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To: T9PublicHearing
Subject: Written Comment Title IX Public Hearing

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Dear Department of Education Office for Civil Rights (OCR),

My name is Rebecca Fry and I am an attorney.

I urge the Department of Education and its OCR to retain the due process provisions of the Title IX rule which took effect in August 2020. That Rule explicitly requires campus proceedings to afford basic due process guarantees to the accused, including the presumption of innocence, the right to confront accusers, the right to access and examine evidence, the right to a live hearing, and the right to examine and cross-examine witnesses.

Due process is the most fundamental of rights, and its importance cannot be overstated. Any Title IX proceeding must preserve and protect basic due process for the accused, including, but not limited to, those rights delineated above.

Courts of law understand that to protect both the accuser and the accused, accusations of wrongdoing must be handled formally and with utmost care, and must never fail to safeguard the rights of the accused. Campus officials, often acting as investigator, judge and jury, must not strip those accused of actual crimes on campus of their due process guarantees.

Rebecca Fry