

Student Behavioral Procedures

This section includes University procedures for adjudicating alleged violations of the [Student & Organization Behavioral Policies section](#) of the Student Handbook, as well as other applicable procedures. The University reserves the right to interpret its policies and procedures. With notice to parties, the University may alter its procedures to accommodate special circumstances such as, but not limited to, expected graduation date, study abroad, multiple alleged violations occurring within a short period of time, and similar.

The bodies that comprise the accountability system are Student Accountability, Community Standards and Academic Integrity (Student Accountability), the Appellate Review Board, the Undergraduate Honor Council, and the Honor Councils of the Graduate School and the professional schools.

In consultation with the Office of the General Counsel, the Vice Provost and Dean of Students may assume jurisdiction for cases before Student Accountability or any of the several Honor Councils. The Vice Provost and Dean of Students also appoints students to the Appellate Review Board (acting as the Chancellor's designee), and—under special circumstances—to the Undergraduate Honor Council. Such circumstances include the Honor Council's inability to convene a hearing panel of elected members (perhaps due to disqualification of members to sit on a given panel due to excluding criteria as delineated in the constitution and by-laws of the Honor Council). Students appointed by the Vice Provost and Dean of Students to the Honor Council under special circumstances serve only for the duration of the circumstances that effected their appointments. The Chancellor, or the Chancellor's designee, appoints faculty members to serve as advisers to the Honor Council and to serve as members of the Appellate Review Board.

Student Accountability Procedures

Jurisdiction

A **student**—for the purposes of this section as well as other accountability processes—is considered any person enrolled in or taking courses—including those that involve, in whole or in part, online learning—at the University or in its study away programs, any person participating in programs and activities of the University as students even if not registered primarily at Vanderbilt, any person on official leaves from the University (medical, personal, disciplinary, or otherwise), participants in summer programs, participants in programs of the English Language Center, and transients during the summer or other sessions. Full-time or part-time status as a student has no bearing on accountability proceedings for students.

Student Accountability has original jurisdiction in all cases of nonacademic misconduct, excluding sexual misconduct and discrimination cases, involving undergraduate, graduate, and professional students. Reports of misconduct are evaluated by Student Accountability and it will determine, in its sole discretion, if they rise to the level of a policy violation and, if so, the appropriate procedures for resolving the reported misconduct.

Student Accountability has jurisdiction over policy violations by students from the time of their arrival on campus or matriculation, whichever is sooner, through degree conferral. A notification of the findings of an accountability meeting will be sent to the appropriate officer of the institution in which the students are primarily registered. Vanderbilt policies apply to students both on and off campus.

A search of a student, a student's possessions, or a student's on campus premises may be authorized by the Dean of Students or the Dean's designee if there is reasonable cause to believe that a violation of University policy is occurring or has occurred. For more information, refer to [Inspections and Searches](#) in the [Residential Life section](#) of the Student Handbook.

Accountability Procedures

Rights of students suspected of misconduct are addressed through the following procedures, which are designed to provide a fair process and just findings. The basic elements of the process are as follows:

- Written and timely notice of charges against students, including possible consequences.
- Opportunity for students to present all relevant information at an accountability meeting, to challenge adverse testimony and information, to speak on their own behalf, to call witnesses, and to be accompanied by a Vanderbilt student, faculty, or staff adviser of their own choosing, to whom they are not related, and who has not had formal legal training (except in cases involving students in the Law School).
- Findings reached on the basis of the information presented using a “preponderance of the evidence,” or more likely than not, standard.
- An unbiased appellate body to which students may appeal.

A student facing potential corrective action will be notified that a report has been received and will be instructed to schedule a meeting with Student Accountability. Student Accountability will meet with the student to present a notice of charges, which will include the specific regulations or policies allegedly violated. The student will also be notified of the procedures that Student Accountability will follow. Following the presentation of the charges, the student may take a three-day waiting period before an accountability meeting is held or may request to proceed immediately. Failure by a student to respond to notifications from Student Accountability may be considered a waiver of the right to appear, and an accountability meeting may be held in the student's absence. Extensions beyond the three-day waiting period are permitted only at the discretion of Student Accountability with a presumption that most cases, including complex ones, can be resolved fairly within the provided timeframe.

The student facing potential corrective action may choose an adviser as outlined above to accompany him/her/them during the accountability meeting. The adviser may not address the staff member(s) conducting the accountability meeting, but may consult with the student during the meeting. No person who has a substantial interest in the case, or in a related case as a student facing potential corrective action, or as an adviser to such a student, may serve as an adviser. Advisers may not be paid for their services nor should any person hold themselves out as an expert adviser. If at any time the University determines an adviser does not meet the qualifications and expectations outlined above, the adviser will be barred from further participation in the accountability process. Persons not convened or summoned (e.g., the student, the student's adviser, witnesses), by Student Accountability are prohibited from attending an accountability meeting, and from being present at interviews during the course of an investigation. An accused may separately obtain professional legal representation, advice, and counsel. However, an attorney may not participate in or be present during an accountability meeting.

The student may testify personally and present witnesses on his/her/their behalf. The student may examine all information that may form the basis for corrective action. Given the nature of the University's accountability process, the testimony of, and information derived from experts, such as reports of handwriting experts, will not be considered, except in rare circumstances. In those rare cases, determinations as to the appropriateness of testimony of or information derived from an expert will be made in the sole discretion of the Director of Student Accountability. Under no circumstances, however, will the use of polygraph examinations be permitted.

Persons conducting the accountability meeting and considering statements against a student facing potential corrective action (for example, statements in the student's file), must advise the student of the relevant content of the statements and give the student an opportunity to rebut inferences that might be drawn. The student may present testimony and make arguments not only with regard to the alleged violation of policy, but also with regard to potential justification(s) and possible mitigating circumstances. The findings will be based on information presented at the accountability meeting.

If mitigating circumstances may exist, the person conducting the accountability meeting will notify the Director of Student Accountability, Community Standards, and Academic Integrity or their designee (Director). The Director will determine if mitigating circumstances exist and may consult with relevant campus

partners in reaching that determination. Mitigating circumstances are typically acute—not chronic—circumstances that impaired the judgement of the student at or close to the time of the violation, which can be supported by third-party evidence. If mitigating circumstances are found, they may be considered upon a finding of responsibility to factor into the sanction.

If the student is found responsible for a violation of University policy, the finding will specify the violations for which the student is responsible and the corrective action to be taken and the sanction to be imposed. The finding will be delivered to the student promptly and, at the time of its delivery, the student will be reminded of the opportunity to appeal and of the time limits and procedures involved in an appeal.

Accountability meetings may be recorded only by the University; no other recordings are permitted. A written record of findings, corrective actions, and sanctions assessed will be filed in cases resulting in corrective action. These elements become a part of the record and may be examined by the student in the case.

Investigations and accountability meetings are not publicized or open to the public. Accountability staff members must hold in confidence the matters related to both the investigations and the meetings, except when information is shared internally with those who have a legitimate educational interest, shared to clarify enrollment status of a student, or in furtherance of any other exception to federal privacy law.

If a member of Student Accountability staff has a conflict of interest, that staff member is ineligible to consider a case. Individuals with a conflict of interest must declare themselves ineligible. Student Accountability staff having met with a student before or having adjudicated a prior case does not constitute a conflict of interest. Students may be accountable to criminal and/or civil authorities as well as to the University for acts that constitute violations of law and of University policies and regulations. Students investigated for alleged violations of these policies and regulations are subject to University accountability proceedings delineated in this *Handbook* while criminal or civil proceedings regarding the same conduct are pending. Students in these circumstances may not challenge the University's accountability proceedings on the grounds that criminal charges or civil actions regarding the same incident are pending, may be initiated, or have been terminated, dismissed, reduced, or not yet adjudicated. When appropriate, the University may refer matters to federal, state, and local authorities for prosecution.

The policies and procedures governing cases involving sexual misconduct, including stalking, dating violence, and domestic violence as well as the policies and procedures governing cases involving student discrimination are outlined elsewhere in the *Handbook*.

The Vice Provost and Dean of Students or the Dean's designee may impose an interim suspension or other restriction pending an investigation and/or resolution when there is reason to believe the action is necessary to maintain University functions or to protect the safety of individuals or property. An interim suspension is not considered disciplinary action and will not be subject to appeal.

Sanctions

General

Vanderbilt's system of graduated sanctions and structured accountability action plans is designed to educate and effect reflection on the part of students as well as to effect students' voluntary compliance with the policies and regulations established to protect themselves, other students, and the community. In all cases, accountability bodies have authority to establish various sanctions and accountability action plans appropriate to violations. Routine sanctions and accountability action plans may be established for certain violations and may also be appealed to the appropriate body according to prescribed [appeal procedures](#). Sanctions and accountability action plans may also be applied in combination. For example, a student may be suspended for one term and reenroll subject to restrictions (as in probation) for the next term. Sanctions effective for an indefinite period are rarely imposed, but on occasions when they are, the accountability body imposing the sanction will consult appropriate University administrators to recommend the conditions that must be met to bring the sanction period to a close.

Several factors are considered when determining sanctions and the components of an accountability action plan. In addition to a student's previous record, the circumstances surrounding the violation—such as the nature and severity of the event and the impact on others—may also be considered. Finally, a student's level of cooperation and honesty throughout the accountability process may inform the appropriate response to a policy violation.

The following is a list of common sanctions for individual students:

- *Educational conference.* Such conferences involve a structured discussion between the student and Student Accountability about the violation, individual accountability, the impact on the community, and improved decision-making. An educational conference is an educational sanction, and is not reported to agencies outside the University, unless to confirm information provided by the student.
- *Deferred disciplinary probation.* In some instances, a probationary status, as described below, may be deferred and will only be converted to a disciplinary probation sanction if the student fails to complete all the components of an accountability action plan by the required deadlines or is found responsible for another violation during the period of deferral. If the components of the accountability action plan are completed in a timely manner and there is not another violation during the period of deferral, the deferred probation is considered an educational sanction and is not reported to agencies outside the University, unless to confirm information provided by the student.
- *Disciplinary probation.* Places a student in a probationary status that takes away the privilege of holding certain offices or leadership positions in student organizations and may also include social or other restrictions on participation in organizations, programs, activities, and events. Probations are entered upon the student's permanent disciplinary record (which is maintained in accordance with the Disciplinary Records policy), and are reported to agencies beyond the University, as needed. Probation may, but does not always, restrict a student's activities on campus. Violation of probation may lead to further restrictions or suspension.
- *Deferred suspension.* In some instances, a suspension status, as described below, may be deferred. Suspensions will only be deferred when (1)(A) a student's probationary period is twelve (12) months or longer and a violation occurs after the one-year mark or (B) when a student has been placed on multiple probations previously but is not currently on probation. A student on a deferred suspension status may have their suspension implemented immediately if the student fails to complete all the components of an accountability action plan by the required deadlines or is found responsible for another violation during the period of deferral
- *Suspension.* Separation from the University for a specified or indefinite period of time. Suspensions are entered upon the student's permanent disciplinary record (which is maintained in accordance with the Disciplinary Records policy), and are reported to agencies outside the University, as needed. A notation is placed on the student's academic record for the period of the suspension, and academic work earned at other schools during this time may not be transferred as credit toward a student's Vanderbilt degree. During the period of suspension, a student is prohibited from being present on the Vanderbilt campus, or at any Vanderbilt sponsored or co-sponsored program, without express authorization from Student Accountability. Conditions may be placed upon a student's return to campus.
- *Expulsion.* Permanent separation from the University. Expulsions are entered upon the student's permanent disciplinary record (which is maintained in accordance with the Disciplinary Records policy), and are reported to agencies outside the University, as needed. A permanent notation is placed on the student's transcript. Students who have been expelled are restricted from using Vanderbilt electronic communications systems and are prohibited from being present on the Vanderbilt campus, or at any Vanderbilt sponsored or co-sponsored program, without express authorization from Student Accountability.

The following, although not exhaustive, is a list of common components of accountability action plans:

- *Restriction.* Loss of privileges that are consistent with the violation and the rehabilitation of the student. This may include directives to refrain from entry to certain areas of campus or contact with particular individuals; the loss of access to University electronic communications systems; the loss of access to University computers and data networks; or the loss of campus parking and driving privileges.

- *Interim Restriction.* Restrictions, pending an investigation and/or accountability meeting, may be imposed when there is reason to believe the action is necessary to maintain University functions or to protect the safety of individuals from an immediate, active, or potentially ongoing threat. Such interim restrictions are not considered disciplinary action and will not be subject to appeal.
- *Restitution.* Repair or replacement of lost or damaged property or compensation for other costs arising from a violation.
- *Fines/fees.* Fees or fines to cover the expense of educational or work service programs may also be imposed.
- *Letters of apology.* Letters of apology may be used when a violation has a specific impact on another member of the University community or larger Nashville community.
- *Online tutorials.* Completion of online tutorials designed to educate the student(s) on a particular topic that is relevant to the violation and/or designed to improve the student's decision-making may be required.
- *Research or reflection essays.* Completion of research or reflection essays designed to educate the student(s) on a particular topic that is relevant to the violation, or that requires the student(s) to reflect on the violation and its consequences, may be required.
- *Counseling, evaluation, and treatment programs.* In some cases of misconduct, such as those committed under the influence of alcohol or other drugs, participation in an assessment, evaluation, and/or treatment program by an approved counseling service may be required as part of a corrective action plan or sanction. Such treatment may also be a condition of readmission to the University or a condition for remaining in the University.

Alcohol & Other Drugs

The purpose of any sanction and accompanying accountability action plan for a violation of University policy is to educate and prompt reflection on the part of the student or student organization, effect voluntary compliance with the policy, and ensure the safety and well-being of members of the University community.

Vanderbilt University will impose sanctions on students or student organizations and may also make referral for state or federal prosecution, for violation of its alcohol and other drugs policy. With the exception of expulsion, sanctions may be accompanied by an accountability action plan. As is the case with violations of other University policies, sanctions imposed will be appropriate to the severity and circumstances of the violation. The student or organization's previous record, honesty and cooperation, and the seriousness of the offense will be taken into account in the determination of sanction.

University Sanctions for Students

The minimum sanction for simple purchase, possession, or consumption of alcohol in violation of University policy is an educational conference for the first offense. The completion of an appropriate assessment will also be required.

The presumptive sanction for first-offense intoxication is disciplinary probation.

The minimum sanction for driving under the influence of alcohol or other drugs is disciplinary probation and may include loss of campus driving and parking privileges.

Unlawful provision, distribution, or sale of alcohol by a student in violation of University policy will result in serious disciplinary action, which may include suspension or expulsion for the first offense, and may also result in criminal prosecution. The presumptive sanction for a student who illegally distributes alcohol to an underage student will be disciplinary probation for the first offense. Persons who unlawfully furnish alcoholic beverages to students who are not of legal drinking age may also be held responsible for personal injuries or property damages resulting from misconduct committed by underage, intoxicated students.

Distribution or facilitation of distribution of illegal drugs (including unlawful distribution of prescription medication) may result in suspension or expulsion for a first offense; unlawful distribution includes incidents in which no money is exchanged. In addition, the possession of other drugs or alcohol in such quantities as to create a presumption of possession with the intent to distribute on or off campus is a serious violation that

may result in immediate suspension or expulsion. Evidence that a student has distributed drugs is grounds for interim suspension from the University and/or expulsion from University housing pending the findings of accountability proceedings. Students found to have distributed drugs to others may also be held responsible for personal injuries or property damages resulting from misconduct committed by the students under the influence of the distributed substances.

The presumptive sanction for a third violation of alcohol or other drugs policies is suspension.

Violations involving behavior that injures persons, that damages property, or that injures or damages the community at-large, will increase the presumptive strength of the sanction given.

In addition, sanctions will be imposed for misconduct that results from the use of alcoholic beverages or other drugs. Students will also be held responsible for any damages that result from their misconduct.

Accountability Action Plans

With the exception of expulsion, sanctions may be accompanied by an accountability action plan to help students and organizations understand the potential consequences of policy violations and improve decision-making.

Accountability action plans for violations of alcohol and other drugs policies can range from assessment to individualized treatment plans, and may include one or more of the following components:

1. Alcohol Use Disorder Identification Test (AUDIT),
2. Cannabis Use Disorder Identification Test (CUDIT),
3. evaluation through BASICS at the Center for Student Wellbeing, or extensive clinical assessment at the University Counseling Center,
4. participation in harm reduction coaching session(s) at the Center for Student Wellbeing,
5. participation in an individualized treatment plan at the University Counseling Center to address substance use and/or co-occurring mental health disorders when indicated by the results of the evaluation,
6. required attendance at alcohol or other drug education seminars,
7. implementation of an alcohol or other drug educational program for peers,
8. completion of educational programs or on-line tutorials,
9. alcohol/other drug testing,
10. research or reflection essays,
11. restitution, or
12. letters of apology.

Aggravated Offenses – Bias-Related Offenses

Sanctions for violations of University policy may be increased when it is determined that the violation was motivated fully or in part by animus or bias toward the victim because of the victim's—or the violator's perception of the victim's—race, sex, religion, color, national or ethnic origin, age, disability, military status, sexual orientation, gender identity, gender expression, or other identity or status covered under the University nondiscrimination policies. The procedures governing cases involving student discrimination are outlined in [Student Discrimination Procedures](#).

Notifications

If a student is found to be in violation of University policy, the findings of the case, including any sanction, may be made known to appropriate persons, including, but not limited to, the complainant (only where applicable and as permitted by law), the appropriate academic dean, the faculty adviser, appropriate staff members, and/or the responsible student's parents or guardian (in cases involving a disciplinary outcome).

Upon completion of cases involving a sanction, the appropriate University officials will be notified of the decision of Student Accountability, and the dean of the school in which the student is enrolled will be notified if the finding will affect the student's academic status. However, implementation of sanctions or required actions is normally not taken until the accountability process, including an appeal, if any, is completed.

Notifications outlined within this section do not limit the ability to share information internally with those who have a legitimate educational interest, share enrollment status of a student, or any other exception to federal privacy law.

Withdrawals

Withdrawal Before an Accountability Proceeding

If a student who has been reported for an alleged violation of University policy withdraws or takes leave from the University before accountability proceedings have been concluded, a notice may be sent to the student stating that he/she/they is alleged to have violated University policy, that an investigation has been or will be conducted, and that a notation has been placed on the student's academic record indicating they are not in good standing until the matter is resolved via an accountability proceeding. A letter will also be sent to the Office of the University Registrar indicating that such proceedings are pending. If the student attempts to re-enroll before the matter is resolved, the Registrar will notify Student Accountability. The matter must be resolved before the student may re-enroll. Should the University receive a request regarding the student's disciplinary history, Student Accountability will provide notice the student is not in good standing pending the resolution of an accountability proceeding.

The student may respond to notice in one of three ways: (1) participate in the accountability proceedings, (2) waive the right to give testimony personally, thereby acknowledging that proceedings may go forward in his/her/their absence, or (3) waive the right to appear and send a written, signed statement to be presented on his/her/their behalf during the proceedings. Failure by the student to respond will result in the notation on the student's academic record remaining in place.

Students placed on an interim suspension or restriction from campus may be treated consistent with a student who withdraws prior to an accountability proceeding when the suspension or restriction will likely impede academic progress in the semester it occurs.

Withdrawal and Readmission

Students may leave the University involuntarily for academic failure, failure to meet financial obligations to the University, or circumstances outside the University's jurisdiction. Withdrawal from the University under these circumstances does not constitute disciplinary sanction; therefore, re-enrollment after such withdrawal is handled through normal administrative processes. Students who voluntarily—or involuntarily—withdraw from the University for physical, mental, or emotional health reasons must be cleared by the appropriate University offices before being permitted to re-enroll.

Disciplinary sanctions, including probationary periods and separations from the University, may run concurrently with approved leaves of absence.

Honor Council Procedures

Jurisdiction

All students are required to acquaint themselves with the provisions of the Honor System through the information in this *Handbook*. Undergraduate students may obtain further information from the dean of each school, from the Undergraduate Honor Council at Vanderbilt University, PMB 351598, 2301 Vanderbilt Place, Nashville, TN 37235-1598, telephone 615-322-7868, from the Honor Council website, from the Honor

Council adviser or from Student Accountability, Community Standards and Academic Integrity (Student Accountability). Graduate and professional students may obtain information from the office of the dean of their respective schools.

Undergraduate students are subject to the jurisdiction of the Undergraduate Honor Council. The policies and procedures of the undergraduate Honor System stated in this Student Handbook apply to all students enrolled in undergraduate courses—including those that involve, in whole or in part, online learning—of all the schools and the Division of Unclassified Studies, whether full-time or part-time, or whether regularly enrolled, transient, cross-registered from a neighboring institution, or studying abroad. The [Undergraduate Honor Council Constitution](#) and [Undergraduate Honor Council Bylaws](#), in addition to the Student Handbook, provide both policy and procedural information pertinent to undergraduate students and the Honor Code.

The Undergraduate Honor Council is an organization of students that seeks to preserve the integrity of the Honor Code at Vanderbilt University. It aims to secure justice for any student under suspicion of dishonesty, to vindicate his/her/their name if innocent, and, if guilty, to protect the honor and standing of the remaining students by his/her/their punishment as set forth in the bylaws.

The members of the Honor Council are selected from all classes and all undergraduate schools. Members are chosen through a system that includes a written application, interview, and election. Applicants must be currently enrolled, full-time students and must not be on academic or disciplinary probation. All Honor Council members must have and maintain at least a 2.5 cumulative GPA to remain in good standing.

The Honor Council elects its own officers during a general body meeting in the fall semester. The officers include a president, who must be either a junior or senior and who must have previously served a minimum of one year as a member of the Honor Council; three vice-presidents; and up to three recording secretaries.

Graduate and professional students are subject to the jurisdiction of the student body that implements the Honor System in the graduate and professional schools: Divinity School Honor Council, Graduate School Honor Council, Law School Honor Council, Owen Graduate School of Management Honor Council, Peabody Honor Council (for students in professional programs at Peabody College), School of Medicine Honor Council, and School of Nursing Honor Council. Graduate and professional students must check with their individual schools or advisers for further regulations beyond procedures cited in this Handbook, which may affect their studies and observances of the Honor Code. Student Accountability may investigate or consult on graduate and professional school Honor Council cases at the request of a school.

Responsibility of the Individual Student

Without the support and cooperation of the entire student body, the Honor System will not work. Students must insist on the absolute integrity of themselves and their fellow students. It is the obligation of every student who suspects an honor violation to take action in one of the following ways, determining the choice of action by the flagrancy and/or certainty of the violation.

If students have reason to suspect that a breach of the Honor Code has been committed, they must:

1. Issue a personal warning to the suspected student, or
2. Report the incident [online](#) to the Honor Council, or
3. Inform the instructor in the course of the suspicions and identify, if possible, the person(s) suspected.

Advisers

Student Advisers

Every accused student will be assigned a student adviser from the body of the Undergraduate Honor Council. A list of all possible student advisers will be made available on the Honor Council website, and the accused student may select an adviser from it for the investigation and the hearing. In the alternative, the

accused may select an adviser from the University community: faculty, staff, or student. *However, persons who have substantial interest in the case, or in a related case as a student facing potential corrective action, or persons related to the accused or who have formal legal training are not eligible to serve as advisers.* Advisers may not be paid for their services nor should any person hold themselves out as an expert adviser. If at any time the University determines an adviser does not meet the qualifications and expectations outlined above, the adviser will be barred from further participation in the process.

An adviser accompanies the accused student to investigative meetings and the hearing and explains the procedures of the Honor Council regarding investigations, hearings, and the penalties that may be assigned. In addition, an adviser may confer with the accused during the investigation and hearing but may not speak directly with the investigator during an interview or with Honor Council members on the panel during the hearing.

An accused may separately obtain professional legal representation, advice, and counsel. However, an attorney may not participate in or be present during an Honor Council interview or hearing. The Honor Council is a student tribunal untrained in the law. An attorney representing an accused may work directly with the Office of the General Counsel.

Faculty Advisers

The Chancellor or the Chancellor's designee appoints faculty advisers to the Honor Council. The president of the Honor Council or staff from Student Accountability assigns one faculty adviser to attend every hearing. Faculty advisers may ask questions and participate in the discussion. In a full panel hearing, the faculty adviser does not have a vote in the outcome, but the faculty adviser *does* have a vote in the outcome of a small panel hearing.

Procedures of the Undergraduate Honor Council

Proceedings of the Honor Council—investigations, interviews with potential witnesses, hearings, etc.—may be recorded by the University. Recordings not authorized by the Honor Council adviser or the Honor Council hearing a case, or by the Dean of Students or the Dean's designee, are prohibited.

The procedures of the Undergraduate Honor Council aim to resolve reported matters within ninety (90) business days absent extenuating circumstances. Investigations and hearings (Resolution Process) may be paused over University breaks, holidays, and any recess taken by the Honor Council. Involved parties may waive procedural waiting or review periods to expedite the Resolution Process with notice in writing to Student Accountability. With notice in writing to the involved parties, Student Accountability may waive procedural waiting or review periods to expedite the Resolution Process for incidents that potentially impact Commencement.

Investigation

- When an alleged violation of the Honor Code is reported, a staff member from Student Accountability will be assigned to investigate the incident.
- After each meeting, the investigator will provide a written summary to the party for review and allow two (2) business days after the written summary is provided for the submission of suggested revisions.
- The assigned investigator will interview the accuser and collect any available information or documentation related to the alleged violation. Upon notice of the investigation proceeding, the accuser has up to seven (7) business days to respond to initial outreach from the investigator and provide evidence to support their claim. Requests for extensions must be made to the investigator in writing. In the absence of an extension, if the accuser does not respond to the investigator, Student Accountability will determine if the matter should be closed due to a lack of information. If the matter is closed, the accuser will be notified that the faculty of record may still issue a warning consistent with the Faculty Manual.

- The accused student(s) will be notified in writing that a report has been filed and that they are required to meet with an investigator no later than seven (7) business days from the date of the notice. Requests for extensions must be made to the investigator in writing. If the accused does not meet with the investigator and no extension is granted, the investigation will proceed in the accused's absence. Additionally, the Honor Council may send a notice to the Office of the University Registrar to enter an Incomplete and add a notation to the accused's academic record stating "Honor Council Investigation Pending," including if the accused is not compliant or if the investigation or hearing will continue beyond the end of the semester (i.e., becomes a "holdover case").
- During the initial meeting, the investigator will meet with the accused to present in-person a written Statement of Charge(s), a brief description of the alleged violation, and an explanation of the possible consequences if the accused student is found guilty of a breach of the Vanderbilt Honor Code. During the initial meeting, the accused will also be informed of the procedures that will be followed. The accused may choose not to make any statement at the time of the initial meeting, and may instead request a three-day wait period before making a statement.
- During the meeting where the accused makes a statement, the investigator will ask the accused to explain his/her/their own account of the events surrounding the alleged violation. The accused will also be asked to enter a plea of guilty or not guilty to each charge at the conclusion of the first investigative meeting. The accused may also provide relevant documentation or information to support his/her/their account of events at the time of the meeting. Alternatively, the accused has seven (7) business days after completing the meeting to provide any supporting evidence, material witnesses, or other relevant materials for review.
- Any investigative meeting held with a student may be recorded. Recordings are personal notes solely for the use of the investigator to prepare the investigative report. Recordings will not be kept as part of the formal record and will not be shared with any other individuals involved in the resolution of the incident or any accused student(s).
- If the accused provides material witnesses, the investigator may contact the witness(es) if it is determined they have relevant information. Material witnesses have seven (7) business days to meet with an investigator after receiving notice. Failure to meet with an investigator within that period will be treated as declining to participate, and the accused will be notified.
- Given the nature of University adjudication procedures (including the proceedings of University Honor Councils), the testimony of, and information derived from, experts, such as the reports of handwriting experts, are not admissible and will not be considered, except in rare circumstances. In those rare cases, determinations as to the admissibility of testimony of or evidence derived from an expert will be made in the sole discretion of the Director of Student Accountability, or their designee. The Honor Council president may appoint a faculty member as an expert witness. Under no circumstances, however, will the use of polygraph examinations be permitted.
- At the conclusion of the investigation, the investigator will assemble the relevant evidence and testimony in an investigative report that contains the notice of charges, summaries of material information from investigative meetings, and relevant course or assignment materials. The investigator will provide the investigative report to the president of the Honor Council, who will determine whether sufficient evidence exists to warrant a hearing by the Council. If the president determines a hearing is necessary, the president will also determine whether the charges will be heard by a full panel or a small panel.
- At least three (3) business days before the hearing, the accuser and the accused student(s) will be presented with a copy of the investigative report so that he/she/they may comment at the hearing on any corrections or clarifications they feel are necessary or appropriate.

Hearings

If after an investigation, the Honor Council president determines there is sufficient evidence to warrant a hearing, then a hearing will be scheduled. All students alleged to have engaged in the instance of misconduct being considered at the hearing will participate as accused students. The investigator will arrange any details necessary for conducting the hearing and will inform the accused student(s) of the date, time, and location of the hearing.

Attendance at the Hearing by the Accused Student(s)

All students, including the accused student(s), are required to cooperate with investigations and hearings conducted by the Honor Council. In the event an accused student refuses to participate in, or cooperate with, an Honor Council investigation or hearing, the hearing may take place without the participation of the accused student. Reasonable efforts will be made to inform the accused student(s) of the time and place of the hearing and the findings of the proceeding. In addition, the accused student(s) may inform the Council that he/she/they will not attend the hearing and submit a written statement regarding the charges. Students pleading guilty may request a small panel hearing. They may also request for their hearing to be held without their participation. These requests will be reviewed by the Honor Council president to determine if the request meets the requirements for a small panel hearing and, if so, whether a hearing can be granted without their participation (in absentia). Unless an in absentia hearing has been granted, the Honor Council in all other hearings, whether small or full panel, may consider a student's lack of participation or cooperation in assessing a student's truthfulness.

Full Panel Hearing

A six-member hearing panel (consisting of a presiding officer and five members) will hear the evidence in the case. A faculty adviser will also be present. (For training purposes, observers may be allowed to be present, but may not speak or take part in the proceedings.)

1. Presentation of the investigative report.

1. The investigator is sworn in by the recording secretary.
2. The recording secretary receives verbal confirmation from each panelist that evidence presented in the investigative report has been reviewed.
3. The Honor Council may question the investigator. At no time does the investigator express an opinion as to whether the accused is guilty or not guilty.

2. Testimony. The accused student(s) and the accuser, if present, are allowed to be present during the presentation of all testimony. Any material witnesses called by the Council will appear separately and await their appearances alone.

a. *Accuser(s).* If the accuser testifies in person, the presiding officer will invite the accuser to provide clarifying or supplemental information about the investigative report. The Honor Council may then direct its questions to the accuser. Upon conclusion of questions by the Council, the presiding officer will ask the investigator if they have any questions for the accuser. The accused may also direct questions to the accuser. In the case of the accuser's absence, the Honor Council will proceed to the testimony of the witness(es) and/or the accused student.

b. *Material Witness(es).* The Honor Council President or presiding officer may request material witnesses to participate in the hearing when it is determined the Council may have additional questions not covered by the investigative report. Only material witnesses who met with an investigator will be allowed to testify at the hearing. First, the presiding officer invites a general account of the events in question. The Honor Council may then direct its questions to the witness. Upon conclusion of questions by the Council, the presiding officer will ask the investigator if they have any questions for the material witnesses. The accuser and the accused may also direct questions to the material witnesses once the Honor Council and the investigator have concluded their questioning.

d. *Accused Student(s).* The presiding officer presents to the accused the charges and asks if he/she/they is familiar with the charges, the evidence, and the possible penalties if found guilty. The accused student enters his/her/their plea of guilty or not guilty. The presiding officer invites the accused to provide clarifying or supplemental information about the investigative report. The Honor Council may then direct its questions to the accused. Upon conclusion of questions by the Council, the presiding officer will ask the investigator if they have any questions for the accused. The accuser may also direct questions to the accused once the Honor Council and the investigator have concluded their questioning.

e. The accuser, material witness(es), and accused student(s) may choose not to answer questions. If the presiding officer determines a question or line of questioning by an accuser(s) or accused student(s) is irrelevant, combative, or otherwise inappropriate, then the presiding officer may choose to warn the

individual. If after issuing a warning an accuser(s) or accused student(s) continues the behavior, the presiding officer may require all additional questions be reviewed prior to being asked or remove the individual from the hearing.

Small Panel Hearing

During the course of an investigation, an accused student who wishes to plead guilty may request a small panel hearing of his/her/their case. A case may proceed to a small panel hearing only if no facts surrounding the violation are in dispute and if the president determines that the likely penalty involves no more than one semester suspension. A guilty plea does not guarantee that the case will proceed to a small panel or that a request for a small panel will be granted. If there are two or more students involved in a single case, all must plead guilty and request a small panel hearing in order for one to be conducted. If one of the accused students requests a small panel hearing and others do not, or any individual's request cannot be granted for any reason, a full hearing must be conducted for all the students involved. In addition, if a student has been previously found guilty by the Honor Council, a full panel hearing is required. Following the review of the Honor Council president, if a small panel would be appropriate, a date, time, and location will be chosen for the hearing.

A small panel hearing shall consist of a faculty adviser, a presiding officer of the Honor Council, and one additional Honor Council member.

The procedures employed during a small panel hearing will be the same as those outlined above for full panel hearings.

Penalties

When the Honor Council is satisfied that all pertinent testimony has been received, the accused student, the student adviser, and the investigator exit so that the panel may deliberate. The panel will proceed to discuss and decide the question of guilt. The proof that a person is guilty of a charge must satisfy a "preponderance of the evidence" (or, more likely than not) standard. A majority of the six members of a full panel must vote "guilty" to find the accused guilty. All of the members of a small panel must vote "guilty" to find the accused guilty.

1. If the accused is found guilty, the Honor Council determines a fitting penalty based upon all relevant information, to include:

- (a) the flagrancy of the violation,
- (b) premeditation involved in the offense, and
- (c) the truthfulness of the accused throughout the investigation and the hearing

These three factors are each rated on a scale of low, medium low, medium, medium high, or high.

- The presumptive penalty for a first offense is failure in the course. After reviewing the flagrancy of the violation, the degree of premeditation, and the truthfulness ratings of the accused throughout the hearing and investigation, the Honor Council may, at its discretion, (1) reduce the penalty on a first offense to include an Honor Council reprimand and a recommendation for failure on the assignment or (2) increase the penalty to either (a) suspension for one or more semesters or (b) expulsion.
- The minimum penalty for a second offense is failure in the course and suspension for not less than a semester. Depending upon the severity of the violation, the penalty may be suspension for multiple semesters or expulsion.
- The minimum penalty for a third offense is expulsion.

A small panel may assign a penalty no greater than failure in the course and suspension for one semester. Each penalty requires a unanimous vote of the small panel.

2. Prior to the hearing, the Director of Student Accountability, Community Standards, and Academic Integrity or their designee (Director) will determine if mitigating circumstances exist and may consult with relevant campus partners in reaching that determination. Mitigating circumstances are typically acute—not chronic—circumstances that impaired the judgement of the student at or close to the time of the violation, which can be supported by third-party evidence. If mitigating circumstances are found, the Director may present to the presiding officer a summary of the mitigating circumstances for the panel’s consideration upon a finding of guilt to factor into the penalty.

3. Expulsion must be approved by a vote of at least five of the six panel members. (Note that for a third offense, a vote of guilty by five of the six panelists imposes a penalty of expulsion automatically.) All other penalties require only a simple majority vote of the six members.

4. Decision. The accused will meet with a Student Accountability staff member to receive their outcome letter the next business day. Staff will share both the Honor Council’s decision as well as the grounds for appeal.

After the Hearing

1. At the conclusion of the hearing, the presiding officer and investigator will gather all the material evidence, investigative reports, notes, and other records of the investigation and hearing and submit them to be filed in Student Accountability.

2. If the accused student is found guilty, written notice of the decision is sent to the following parties: (a) the accused student, (b) the accuser, if an instructor, or the relevant instructor(s) (in cases in which the accuser is not an instructor) (c) the dean of the school in which the student enrolled or their designee, (d) staff in the Office of the University Registrar, (e) other relevant University personnel and, in cases resulting in suspension or expulsion, (f) the parents of the accused student. A copy of the notice must also be kept in the files of the Honor Council.

3. Following a full panel hearing, a member of the Honor Council Executive Board will then prepare a summary of the proceedings.

4. The accused student may file an appeal from a full or small panel decision with the Appellate Review Board, but must do so within ten (10) days of the date the student is formally notified of the panel’s decision. Detailed information may be found in the [Appeals and the Appellate Review Board](#) section of the Student Handbook.

5. Suspensions processed prior to the University’s posted withdrawal date are implemented in the same semester. Suspensions processed after the University’s posted withdrawal date are implemented for the next semester. Expulsions are always implemented immediately.

6. Records of Honor Council proceedings and investigations are maintained in Student Accountability, Community Standards and Academic Integrity in accordance with the office’s document retention policy. Records will not be released outside the University absent a written release from the student or unless otherwise required by law in accordance with the Family Education Rights and Privacy Act (FERPA). However, students should be aware that they may be required to sign a waiver when applying to graduate or professional schools or in the course of any employment or governmental background check. An Honor Council reprimand is considered an educational sanction, and is not reported to agencies outside the University unless to confirm information provided by the student. Failure in the course, suspension for one or more semesters, and expulsion are entered upon the student’s permanent disciplinary record (which is maintained in accordance with the Disciplinary Records policy), and are reported to agencies beyond the University, as needed.

Special Circumstances

Completion of or Withdrawal from the Course Before Hearing

If a student who has been reported for a suspected violation of the Honor Code completes or withdraws from the course in question prior to the Honor Council's receipt of the report or before a hearing has been held, a letter will be sent to the accused stating that he/she/they is suspected of an Honor Code violation, that an investigation has been or will be conducted, and that a hearing may be held.

During the time prior to the hearing, a notation will be placed on the accused's academic record stating that an Honor Council case is pending and an Incomplete will be reflected on the record for the course in question. A letter will also be sent to the Office of the University Registrar, the dean of the school in which the accused is enrolled or their designee, and other relevant University personnel, indicating that an Honor Council case is pending.

Withdrawal from the University Before Hearing

If a student who has been reported for a suspected violation of the Honor Code withdraws from the University before a hearing has been conducted, a letter will be sent to the accused stating that he/she/they is suspected of an Honor Code violation, that an investigation has been or will be conducted, and that a hearing may be held.

The accused may respond in one of three ways: participate in an investigation and hearing; waive the right to give testimony personally, thereby acknowledging that the hearing may proceed in his/her/their absence; or waive the right to appear and send a written, signed statement to be presented on his/her/their behalf at the hearing. Failure by the accused to respond will be considered a waiver of the right to appear.

During the time prior to the hearing, a notation will be placed on the accused's academic record stating that an Honor Council case is pending and an Incomplete will be reflected on the record for the course in question. A letter will also be sent to the Office of the University Registrar, the dean of the school in which the accused was enrolled, and other relevant University personnel, indicating that an Honor Council case is pending. If the accused attempts to re-enroll before the case is heard, the registrar will notify Student Accountability. The case must be resolved before the accused may re-enroll.

Student Discrimination Procedures

Non-Discrimination Statement

Vanderbilt University is committed to encouraging and sustaining a learning and work community that is free from prohibited discrimination, harassment, and retaliation. Vanderbilt University does not discriminate against individuals on the basis of their race, color, national or ethnic origin, religion, sex, sexual orientation, gender identity, gender expression, parental status, age, disability, military service, veteran status, genetic information, or any other classification protected by law in its administration of educational policies, programs, or activities; admissions policies; scholarship and loan programs; athletic or other University-administered programs; or employment.

Scope of Policy

This policy outlines the procedures for responding to reports that a student, as defined in [Student Accountability Procedures](#) of the Student Handbook, engaged in prohibited discrimination, harassment, and/or retaliation as defined below. This policy is applicable with respect to conduct that occurs on campus and conduct that occurs off-campus, including conduct in connection with University programs or activities or

that otherwise interferes with or limits the ability of a member of the community to participate in or to receive benefits, services, or opportunities from the University's program or activities, regardless of whether the complainant is an affiliate of the University. Matters in which a non-student reports alleged discrimination, harassment, or retaliation by a student fall under this policy and procedure. The [Equal Opportunity and Access Office](#) (EOA) will address allegations of discrimination, harassment, or retaliation by a non-student in accordance with applicable University policies and procedures.

EOA will apply the processes in the edition of this policy in effect on the date EOA receives the report of prohibited conduct as defined in the [Student and Organization Behavioral Policies](#) irrespective of the date the reported incident(s) occurred. EOA will use the definitions, including prohibited conduct (see the [Discrimination](#) section in the Student and Organization Behavioral Policies), in effect on the date of the alleged incident. EOA will use the definitions section(s) of the relevant edition of the policy (or any predecessor policy) in effect at the time of the most recent alleged incident for reported conduct spanning more than one year. Questions about the policy and its applicability to any alleged conduct may be directed to EOA.

With the exceptions set forth in this policy, reports of discrimination, harassment, and/or retaliation received by EOA will be addressed by EOA based on the information available. EOA will coordinate with the Title IX Office regarding allegations of prohibited conduct that fall under both this policy and the Sexual Misconduct Policy or Formal Grievance Protocol and will work with the Title IX Coordinator to determine, on a case-by-case basis, how the offices will address the allegations.

Vanderbilt encourages everyone affected by conduct prohibited under this policy, or who suspects or witnesses such conduct, to report the conduct to EOA and to seek help and support from available resources. The University will take prompt and effective action to address allegations of discrimination, harassment, and retaliation and to resolve reports in a timely and fair manner.

Reporting an Incident

Any person may report discrimination, discriminatory harassment, and/or retaliation (See [Prohibited Conduct the Discrimination section of the Student Handbook](#)) to EOA. The University encourages community members to report violations of this policy as soon as possible after an incident, but violations may be reported at any time. If after reviewing the allegations EOA determines that a report should be addressed by another office, EOA will direct the person submitting the report to the appropriate office and will refer the matter to that office. To report to EOA, a person may do one or more of the following: (1) use the [Online Reporting Form](#); (2) [contact the office](#) via (email eoav@vanderbilt.edu), mail, or phone; or (3) visit the office in person.

When making a report, it is helpful to provide all known relevant information, including: what happened, where, and when; names of all involved persons, including witnesses who were present and/or have relevant knowledge; supporting documentation (such as videos, emails, photos, text messages, or messages through social media); any other information; and contact information. Everyone is encouraged to report Prohibited Conduct even if some or all relevant information is unavailable.

If the offense is criminal in nature, persons may also file a report with the Vanderbilt University Police Department (VUPD) or Metropolitan Nashville Police Department (MNPD).

Vanderbilt University Police Department
111 28th Avenue South
Nashville, TN 37212
615-322-2745
Emergency – 911 or 615-421-1911
<http://police.vanderbilt.edu/>

Metro Nashville Police Department Headquarters
200 James Robertson Parkway

Nashville, TN 37201
615-862-7400
Emergency – 911
<http://www.police.nashville.gov>

Civil or criminal proceedings are separate from the University administrative process described in this policy. The University may be required by law to provide information to civil or criminal authorities or in civil or criminal proceedings. The filing of a police report or the pendency of civil or criminal proceedings does not preclude EOA or any other department of Vanderbilt University from proceeding with its investigation and determination. The University's investigation and determination may be delayed until law enforcement officials have finished gathering evidence but generally will not be held until the conclusion of any criminal proceeding.

EOA will provide non-identifying information to VUPD for crime statistics reporting in accordance with the requirements of the Clery Act. The information reported may result in the issuance of a timely warning or security notice to the community, but the warning will not include any information that identifies the person(s) reported to have been subjected to discrimination, harassment, and/or retaliation.

Anonymous Reporting

Anonymous reports may be submitted through the [Online Reporting Form](#). In addition, Vanderbilt has established the Vanderbilt University Compliance Reporting Hotline, an independently-operated compliance hotline that may be used to report incidents of possible wrongdoing on campus. The Compliance Reporting Hotline is available at (844) 814-5935, or via the Make a Report tab on the [EthicsPoint site](#). Please note that EOA's ability to investigate or to implement remedial actions may be more limited for anonymous reports.

Third-Party Reporting

Vanderbilt encourages third parties to report Prohibited Conduct to EOA, VUPD, or MNPD, as applicable. Third parties may also report incidents through the anonymous reporting resources identified above. After providing a report, third parties are not entitled to information about the University's investigation, including any outcome, due to privacy concerns and applicable federal and state laws.

Investigations

Determining if an Investigation Will Proceed

When EOA receives a report of discrimination, harassment, or retaliation, EOA will contact the complainant to identify support resources and supportive measures and to offer the opportunity to schedule a meeting to discuss the allegations and the EOA investigative process. If a person chooses not to participate in an investigation, EOA may move forward based on the available information but Vanderbilt's ability to respond may be limited.

EOA will assess whether the alleged conduct, as reported, could constitute a violation of University policy. If EOA determines the alleged conduct, as reported, could not constitute a violation of University policy under its jurisdiction, it will notify the complainant(s) of its determination not to open an investigation. EOA may also refer the conduct to another office or official, including for review to determine whether the alleged conduct could violate another university policy. University

The Director of EOA or designee has the discretion to administratively close an investigation before reaching a determination. The Director or designee will consider relevant factors, such as whether the allegations lack sufficient detail, whether the complainant has declined to participate in an investigation, and the effect of closing the investigation on the safety of the University community and the University's commitment to provide a non-discriminatory environment before deciding whether to administratively close an investigation. The Director or designee may also re-open an investigation based on a consideration of relevant factors, including, the time that has elapsed since the investigation was closed, any new or newly-identified information or allegations, and fairness to both parties.

The University will address all reports of prohibited conduct to the extent practicable under the circumstances, including instances for which there is not an identified complainant.

Notice of Allegations

If EOA determines that an investigation is appropriate, student respondents will receive a Notice of Allegations (“NOA”) from Student Accountability. The date the NOA is issued marks the official start of an investigation.

The NOA will identify the applicable University policies and state the allegations potentially constituting a policy violation. If at any point during the investigation EOA decides to investigate allegations that are not included in the original NOA, it will provide a revised NOA to the respondent. EOA may contact the respondent for the purposes of obtaining or sharing information before issuing the NOA.

EOA will promptly notify the complainant of the issuance of the NOA to the respondent.

The Investigative Process

During the investigation, an EOA investigator will meet with the complainant and respondent, separately, to explain the role of EOA, the investigation and appeals procedures under this policy, and the available resources for assistance, including supportive measures that may be appropriate. Both the complainant and, in the event of an investigation, any respondent will have the opportunity to be accompanied by an adviser. Advisers must be Vanderbilt students, faculty members, or staff of the person’s own choosing, to whom the person is not related, and who have not had formal legal training. Advisers to Vanderbilt Law School students are the only exception from the final requirement regarding legal training; those advisers may have legal training but must otherwise meet the requirements for advisers.

During the investigation phase, the investigator will strive to collect all relevant information but cannot compel external sources to provide information they may have. Relevant information may include: the initial report, law enforcement investigation documents; medical records with the appropriate releases; relevant student files or records; electronic communication, such as text messages, emails, and messaging apps; internet or social media posts; screenshots; pictures; audio and video recordings; video surveillance; verbal or written statements; swipe records; and receipts. The investigator also may interview the complainant, the respondent, and any witnesses. The complainant and respondent will have the opportunity to provide information to investigator, including the names of people with relevant information. The investigator will consider the witness lists provided by the complainant and respondent when identifying witnesses for interview, but decisions about whom to interview are solely within the investigator’s discretion. The investigator retains discretion to limit the number of witness interviews conducted if the investigator finds that the witnesses’ statements would be unreasonably cumulative, if the witnesses are offered solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is otherwise inadmissible. As the investigation progresses, the investigator may conduct follow-up interviews as necessary. If the complainant or the respondent learns of, or recalls, additional information during the course of the investigation, that person should notify the EOA investigator promptly.

Persons are encouraged to exercise discretion in sharing information related to the investigation to safeguard the integrity of the process and to avoid the appearance of retaliation. While discretion regarding the process is important, complainants and respondents are not restricted from discussing and sharing information with others, including those who may support or assist them during the process.

EOA will record and transcribe interviews conducted as part of an investigation. EOA will provide interviewees with a transcript of their interview for their review and for accuracy. The parties will have three business days to review and offer corrections to the transcript. If corrections are not submitted within three business days, the investigators will proceed with the transcript as drafted.

Before making a final determination, EOA will provide the respondent the opportunity to review evidence that may be used to determine whether the respondent engaged in prohibited conduct. EOA may redact non-party names and sensitive information from the evidence. The respondent may view the redacted information

by scheduling an appointment with EOA. The respondent may submit written comments on the evidence. Comments may not exceed 10 double-spaced pages, and pages must be formatted with one (1) inch margins and twelve (12) point font. Comments must be submitted either by hand delivery to EOA, 2100 West End Avenue, Suite 700, or by email attachment to the EOA investigator by no later than 5:00 p.m. on the tenth calendar day following the date the respondent receives the evidence. Requests for extensions must be submitted to the EOA investigator before to the expiration of the 10-day review period.

EOA will review comments to the evidence received from the respondent and will conduct any further investigation it considers necessary or appropriate. After the conclusion of any additional investigation, EOA will issue any additional evidence gathered to the respondent for review. The respondent will have an opportunity to submit a written response limited to the information added following the additional investigation and subject to the formatting and time periods identified for the initial review.

EOA may investigate and make findings of fact regarding possible violations of other University policies (e.g., policies outlined in the Student Handbook) by the parties to the investigation when those violations are integral to the alleged violations of this policy. The relevant information and findings will then be shared with Student Accountability or the appropriate office or official for further action. If the conduct complained of involves a possible violation of another University policy that EOA determines is not integral to a violation of this policy, EOA will refer the report to the department or school responsible for investigating and/or resolving such reports.

Recordings

Interviews conducted as part of an investigation under this policy may be recorded by the University. Recordings not authorized by the University are prohibited.

Evidence Not Considered

The EOA Director or designee will decide in each case whether to receive evidence from experts or other witnesses. Polygraph evidence will not be considered. Evidence concerning the character of a party will not be considered.

Preservation of Investigative Materials

EOA will maintain materials obtained during the investigation in accordance with applicable record retention policies.

Determinations

Vanderbilt uses the preponderance of the evidence standard of proof to determine responsibility for violations of this policy. Proof meets the preponderance standard if EOA determines it is “more likely than not” that a respondent violated the policy.

Following the conclusion of the investigation and the respondent’s opportunity to respond to the information gathered, EOA will review all information and responses and will issue a final report that sets forth: (a) the determination as to whether the respondent engaged in prohibited conduct and the rationale the determination, and (b) if appropriate, any relevant recommendations. The final report will contain a summary of the evidence on which the final determination and any recommendations are based. The respondent’s response to the information gathered will be included with to the final report. EOA may redact non-party names and sensitive information from the final report. The respondent may view the redacted information by scheduling an appointment at EOA. EOA may share information about a determination or recommendation with appropriate offices or officials (e.g., Director of Student Accountability, Dean of the appropriate School) for sanctioning, referrals, and appropriate follow-up. EOA will also forward a summary of any evidence it received concerning possible violations of other policies to the office or department responsible for enforcement of such policies, as appropriate. EOA will provide its final report to the respondent and a determination notice to the complainant.

Sanctioning

If EOA determines that the respondent violated policy, Student Accountability will review EOA's final report and will render an appropriate sanction. Student Accountability will determine the sanction based on the information contained in the EOA investigative report, with particular regard for the nature of the incident, the respondent's reported cooperation and candor, and the respondent's disciplinary history (if any). Student Accountability may also request clarifying or additional information from EOA to assist in determining the appropriate sanction.

Student Accountability will notify respondents, in writing, of the sanction imposed following the issuance of the final report. Detailed information regarding sanctioning may be found in Student Accountability Procedures of the Student Handbook.

Appeals

Respondents may appeal the EOA determination and the sanction issued by Student Accountability within 10 calendar days of the date they are formally notified of the sanction. Detailed information may be found in the [Appeals and the Appellate Review Board](#) section of the Student Handbook.

Supportive Measures

Supportive measures are non-disciplinary and non-punitive services designed to restore or preserve equal access to Vanderbilt's education program and activities without unreasonably burdening other members of the Vanderbilt community. Some supportive measures are designed to protect the safety of parties and Vanderbilt's educational or work environment, as well as to deter discrimination, harassment, and retaliation. Vanderbilt may facilitate reasonable supportive measures on its own initiative or in response to a request from a complainant or respondent. Vanderbilt will maintain privacy with respect to any personal supportive measures provided to complainants, respondents, or third parties, to the extent that maintaining such privacy would not impair Vanderbilt's ability to provide the supportive measures (e.g., mutual no-contact directives require notice to others). Such measures will remain in effect as long as necessary, based on the relevant facts and circumstances.

Student Organization Procedures

Terms

1. Organizational Activity is defined in the Student Organization Administration section of the Handbook.
2. Investigation. An investigation into alleged organizational activity may be done without notice of charges or provision of any other information beyond notice that the University is reviewing a concern received. An investigation may include all individuals from the organization and may be conducted, when necessary, in such manner as to minimize the ability of members to pass information among themselves. After an Investigation is concluded, a summary of information in order to protect the anonymity of individuals providing information as well as charges, will be provided to the organization's Representative. If individual conduct charges arise from an organizational Investigation, the procedures governing a student accountability hearing apply.
3. Representative. A Representative is defined as a current student member of a student organization that will represent the organization's interest in any proceeding by the University. The Representative will attend all meetings, speak on behalf of the organization, and receive official notices. The

Representative will not be held individually responsible for any findings made via the Student Organization Procedures, but may be subject to individual accountability processes if they, as an individual, are alleged to have violated University policies.

4. Support Person. A Support Person is defined as a current member of Vanderbilt's faculty, staff, or student body. Regardless of affiliation with the University, parents, guardians, and attorneys may not serve as a Support Person. The Support Person's role is intended to support the accused organization's Representative throughout the hearing process. The Support Person may communicate with their organization's Representative privately, but may not otherwise actively participate or speak in the resolution process.

Jurisdiction

1. Action may be taken against a registered student organization for Organizational Activity. Furthermore, action may be taken against an organization for the acts of individual members when a reasonable person would find that:
 - The acts grow out of, or are directly related to, the organization's activities or an environment created or knowingly permitted by the organization; or
 - A member of an organization is violating local, state, or federal laws or University regulations and other members are present and failing to discourage such activity, thus silently condoning the behaviors.
2. In addition to action being taken against an organization, action may also be taken against members and officers as individuals for their roles in any violation of University policy.
3. During the Investigation and resolution of alleged organizational misconduct, the University may suspend any and all Organizational Activity. Notice of the suspension of activity will be given to the organization as well as other parties pertinent to the suspension, including, but not limited to, national organizations, advisors, other organizations on campus, and the campus community. The suspension may be narrowly defined in order to stop the particular behavior in question and prevent its reoccurrence prior to resolution. Behavior that presents an ongoing threat to the health and safety of the community or that creates an environment in which continued Organizational Activity would cause a reasonable person to question the University's commitment to its values and the Community Creed will likely result in a broad suspension of all activity prior to resolution.
4. Anonymous reports may be submitted to the University. Additionally, the University may choose to protect the anonymity of reporting parties.
5. It is the University's discretion whether to forward a matter onto formal conduct proceedings.

Accountability Proceeding for Violations by Organizations

1. When an alleged violation(s) by a student organization includes a violation of University policy, excluding sexual misconduct and discrimination policies, the matter will be resolved by the Director of Student Accountability or their designee ("Adjudicator"). If policies specific to an office or organization are alleged to have been violated in conjunction with an alleged violation of University policy, the Adjudicator will combine all potential charges into one case for determination.
 2. The Adjudicator will notify the organization of the charges as well as provide a summary of information collected regarding the incident via an Investigation. The organization is not entitled to any additional information beyond the summary provided.
 3. The accused organization may designate a Representative. Alternatively, the organization may submit a written statement for consideration.
 4. Once the organization is in receipt of the charges and summary, it may choose to take a three-day waiting period prior to engaging in an accountability proceeding. Alternatively, it may choose to proceed directly to a resolution.
 5. During an accountability proceeding, the Adjudicator will determine responsibility and any sanctions or action items in their sole discretion absent referral or consultation as outlined below:

1. **Referrals.** For matters specific to their areas and referred to them by the Adjudicator, authority may be exercised by the Interfraternity Council and Vanderbilt Student Communications, Incorporated. The nature of specific areas of authority is described in the constitutions or bylaws of each of these bodies. All findings of responsibility and sanctions are subject to review and final approval by the Adjudicator. The Adjudicator reserves the right to void the referral of authority at their discretion at any point during the process. Referrals are not appropriate when the alleged violation is determined to be severe, persistent, or pervasive.
2. **Consultations.** For all other matters involving registered student organizations that belong to an umbrella organization, including, but not limited to, the Multicultural Leadership Council (MLC), Intercultural Greek Council (IGC), National Pan-Hellenic Council (NPHC), and Panhellenic, the Adjudicator may consult with advisors and student leaders regarding responsibility and sanctions. All determinations of responsibility and sanctions are made by the Adjudicator in their sole discretion.
6. The accused organization may bring a Support Person to the accountability proceeding.
7. The Adjudicator will resolve any questions concerning procedure or the admission of information (including but not limited to, its relevancy and reliability).
8. The Adjudicator may choose to call witnesses with information about the facts of the alleged violation. The Adjudicator may use any information and/or evidence to make a determination of responsibility, including but not limited to past conduct history.
9. The Adjudicator will make determinations of responsibility using the preponderance of the evidence as the standard of proof and, if responsible, assign sanctions.
10. The Adjudicator will give notice of the outcome to the organization within five business days of reaching an outcome unless there is a reasonable need for delay.
11. The accused organization may file an appeal with the Appellate Review Board, but must do so within ten (10) days of the date its Representative is notified of the Adjudicator's decision. Detailed information may be found in the [Appeals and the Appellate Review Board](#) section.

Sanctions

The following is a list of common sanctions for student organizations. In addition to these sanctions, accountability action plans may also be assigned similar to the accountability procedures for individual students. An organization's prior conduct record will be considered in determining the appropriate sanction or plan. Additional information on sanctions can be found in Suspended, Expelled, or Otherwise Unrecognized Organizations policy of the Student Organization Administration section.

- *Educational Conference.* Such conferences involve a structured discussion with Student Accountability in which leaders of the organization discuss decision-making related to the incident and the impact on the organization and other members of the Vanderbilt community.
- *Organizational probation.* A status imposed on a student organization for a specific period of time to alert the group that their choices and behavior are significantly inconsistent with University policy and expectations. During this time, the organization is asked to take active steps toward improving the actions of their organization and to demonstrate that they can abide by University policy. Organizational probation will frequently be accompanied by a restriction from certain activities, including the restriction from hosting events with alcohol on or off campus, formal or informal. The probationary period may also restrict the organization from receiving a University award or honorary recognition, participation in recruitment/intake or receiving a new member class, or receiving or retaining institutional funding. Failure to complete all components of an accountability action plan or a finding of responsibility for another violation during the period of organizational probation will result in strong consideration of organizational suspension or expulsion.
- *Organizational suspension.* Separation from the University for a specified or indefinite period of time. During the period of suspension, restrictions on the organization may include, but are not limited to, hosting social or philanthropy events, receiving any University award or honorary recognition, participation in intramurals, representing the University in any capacity and any travel in connection with such representation, participation in recruitment/intake or receiving a new member class, maintaining membership or representation of the organization on the governing council, utilizing University facilities/grounds, or receiving or retaining institutional funding. Any activity that is contradictory to the purpose

of this sanction could allow for the period of suspension to be extended. This would include any efforts to operate formally or informally as an unrecognized organization by recruiting new members, hosting events on or off campus, renting a facility off campus, or hosting social events as an organization. Conditions may be placed upon a student organization's return to campus. Suspension, pending an investigation and/or accountability meeting, may be imposed when there is reason to believe the action is necessary to maintain University functions or to protect the safety of individuals. Such an interim suspension is not considered disciplinary action and will not be subject to appeal.

- *Organizational expulsion.* Permanent separation from the University.

University Sanctions for Organizations

The minimum sanction for a violation of event registration or management policies by a student organization is an educational conference for the first offense.

The presumptive sanction for student organizations that provide alcohol to those not of legal drinking age, whether through direct purchase or other group activities, is probation, including a restriction period during which the organization will not be permitted to host or participate in any events, on or off campus, where alcohol is present. Accountability action plans may mandate organizations host practice parties with alcohol or dry events to return to hosting events with alcohol.

Student organizations that unlawfully furnish alcoholic beverages to students who are not of legal drinking age, may also be held responsible for personal injuries or property damages resulting from misconduct committed by underage, intoxicated students.

In addition, sanctions will be imposed for misconduct that results from the provision or use of alcoholic beverages or other drugs. Student organizations will also be held responsible for any damages that result from their misconduct. These sanctions will be imposed consistent with standards and procedures.

Informal Resolution Process

1. Student organizations not referred to the accountability proceedings outlined above may be subject to an alternative resolution plan to stop the behavior, prevent its reoccurrence, and address any negative impacts to the community. The decision to refer to an accountability proceeding or issue an alternative resolution plan is at the sole discretion of Student Accountability. The informal resolution process typically includes, but is not limited to, violations of Student Organization Administration Policies
2. Additionally, Student Accountability may, at its sole discretion, endorse and enforce sanctions or accountability action plans issued by an organization's national governing body when it determines such action will effectively stop the behavior, prevent its reoccurrence, and reduce or resolve any negative impacts. Student Accountability may also rely on the findings of the national governing body to assign additional sanctions and accountability action plans consistent with precedent without referral to an additional University accountability proceeding.
3. Alternative resolutions are not eligible for appeal.

Appeals and Appellate Review Board

The Appellate Review Board (the "Board") is a University-wide body consisting of faculty and students to review appeals from findings of certain administrative offices and bodies that have the authority to render findings and/or impose sanctions upon students in academic and co-curricular matters. The Appellate Review Board comprises two divisions: the Appellate Review Board for Academic Matters (for cases heard by Honor Councils), and the Appellate Review Board for Co-Curricular Matters (for cases heard by offices and bodies that exercise accountability authority, as outlined below).

The Appellate Review Board may also, in consultation with the Office of the General Counsel, the Dean of Students, Student Accountability, and other appropriate University officials, review and propose updates of the procedures used by the persons and bodies whose findings are subject to appeal to ensure that students are treated fairly.

Jurisdiction

Appellate Review Board for Academic Matters

The Appellate Review Board for academic matters reviews appeals from decisions of bodies having the authority to impose penalties in academic matters.

Any Vanderbilt student, having been found guilty of a violation of the applicable Honor Code (the "Petitioner"), with resultant imposition of sanction by any of the following hearing bodies, may petition the Board for a review of the determination:

1. The Undergraduate Honor Council; or
2. The Honor Council of any graduate or professional school.

Appellate Review Board for Co-Curricular Matters

The Appellate Review Board for co-curricular matters reviews appeals from decisions of certain administrative offices and bodies having the authority to render findings and/or impose sanctions in co-curricular accountability matters. (Exceptions are noted, below.)

Any Vanderbilt student or organization, having been found responsible for a violation of University policy (the "Petitioner"), with resultant imposition of penalty by any of the administrative offices and hearing bodies, below, may petition the Board for a review of the determination.

- Student Accountability; or
- Equal Opportunity and Access (in matters related to discrimination, harassment, and/or retaliation).

The Title IX Office has jurisdiction and maintains policies and procedures governing appeals in cases involving sexual misconduct, including stalking, dating violence, and domestic violence.

Composition of the Board

The Board is composed of members appointed by the Chancellor (or the Chancellor's designee), as follows: a Chair for each division—The Appellate Review Board for Academic Matters, and the Appellate Review Board for Co-Curricular Matters—who are members of the tenured faculty and who each may act in the other's absence, disability, refusal, or inability to serve; and thirty-six general members appointed by the Chancellor (or the Chancellor's designee), who serve on both academic and co-curricular cases and who are full-time faculty members, selected from among the schools as follows: four from the College of Arts and Science, two from the Blair School of Music, two from Peabody College of Education and Human Development, two from the School of Engineering, and one each from the remaining six schools of the University. Two full-time students from each of the ten schools of the University also serve. Both faculty and students are appointed for two-year terms, which should be staggered to the extent practical, to ensure continuity. The Chairs are appointed for three-year terms.

Petition for Appeal

A petition for appeal must be submitted by the petitioning student or appropriate officer of a petitioning organization using the [online Petition for Appeal form](#) by no later than 5pm on the tenth (10th) calendar day following the date that the student or organization is formally notified of the determination of the administrative officer or hearing body.

Requests for extensions must be submitted to appeals@vanderbilt.edu prior to the expiration of the ten-day period. The petition must include the following: a statement of the grounds for appeal, supporting explanation, and copies of, or reference to, all evidence the Petitioner asks the Board to consider. Except as explicitly provided below, no documents or other evidence may be included with an appeal unless previously submitted to the original authority.

The grounds for appeal are as follows:

- Procedural irregularities sufficient to affect the finding of the original authority.
- Insufficient information to support the finding of the original authority.
- New information that was not reasonably available for presentation to the original authority, the introduction of which could reasonably be expected to affect the finding of the original authority.
- Harshness of the penalty/sanction imposed by the original authority sufficient to show an abuse of discretion by that authority.

Standards of Review

The standards for review used by the Board in considering the grounds for appeal are provided, below:

"Procedural irregularities sufficient to affect the finding of the original authority." Original authorities are expected to conduct themselves in accordance with their policies and procedures. Deviation from those policies and procedures which render their actions fundamentally unfair constitutes a sufficient basis for an appeal to the Appellate Review Board. Procedural irregularities that are considered by the Board to be harmless and that did not, in the judgment of the Board, adversely affect the process, are not a basis for upsetting the determination of the original authority.

"Insufficient information to support the finding of the original authority." It is not the role of the Appellate Review Board to substitute its judgment for the judgment of the original authority if there is a reasonable basis for that authority's finding. Deference must be given to the judgment of the original authority, which had the opportunity to hear the witnesses and to assess their credibility and demeanor. The Board may not alter the finding of the original authority unless the determination of the original authority is clearly erroneous and cannot be reasonably supported by the information considered.

"New information that was not reasonably available for presentation to the original authority, the introduction of which would reasonably be expected to affect the finding of the original authority." All available information, including testimony of witnesses, is expected to be presented to the original authority. Only on that basis can the authority reach fair and reasonable findings. A student or student organization that seeks to introduce new information has the burden of demonstrating that the information was not reasonably available for presentation to the original authority, and that the introduction of such new information can be reasonably expected to affect the finding of the original authority. If the Appellate Review Board determines that the student or student organization has satisfied this burden, the Board remands the case to the original authority with instructions to reconsider the case in light of the new information.

"Harshness of the penalty/sanction imposed by the original authority sufficient to show an abuse of discretion by that authority." Again, deference should be given by the Board to the penalties, sanctions, etc., imposed by that authority. At the same time, the Board should recognize that an original authority can make

errors in judgment sufficient to show an abuse of discretion. Abuse of discretion does not necessarily imply an intentional wrong or bad faith, but simply the failure to exercise reasonable judgment under the circumstances.

Consideration of Petition and Determination of Appeal

When the Chair of the appropriate Appellate Review Board (Academic or Co-Curricular) receives a petition, the Chair may instruct the original authority to notify all persons who were sent formal notification of the findings of the original authority that a petition for appeal has been filed and that penalties/sanctions of the original authority should not be implemented pending the result of the appeal, where applicable. A delay in implementation, however, does not preclude the University from taking interim actions to ensure the safety and security of the campus community.

Upon receipt of the petition, the Chair will be provided with the entire record of the case, including, for example, test papers or other documentary information, summaries of witness testimony, and audio or video recordings of the proceedings. The Chair will then proceed to review the petition (including all supporting information provided by the petitioner), and the record, with all deliberate speed to determine whether the petition, *when considered in the light most favorable to the petitioner*, sets forth a basis sufficient to provide the relief sought by the petitioner. If the Chair determines that the petition *does not* set forth a basis sufficient to provide the relief, the Chair dismisses the petition (or such parts of the petition that the Chair has determined do not set forth a basis sufficient to provide relief). The Chair's decision is final.

If the Chair determines that the petition (or parts of it) *does* set forth a basis sufficient to provide the relief, the Chair forwards a copy of the petition to the original authority with instructions to respond to it (or such parts of the petition that the Chair has determined set forth a basis sufficient to provide relief). The original authority provides its response to the Chair within ten (10) calendar days of receiving the Chair's notification that the Board will hear the petition. Upon receiving the response from the original authority, the Chair sends the response to the petitioner offering the petitioner an opportunity to reply. Replies must be submitted within five (5) calendar days. The Chair forwards a copy of this response to the chair of the original authority for informational purposes.

From among the membership of the Board, the Chair selects three (3) faculty members and three (3) student members to serve on a panel (the "appeals panel") to consider the petition. In the case of an appeal by an undergraduate student or undergraduate student organization, at least one student member of the panel will be an undergraduate student. In the case of an appeal by a graduate or professional student or a graduate or professional student organization, at least one student member of the panel will be a graduate or professional student.

The Chair makes available to members of the appeals panel a copy of the petition and all supporting documents submitted by the petitioner. The panel's consideration of the appeal must be based only on the records created by or provided to the original authority, the petition, any new information the Board determines should be considered, and all responses to the petition, and will be conducted in accordance with the standards of review outlined above.

After reviewing the record, the appeals panel, by majority vote, decides whether to affirm, modify, or reverse the finding of the original authority or to remand the case to the original authority with instructions. In cases where there has been a procedural error on the part of the original authority or the panel deems that new information should be considered, the panel may remand the case to the original authority with instructions. The panel's decision is final.

The Chair notifies in writing the petitioner and the original authority (which, in turn, notifies all persons who were sent formal notification of the original finding, where applicable) of the Board's decision and the reasons for its decision.

While a case is pending, policy changes that might affect a case cannot be considered in the appeal.

At no time may the Chair or the Board substitute its own opinions or values for University policy.

No member of the Board may participate on an appeals panel if the member has a conflict of interest that might render the member's objectivity questionable. Each member of the Board is responsible for determining whether a conflict of interest exists and may consult the Office of the General Counsel, if necessary. However, a member may be disqualified upon a motion by a member of the Board and by subsequent affirmative vote by a majority of the appeals panel. If a member of the appeals panel is disqualified, the Chair selects an alternate. If neither student from the petitioner's school may serve on an appeals panel due to conflicts of interest, the Chair, of necessity, will appoint students from other schools.

Once a final determination has been made, all records of the original authority are returned to that authority.

Review of Records

Prior to submitting an appeal, students and student organizations may review relevant University records that were considered by the hearing body or officer in rendering a decision. For students, the review is limited to evidence used to determine a finding or informed the sanction assigned, audio recording(s) for proceedings that were recorded, and written minutes of Honor System proceedings, when applicable. For student organizations, the review is limited to the investigative summary and audio recording(s) for proceedings that were recorded.

A student must email studentaccountability@vanderbilt.edu to schedule a review of records. Reviews will only be conducted during regular business hours with a maximum limit of two hours per review session. Additional sessions may be requested, which will be granted at the discretion of Student Accountability. It is the responsibility of the student to request a timely review in advance to meet their appeal deadline; students may also request extensions of the Appellate Review Board by emailing appeals@vanderbilt.edu.

Participation in a review is limited to a staff member from Student Accountability, the accused student or student organization Representative, and an individual that qualifies as and is serving in the capacity of an adviser as defined by the Student Handbook. A student may request an adviser trained in the Appeals process by emailing appeals@vanderbilt.edu.

Students are permitted to take notes during a review but may not photograph, video, or audio record materials. A student taking such actions will have their review suspended and may be referred for corrective action through the University's accountability process.

A request for an inspection of records as allowed by FERPA (other than in connection with a pending appeal) that is received prior to the resolution of a conduct matter will be scheduled after the matter is concluded by the University or within 45 days of the request, whichever is the shorter period to wait.

Complaint and Grievance Procedures

Scope of Policy

Certain decisions and student concerns are excluded from the Complaint and Grievance Procedures. Some student concerns may be addressed through other processes at the University. The following categories, for example, are excluded from the Complaint and Grievance Procedures:

- Decisions of the Appellate Review Board;
- Treatment plans, decisions, and recommendations related to medical care, mental health and wellbeing, and care coordination by, for example, the University Counseling Center, Student Care Coordination, and the Center for Student Wellbeing;

- Student concerns regarding the results of the housing assignment process;
- Student concerns regarding the content of a University policy, which should be directed to the head of the appropriate administrative area;
- Eligibility determinations and other matters exclusively within the purview of the Department of Athletics;
- Financial Aid award decisions;
- Accommodations for students requested through Student Access;
- Allegations of discrimination, harassment, and related retaliation based on a protected status under the Student Discrimination Policy;
- Allegations of violation of the Sexual Misconduct Policy and related retaliation, as well as student concerns regarding supportive measures under the policy;
- Issues related to a student's employment at Vanderbilt University;
- Student concerns regarding matters addressed under the Policy on Technology and Literary and Artistic Works; and
- Decisions of external governing bodies.

Complaint Procedure

A student or former student who has a complaint about the performance, action, or inaction of a member of the staff or faculty affecting the student during the period of their enrollment may utilize this process unless the complaint is addressed through another process at the University, such as the examples above. Students uncertain about whether the complaint process should be utilized and/or the steps in the process outlined below are encouraged to seek advice from the Dean of Students/Student Affairs Administration by contacting deanofstudents@vanderbilt.edu. A student who wishes to have a complaint addressed by the University should:

- Direct a complaint as soon as possible, but not later than ninety (90) days after the event, to the person or persons whose actions or inactions have given rise to the complaint. If the complaint is in writing, it must be no more than ten (10) double-spaced pages with one (1) inch margins and twelve (12) point font and may include attachments.
 - The person or persons notified of the complaint should make every effort to resolve the problem fairly and promptly (usually within thirty (30) days) at this level and must issue a written decision to the student.
 - If this interaction would give rise to a possible concern related to safety or retaliation, the student may submit a written complaint directly to the chair or department head of the appropriate academic or administrative unit within the ninety-day period that meets the requirements outlined above.
 - If the complaint involves allegations of discrimination, harassment, and/or related retaliation based on a protected status, as defined in other sections of the Student Handbook, this step is not appropriate and the complaint should be directed to the Title IX and Student Discrimination Office.
- Should the student and the person or persons notified of the complaint be unable to resolve the complaint satisfactorily, the student may appeal the decision in writing within thirty (30) days to the chair or department head, or other designated individual of the appropriate academic or administrative unit. The appeal must be no more than five (5) double-spaced pages with one (1) inch margins and twelve (12) point font and may include attachments, including the original complaint and associated documentation. The person to whom the appeal is directed may grant exceptions to these length and formatting requirements or give the student additional time to conform the complaint to the requirements. The chair or department head will request any relevant documentation from the process below. The chair or department head should make every effort to resolve the appeal promptly and fairly (usually within thirty (30) days) at this level and must issue a written decision to the student.
- Should the appeal not be resolved satisfactorily with the chair or department head, the student may further appeal the decision in writing within thirty (30) days to the next level within the academic or administrative unit all the way up to and including the Vice Chancellor (a graduate student should seek the assistance of both the dean of the relevant school and the dean of the Graduate School). The appeal at each level must be no more than five (5) double-spaced pages with one (1) inch margins and twelve (12) point font and may include attachments, including the original complaint and documentation

from each prior step in the process. The person to whom the appeal is directed may grant exceptions to these length and formatting requirements or give the student additional time to conform the complaint to the requirements.

- At each level, the relevant administrator will confirm that the student has exhausted the options below before reviewing the appeal, except where the initial complaint is submitted directly to a chair or department head due to a concern related to safety or retaliation. The administrator will also request any relevant documentation from the process below.
- At each level, the relevant administrator should make every effort to resolve the appeal promptly and fairly (usually within thirty (30) days) and must issue a written decision to the student.
- The decision of the Vice Chancellor is final with the exception of complaints that are subject to the Grievance Procedure below. If the initial complaint is against a Vice Chancellor, the student may appeal to the Chancellor within the same timeframes and using formatting requirements outlined above. The Chancellor's decision will be final.

Grievance Procedure

Grounds:

A student or former student who believes that he/she/they has not received appropriate redress through the general Complaint Procedure or through a School or College's specified complaint process may file a grievance on one or more of the following three grounds:

- Procedural irregularities sufficient to affect the outcome;
- New information that was not reasonably available at an earlier stage of review that could reasonably be expected to affect the outcome; or
- A clear error of judgment in the conclusion reached by a decision-maker at an earlier stage of review resulting in insufficient information to support the decision.

Procedure:

- A student or former student must file a written grievance with the Office of the Chancellor within thirty (30) days from the completion of the Complaint Procedure. The grievance must be no more than five (5) double-spaced pages with one (1) inch margins and twelve (12) point font and may include attachments. The Office of the Chancellor may grant exceptions to these length and formatting requirements or give the student additional time to conform the complaint to the requirements.
- Upon ascertaining that all avenues under the Complaint Procedure and/or through any required alternative processes have been exhausted, the Office of the Chancellor will refer the grievance to the Faculty Senate Committee on Student Life (the committee), usually within thirty (30) days during the academic year.
- The parties, members of the committee, advisers, and others having knowledge of the grievance will maintain the confidence of the matter.
- For consideration of grievances (i.e., preliminary assessment, meetings, etc.), a quorum, as defined in the Constitution of the Faculty Senate, of the membership of the committee will be augmented by three student members appointed by the Chancellor or designee at the beginning of each academic year.
 - The undergraduate Vanderbilt Student Government will nominate students for the one undergraduate position, and
 - Student governing bodies of the professional/graduate schools will nominate students for the other two student positions.
 - If a student member is unable to serve due to a conflict of interest, absence from campus, or other reason, the Committee Chair will select an alternate from the list of nominated students.
- Committee members may recuse themselves if they believe their objectivity is subject to question, and the parties may request any committee member recuse himself/herself/themselves if the parties believe that a committee member will not view the grievance with sufficient objectivity. All recusals will be guided by the Conflict of Interest policy. If vacancies that affect the committee's ability to achieve and maintain a quorum occur,

- The chair of the Faculty Senate (or the vice chair in instances where the chair is unavailable or has a conflict) will appoint Senate members to fill faculty vacancies, and
- The Committee Chair will appoint students to fill student vacancies from the list of nominated students.
- Upon receiving the referral from the Office of the Chancellor, the Committee on Student Life will inform, in writing, the parties to the grievance that a preliminary assessment will take place to determine whether the grievance was timely filed, made in good faith, and falls within the scope of the Grievance Procedure.
 - Prior to beginning the preliminary assessment, the committee may consult with the Office of the General Counsel or other offices regarding review processes, as deemed appropriate by the chair of the committee. During the course of the preliminary assessment and any subsequent proceedings, the committee may also consult with these offices, as needed.
 - The preliminary assessment will usually be completed within thirty (30) days during the academic year.
- After the preliminary assessment, if the committee determines that the grievance should move forward, the committee will inform the parties and follow procedures necessary to ensure a fair review of the matter, including the opportunity for the parties
 - To submit relevant evidence and identify potential witnesses,
 - To review and respond to the committee's preliminary report as described below, and
 - To have the grievance reviewed by an impartial committee using the preponderance of the evidence standard.
- The parties may be assisted during the review by a member of the University community (faculty, staff, or student) who is not related to them and not trained in the law (except in cases concerning students in the Law School in which Law School faculty, staff, and students may serve as an adviser), and are encouraged to seek such assistance.
 - Although all parties to the complaint are free to consult with, and receive advice from, attorneys concerning the complaint, no party may be represented by an attorney at any meeting with the committee.
- All communications with the parties will be directly between the Committee Chair and the parties.
- The committee may interview or request information from any individuals who it believes may be helpful as witnesses. The committee, in its sole discretion, may conduct witness interviews with the entire committee or any subset of the committee. If a witness has concerns about sharing information with the committee based on University policy, legal requirements, or privacy, the witness and/or the committee may consult with the Office of the General Counsel. If the concerns remain unresolved following consultation with the Office of the General Counsel, the witness and/or the committee may request a decision on whether the committee should have access to the requested information by the Chancellor's designee.
- The parties and witnesses are expected to respond to all inquiries and requests from the committee in accordance with any established timelines in this policy or otherwise within two (2) weeks.
- After the committee's review is complete, the committee will write a preliminary report, which
 - Will include a list of witnesses and a summary of the facts and information submitted to the committee and upon which the committee plans to rely,
 - Will usually be completed within ninety (90) days after the preliminary assessment during the academic year, and
 - Will be shared with the parties who will have one (1) week to provide comments on and/or challenge the information included in the preliminary report (up to ten (10) double-spaced pages with one (1) inch margins and twelve (12) point font not including attachments). The committee may grant exceptions to these length and formatting requirements or give the parties additional time to conform the comments to the requirements.
- The committee will review the comments submitted by the parties and will engage in further fact-finding, if necessary, before completing a final report.
- The student may withdraw the grievance at any time prior to the decision of the committee.
- The final report will include a list of witnesses and a summary of the facts and information submitted to the committee and upon which the committee relied, a statement of the committee's findings, the basis for those findings, and, if necessary, recommendations for any action that should be taken. The final report will be completed within three (3) weeks of the final committee meeting.

- The final report, including the vote and any dissenting statements by committee members, will be sent to the Chancellor no later than one (1) week after its completion.
- The Chancellor will communicate his/her/their decision to the committee.
 - In any case in which the Chancellor does not follow the decision or the recommendation of the committee, the Chancellor will report to the committee his/her/their reasons for so doing.
- The Office of the Chancellor will then notify the parties and other affected persons, including the dean of the relevant school and, in the case of a graduate student, the dean of the Graduate School, in writing, of the final decision, usually within thirty (30) days of receipt of the committee's report during the academic year.
- Where the Chancellor accepts a recommendation that disciplinary action may be appropriate, the Chancellor will refer the matter to the appropriate University authority for review and a determination of appropriate disciplinary action based on the applicable disciplinary policies and procedures.

Grievance Procedures in the State of Tennessee

Students should be aware that, should they have complaints about their academic program or their financial aid, Vanderbilt has a complaint procedure. To the extent possible, students should seek a resolution of such matters through the institution's complaint procedure before involving others.

The student has the right to call on the state of Tennessee and its appropriate agency to determine the course of action. Complaints may be filed with the following agencies in Tennessee:

- Complaints related to the application of state laws or rules related to the approval to operate or licensure of a particular professional program within a postsecondary institution may be referred to the appropriate agency (e.g., State Board of Education, Department of Health, and so on) within the Tennessee State Government and may be reviewed and handled by that licensing agency. Contact information may be found by searching for the appropriate division at <http://www.tn.gov>.
- Complaints related to state consumer protection laws (i.e., laws related to fraud or false advertising) may be referred to the Tennessee Division of Consumer Affairs and may be reviewed and handled by that Unit. Contact information for the Consumer Affairs Division may be found at <http://www.tn.gov/commerce/section/consumer-affairs>.

Distance Education Complaint and Grievance Procedures

Students enrolled in distance education programs offered by Vanderbilt University in states other than Tennessee should seek resolution for complaints through Vanderbilt's complaint procedure. Distance education students may also contact the appropriate authority in their state of residence. For further information please visit the [Vanderbilt University Distance Education Complaint and Grievance Procedures webpage](#).

Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)

Allegations regarding noncompliance with accreditation standards, policies, and procedures may be made to SACSCOC, 1866 Southern Lane, Decatur, GA 30033-4097. (The Commission's complaint policy, procedures, and the Complaint Form may be found [online](#).)

Study Away

In general, the policies and regulations in the *Student Handbook* apply to students registered for Vanderbilt study away and remote overseas programs, and some additional regulations may apply. Students on academic probation, or those with a financial hold, may be prohibited from participating in study away programs. Students who have been placed on a disciplinary probation that ends after the start date of their study away program will, without exception, be ineligible to study away or participate in a remote overseas program. Specific regulations for students enrolled in study away programs are available from the program directors, from the Global Education Office, or from the offices of the deans of the undergraduate colleges and schools.

Provisions of the [Student International Travel policy](#) apply to students studying abroad.

The resident directors or faculty leaders of Vanderbilt study away or remote overseas programs (short-term faculty-led programs) are responsible for academic matters. In consultation with the Dean of Students, or the Dean's designee, they are also responsible for co-curricular and accountability matters, within the limits of the policies established by the University. (See "[Study Away Misconduct](#)" in the Student and Organization Behavioral Policies section.)

Students participating in University-approved programs administered by third-party providers (CET, CIEE, DIS, IFSA-Butler, IES, SIT, etc.), or direct-enroll/exchange programs with host institutions must abide by the conduct policies and regulations set forth by those institutions, in addition to the those in the Vanderbilt Student Handbook.

Students are required to abide by the laws of the respective countries in which they reside, study, or travel. The University defers to the laws of the respective country with respect to the age at which alcoholic beverages may be consumed. Otherwise, the policies with respect to alcoholic beverages and other drugs included in the Vanderbilt *Student Handbook* apply.

Students who violate University policy may have their actions adjudicated through Vanderbilt's behavioral procedures and/or the procedures of the host institution depending on the nature and type of the incident. Students are subject to accountability sanctions, including expulsion, and referral for prosecution for violation of these policies.

Undergraduate students enrolled in University-approved study-away programs will not be charged the Student Services Fee or the Student Health Fee. Students participating in remote overseas programs, however, remain responsible for these fees.

Next Steps

Action plans created by the Next Steps program that address violations of University policy by participants must be endorsed by the Vice Provost & Dean of Students or their designee. Action plans that include probation, suspension of a semester or more, or removal from the program create a reportable conduct record, which is maintained by Student Accountability, Community Standards, and Academic Integrity.

No Contact Directives

A student who feels that he/she/they is the target of threats, harassment, intimidation, or other similar behaviors may request that the Director of Student Accountability or the Director's designee, issue a no contact directive to the identified student to cease further communication and/or desist from the conduct in question.

When a request is filed, the Director or the Director's designee will determine whether the alleged conduct warrants the issuance of a no contact directive, and when it does, will issue mutual no contact directives to

the involved students. The Director or the Director's designee may also employ or continue such directives and impose other appropriate restrictions on his/her/their own initiative, as appropriate. Any charges brought at the time the no contact directive is requested will be resolved in the same manner as any other violation of policy. No contact directives often require that the involved students have no contact with each other during the course of the accountability proceedings and/or thereafter, even when there is no finding of a policy violation.

A report of a violation of a no contact directive by the student who is subject to the directive may result in a warning or in the filing of a charge against that student. If a student is investigated and found responsible for violating the directive, corrective action will be taken.

The determination of whether a no contact directive should be issued, and any no contact directive that may be issued, will not be considered an accountability proceeding or corrective action for purposes of the student's record and is not subject to appeal, unless separate charges are brought for violating the directive and addressed in an accountability meeting. A subsequent accountability meeting to address whether the student has violated the terms of a directive will constitute an accountability proceeding in the ordinary sense of that term and will become a part of the student's record to the same extent that any other accountability proceeding would become part of the record.

For prohibited conduct under the University's discrimination or sexual misconduct policies, Equal Access, including the Title IX Office and Equal Opportunity and Access, is considered a designee for the purposes of this policy. \. Violations of no contact directives issued by the Equal Access are referred to Student Accountability, which has the authority to determine whether to issue a warning or move forward with an accountability proceeding and may consult with Equal Access in making that determination.

Pending Matters at Graduation

Academic Integrity

When a student, who has otherwise met all academic (without the course at issue in the proceeding) and other requirements for graduation, has:

- a pending investigation for an alleged violation of the Honor Code, the student will generally be permitted to participate in graduation activities, including the commencement exercises. However, a degree will generally not be conferred or posted, if at all, until the matter is finally resolved.
- been found guilty of a violation of the Honor Code and the penalty assigned is failure in the course or less, regardless of whether the student has submitted or may timely submit an appeal, the student will generally be permitted to participate in graduation activities, including the commencement exercises, and the degree will generally be conferred and posted.
- been found guilty of a violation of the Honor Code and the penalty assigned is suspension or expulsion, regardless of whether the student has submitted or may timely submit an appeal, the student will generally not be permitted to participate in graduation activities, including the commencement exercises, and a degree will generally not be conferred or posted, if at all, until the matter is finally resolved.

When the alleged violation of the Honor Code is in a course that affects the student's ability to meet academic requirements for graduation and where the student has:

- a pending investigation, the student will generally not be permitted to participate in graduation activities, including the commencement exercises, and a degree will generally not be conferred or posted, if at all, until the matter is finally resolved.
- been found guilty of the violation and the penalty assigned is a reprimand and a recommendation that the student fail the assignment in question, the student will generally be permitted to participate in graduation activities, including the commencement exercises, and the degree will generally be conferred and posted only where the failure on the assignment does not result in a failure to meet

academic requirements. If the failure on the assignment results in a failure to meet academic requirements, regardless of whether the student has submitted or may timely submit an appeal, the student will generally not be permitted to participate in graduation activities, including the commencement exercises, and a degree will generally not be conferred or posted, if at all, until the matter is finally resolved.

- been found guilty of the violation and the penalty assigned is failure in the course, suspension, or expulsion, regardless of whether the student has submitted or may timely submit an appeal, the student will generally not be permitted to participate in graduation activities, including the commencement exercises, and a degree will generally not be conferred or posted, if at all, until the matter is finally resolved.

Student Accountability and Student Discrimination

When a student, who has otherwise met all academic and other requirements for graduation, has:

- a pending investigation for an alleged violation of University policy, the student will generally be permitted to participate in graduation activities, including the commencement exercises. However, a degree will generally not be conferred or posted, if at all, until the matter is finally resolved.
- been found responsible for a violation of University policy and the sanction assigned is disciplinary probation or less, regardless of whether the student has submitted or may timely submit an appeal, the accused will generally be permitted to participate in graduation activities, including the commencement exercises, and the degree will generally be conferred and posted.
- been found responsible for a violation of University policy and the sanction assigned is suspension or expulsion, regardless of whether the student has submitted or may timely submit an appeal, the student will generally not be permitted to participate in graduation activities, including the commencement exercises, and a degree will generally not be conferred or posted, if at all, until the matter is finally resolved.

Sexual Misconduct

When a respondent, who has otherwise met all academic and other requirements for graduation, is the subject of a pending investigation for an alleged violation of the Sexual Misconduct Policy or Formal Grievance Protocol, the respondent will generally be permitted to participate in graduation activities, including the commencement exercises. However, a degree will generally not be conferred or posted, if at all, until the matter is finally resolved.

When a respondent, who has otherwise met all academic and other requirements for graduation, has been found not responsible for a violation of the Sexual Misconduct Policy or Formal Grievance Protocol, and an appeal is pending or the appeal period is still open, the respondent will generally be permitted to participate in graduation activities, including the commencement exercises. However, a degree will generally not be conferred or posted, if at all, until the matter is finally resolved.

When a respondent, who has otherwise met all academic and other requirements for graduation, has been found responsible for a violation of the Sexual Misconduct Policy or Formal Grievance Protocol, and

- where a sanction has not yet been imposed by the relevant authority, the respondent will generally not be permitted to participate in graduation activities, including the commencement exercises, and a degree will generally not be conferred or posted, if at all, until the matter is finally resolved.
- where the sanction that has been imposed is disciplinary probation, and an appeal has been or may be timely submitted by the complainant, the respondent will generally be permitted to participate in graduation activities, including the commencement exercises. However, a degree will generally not be conferred or posted, if at all, until the matter is finally resolved.

- where the sanction that has been imposed is suspension or expulsion, regardless of whether an appeal has been submitted by either party or the appeal period is still open, the respondent will generally not be permitted to participate in graduation activities, including the commencement exercises, and a degree will not be conferred or posted, if at all, until the matter is finally resolved.

Disciplinary Records

Upon graduation or withdrawal from the University, student records are maintained by Student Affairs offices for a period of seven years, after which time they are expunged. Official records of students who are suspended or expelled from the University are maintained indefinitely. Records may be retained for internal purposes solely when subject to litigation or complaints to external authorities.

Student records will not be released outside the University absent a written release from the student or unless otherwise required by law, in accordance with the Family Education Rights and Privacy Act (FERPA). However, students should be aware that they may be required to sign a waiver when applying to graduate or professional schools or in the course of any employment or governmental background check.