

This note reviews the Office of Civil Right's April 4, 2011 Dear Colleague letter, in which the OCR mandates that colleges and universities that receive federal funding apply a preponderance of the evidence standard in disciplinary hearings concerning student on student sexual assault. This note considers the negative effects that being found responsible for sexual assault can have on a student's future, especially in light of the fact that the disciplinary hearing is probably the only opportunity the student will have to clear his name. As a result, this note argues that an amendment to Title IX, which would articulate that the clear and convincing standard of evidence is the minimum evidentiary standard that may be required in this context, would benefit students accused of sexual assault and recognize the precarious position these men are placed in by requiring more than merely 50.1% certainty prior to holding a student responsible for sexual assault.