

**From:** (b)(6)  
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**To:** T9PublicHearing  
**Subject:** trying to do the right thing?

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To Those of You Trying to Do the Right Thing:

Please keep the due process protections in the 2020 regulations. In particular, the requirement that students be presumed innocent until proven guilty should be maintained. My son was immediately escorted off campus when a student accused him of sexual misconduct in 2016; he was not allowed to get his things from his dorm room and all of this was BEFORE the investigation took place and the school eventually decided not to even pursue the investigation. But by then the damage was done. Not only was he deeply shamed and traumatized to be assumed to have committed such a horrible crime and publicly humiliated but it wrecked his career choice which he didn't understand until this year.

Just being ACCUSED of a TIX violation spells an end to a student's hope of a healthcare career. That may sound like hyperbole but the questions below will illustrate. This is from the AMCAS guide for application to medical schools; AMCAS stands for the American Medical College Application Service and is the central and only way to apply. It does not ask have you been found responsible but merely have you been involved in any "action." Though AMCAS does not define what is included or excluded in those actions, (i.e., does being served with a complaint which a school may decide does not even merit further investigation constitute an "action?") it does seem to suggest that ANY action should be reported.

Our son was accused, the school chose not proceed to an investigation, and though he was not required to withdraw, he chose to do so as it was very early in his tenure at that school and he did not want to continue at a small college where he would frequently see his accuser. Now that he is ready to apply to medical school, we are told by EVERY educational consultant we spoke to that he would not get in to medical schools with these marks on his record. The competition is just too intense for anyone with any mark to be seriously considered— despite what AMCAS may say officially. One consultant told us that because he was not found responsible that he might have a chance but it would be an emotionally grueling experience to recount all the details of this painful experience to dozens of committees who frankly would probably be pretty doubtful of his word and probably hostile and even then his chances would be slim. In addition to wrecking any chance of a career in medicine, it means he has no right to privacy. Even though the case had no merit, he would have to re-live and re-tell this story over and over, not just to admissions committees for medical schools but again to residency committee and again to get a license to practice. No matter how rare you think false accusations are, in a college setting an accusation equals a "conviction" or finding of responsibility. By contrast, note how differently the AMCAS application treats actual court processes. It acknowledges a DIFFERENCE between an accusation or arrest and an actual adjudication of guilt and directs students how to answer.

Lest you think, well that just limits a few guys becoming doctors, please consider graduate schools as well. Many have similar questions which again would require an applicant to check yes even if they were not found responsible or not even investigated. Don't take my word for it, look at the applications. Please don't dismantle the presumption of innocence; treating an accusation as tantamount to guilt is a life-wrecking policy.

Thank you for considering our family's experience and point of view.

Anonymous Mom