

Requests of Confidentiality

If a Complainant wants to inform a Responsible Employee but also wants to maintain confidentiality and/or request that no investigative or disciplinary measures be taken, the Responsible Employee or Title IX Coordinator will advise the Complainant that the University will consider the request but cannot guarantee that the University will be able to honor the request. The University will weigh such a request against the University's obligation to provide a safe, non-discriminatory environment. There will be times when the University may not be able to honor a request in order to comply with this obligation. In determining whether it can honor a request for confidentiality, the following factors will be considered:

- the nature and scope of the alleged conduct, including whether the reported misconduct involves the use of a weapon;
- the respective ages and roles of the Complainant and Respondent;
- the risk posed to any individual or to the campus community by not proceeding, including the risk of additional violence;
- whether there have been other reports of misconduct by the Respondent;
- whether the report reveals a pattern of misconduct (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group;
- the Complainant's wish to pursue disciplinary action;
- whether the University possesses other means to obtain relevant evidence;
- considerations of fundamental fairness and due process with respect to the Respondent should the course of action include disciplinary action against the Respondent; and
- the University's obligation to investigate and to provide a safe and non-discriminatory environment.

The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue disciplinary action. The ultimate decision as to whether the request for confidentiality will be honored will be made by the Title IX Coordinator. If the University determines that it cannot maintain confidentiality, the University will inform the Complainant prior to starting an investigation and will, to the extent possible, only share information with those individuals responsible for the investigatory and disciplinary processes.

If the University honors a request for confidentiality or decision not to participate in an investigation, the University's ability to meaningfully investigate the incident or pursue conduct action against the Respondent(s) may be limited.