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To: T9PublicHearing
Subject: Written Comment: Title IX Public Hearing for Post-Secondary Potential Changes to Title IX Rules

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I would like to comment on potential changes to the current Title IX rules.

I am the (b)(6) who was midway through her senior year in 2020 at (b)(6) college when her education and BA degree were ripped away from her (b)(6) because of her college's backwards policies and procedures for Title IX that did not include due process and fairness for an accused/respondent student that would have been equal to that of a complainant/her accuser.

In February 2020, two months after (b)(6) was on an approved medical leave from college and hospitalized for a life-threatening illness related to her disabilities, the college notified her, while in the hospital, that she was accused of sexual misconduct by a "friend" who had an alternate agenda for filing this complaint, in that she failed her classes due to partying and drinking and needed an excuse to retake them and claim she was distraught by an incident (b)(6) (b)(6) did not even recall happened.

(b)(6) was steered (aka coerced) by the Title IX Coordinator into undergoing a Title IX investigation and adjudication without an advisor or support person. Since (b)(6) was embarrassed and traumatized (part of her disabilities), she did not tell anyone, including me, (b)(6) (b)(6) The Coordinator was well aware that (b)(6) was on medical leave, hospitalized, (b)(6), and had almost no access to her phone or computer during the 4 months of the investigation and adjudication due to being in a locked (b)(6) treatment center most of that period. The Coordinator knew that (b)(6) did not have an advisor or support person or resources available to her to help navigate this process. The Coordinator had access to the school database for students with disabilities because she was also the new ADA/504 Coordinator and could have checked that (b)(6) was also disabled. (b)(6) (b)(6) stated that the Coordinator knew this as well. The Coordinator did not offer (b)(6) (b)(6) an advisor, resources, supports or accommodations for her disabilities.

The Investigator in this case was also made aware of (b)(6) environment, medical condition and medical leave and that she had no support person, resources or advisor to help her navigate the complex Title IX processes of the college. The country was also starting Covid-19 lockdowns just as the investigation was starting in March 2020, so there was even less available support for (b)(6), as she could not have any visitors, including family, in her treatment center, which was in another state.

Nonetheless, the college's Title IX Coordinator and the Investigator proceeded with this case and (b)(6) could not provide much information to defend herself. She was presumed guilty from the start. (b)(6) she was notified that she was expelled for violating school policies around Title IX for sexual misconduct. She has since appealed to the college twice and been turned down because she didn't have a material procedural issue to appeal. She currently has a

complaint on file with the college regarding disability discrimination per 504/ADA and also filing an OCR complaint against the college for violation of 504/ADA.

Had (b)(6) case been investigated and adjudicated after August 14th, 2020 when she was due back at school from medical leave of absence, her case would have been handled vastly different and she would have been given equal and fair due process rights, a support person or attorney, and not likely investigated while on medical leave of absence and hospitalized. She would have had someone like an attorney or parent advocate for her while she could not advocate for herself due to her medical condition, disabilities and lack of communication while being in treatment.

Please do not change the current Title IX laws! Do not go back to that point a year ago when college could treat students as they wished and deny their civil rights under the law.

(b)(6) education has been ripped away from her because her case fell under the prior law and rules. Just one month later and her case would have been treated much differently. The Title IX Coordinator and Hearing Board knew that the new rules and law was coming while they adjudicated and decided (b)(6) fate. They knew that they could wait just a couple months to do this differently!

It is a travesty that this has happened to so many young men. (b)(6) is one of the rare young women who have undergone this horrible trauma. Please give (b)(6) children their education back. It's a life-long trauma and scar that follows them for life, they can't easily get their degree back.

In (b)(6) case, the college handed down an expulsion without evidence or witnesses that there was any wrongdoing from (b)(6). Because (b)(6) did not defend herself, the school found her "responsible". Their decision even states that they didn't have evidence, but she didn't have "an alternate story" to her accuser and that her story was believable. They expelled her, a disabled student with a top grade-point average, with one semester left to graduate.