate pregnancy accommodations or protected from harassment.²⁵ Other students will continue to file complaints with accreditation bodies or go to the press.²⁶ But in our experience advising thousands of students and administrators, pursuing justice at these fora is typically emotionally grueling and time intensive—causing more expense for institutions and a delayed education for students. Unfortunately, our experience over the last decade indicates the majority of aggrieved students will either be forced to drop out or attempt to withstand ongoing discrimination, often at risk to their health and the health of their pregnancies.

Conclusion

WorkLife Law's research confirms that the Department of Education has radically shifted—if not abandoned altogether—its efforts to protect students from the most common forms of unlawful sex discrimination; we are hopeful that this knowledge spurs action. We urge the Department of Education to permanently reinstate staff and restart its full scope of enforcement operations—but as that is unlikely, it is also essential for other entities to take meaningful steps to reduce harm. Perhaps most critically, states can support their academic institutions and students by acting as soon as possible to establish their own robust enforcement mechanisms against discrimination in education, including discrimination targeting pregnant and parenting students.

²⁴ Cannon v. Univ. of Chicago, 441 U.S. 677 (1979).

²⁵ N.S. v. New York City Department of Education, No. 1:25-cv-00649 (S.D.N.Y. Jan. 22, 2025).

²⁶ See, e.g., Rosie Colosi, *Law school refused when a pregnant student asked to reschedule final. She fought back*, TODAY (Dec. 6, 2024, 8:07 AM PST), <https://www.today.com/parents/pregnancy/pregnant-georgetown-law-student-exam-rcna181841>.

About the Pregnant Scholar

The Pregnant Scholar is an initiative of UC College of the Law, San Francisco's Center for WorkLife Law and serves as the nation's legal resource center on the rights of pregnant and parenting postsecondary students. Through research and advocacy, we advance legal protections in support of pregnant and parenting students to grow and strengthen their rights. The Pregnant Scholar's team provides technical assistance to college/university administrators, training on Title IX and other legal protections, and assistance implementing best practice policies. We also operate a free [legal helpline](#) for pregnant and parenting students nationwide and the administrators who serve them.

Learn more at www.PregnantScholar.org.

About WorkLife Law

WorkLife Law is a national research and advocacy organization that advances gender and racial equity by strengthening legal rights for pregnant people and family caregivers. Our work seeks to ensure all people have the freedom to build and maintain economic security through employment and educational opportunities, without having to sacrifice their health or their loved ones' care.

Learn more at www.worklifelaw.org.

Lee, Jessica and Shaw, Westley, "Abandoned Priorities and Cases in Limbo: An Analysis of Title IX Enforcement in the First Year of Trump's Second Term" (2026). *Center for WorkLife Law*. 4.

<https://repository.uclawsf.edu/wll/4>