

**From:** (b)(6)  
**Sent:** Wed, 9 Jun 2021 10:09:39 -0700  
**To:** T9PublicHearing  
**Subject:** Written Comment: Title IX Public Hearing - Protect Due Process protections

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The President's Executive Order 14021 begins with, "It is the policy of my Administration that all students should be guaranteed an educational environment free from discrimination on the basis of sex, including discrimination in the form of sexual harassment..."

In the years preceding the Department of Education Nondiscrimination rule effective 14, 2020, thousands of cases of discrimination and injustices against students, primarily males, were executed by colleges and universities throughout the nation. Previous actions by the DOE's Office of Civil Rights, most notably the "Dear Colleague" letter dated April 4, 2011 (a de facto order which circumvented the legal method of instituting rules), institutionalized discrimination on the basis of sex against males and created an environment of sexual harassment against them.

A mere accusation by a female against a male motivated by whatever reason was handled without proper due process and usually ended with severe consequences against the accused. The process, without any meaningful protections of due process encouraged false accusations and life shattering traumatic harm to the accused, as well as their families. To be sure, justifiable accusations exist and with proper due processes, the guilty (AKA those determined to be "responsible") suffer the appropriate consequences. Unfortunately, before the 2020 minimal protections were put in place, all too many cases resulted in discrimination on the basis of sex and sexual harassment against male students, contradicting President Biden's stated goal that "'ALL' students should be guaranteed an educational environment free from discrimination on the basis of sex."

The Department of Education should not encourage, strong arm, order or permit colleges and universities to reduce due process protections in the handling of these cases.

Thank you for considering these comments.

David Rowe

(b)(6)