

## **PRIVACY AND CONFIDENTIALITY**

### **Privacy and Confidentiality Statement**

Howard University is committed to protecting the privacy of all individuals involved in a report under the *Policy Prohibiting Sex and Gender-Based Discrimination, Sexual Misconduct and Retaliation* (the Title IX Policy) to the furthest extent permissible by law and in a manner consistent with the need for a thorough review of the allegation. The privacy of the parties will be respected and safeguarded at all times. While they are closely related, the concepts of privacy and confidentiality are distinct terms that are defined in the Policy and are summarized below:

#### **Privacy**

Privacy generally means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those University employees who “need to know” in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

#### **Confidentiality**

Confidentiality means that information shared by an individual with designated campus or community professionals (referred to as “Confidential Employees” or “Confidential Resources”) cannot be revealed to any other individual without express permission of the individual making the disclosure. Those campus and community professionals include licensed mental health professionals, licensed medical professionals, ordained clergy, and rape crisis counselors/advocates, all of whom have legally protected confidentiality under District law and/or our Policy and can engage in confidential communications when the information is disclosed in the course of a protected relationship, within the scope of the provision of professional services. These individuals are prohibited from breaking this confidentiality unless there is an imminent threat of harm to self or others. Confidential resources/employees on campus include the *Interpersonal Violence Prevention Program (IVPP)*, *University Counseling Service*, *Chaplains*, *Student Health Center*, and *Howard University Hospital*.

#### **Requests for Anonymity**

Once a report has been shared with the Title IX Office, a Complainant may request that their identity remain private, that no investigation occur, and/or that no disciplinary action be taken. The Title IX Coordinator will carefully balance such requests with the University's commitment to provide a non-discriminatory environment and the Respondent's right to have specific notice of the allegation(s) if there is a possibility of disciplinary action. The Title IX Coordinator may take into account the Complainant's articulated concerns, the safety of the campus community, fairness to all individuals involved, and the University's obligations under this Policy and state and federal law. In some cases, in order to protect the safety of the campus community, the Title

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IX Coordinator may determine that it is necessary to conduct preliminary fact-finding, consult with the University's threat assessment team, and/or proceed with a formal investigation, even if a Complainant requests that the matter not be investigated and/or that their name not be disclosed. The Title IX Coordinator may consider what steps or remedies may be possible or appropriate when a Complainant requests anonymity (or when a Respondent is unknown). In cases where a Complainant's anonymity is maintained, the University may be unable to pursue disciplinary action against a Respondent consistent with the Respondent's right to specific notice of the allegations against them. In these cases, the Complainant is eligible to receive supportive measures, even though disciplinary action against the Respondent may not be possible.

### **Your Rights, Resources and Options**

For more information about your rights, resources and reporting options under the *Policy Prohibiting Sex and Gender-Based Discrimination, Sexual Misconduct and Retaliation*, review the Know Your Rights, Resources and Options information sheet at: <https://bit.ly/3HPgkxY>