

# Student Handbook

## 2022-2023

### FIRST EDITION

([https://www.vanderbilt.edu/student\\_handbook/](https://www.vanderbilt.edu/student_handbook/))

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## Chapter 3: Student Accountability

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Although the University values personal freedom, celebration, and recreation, the policies and regulations that apply to student conduct at Vanderbilt are also informed by principles that value the health, safety, and well-being of students and other members of the University community, as well as their academic and personal success. The University's goal in establishing policies and holding students accountable for complying with them is to help students understand how their choices can affect not only their immediate neighbors, but also the University community as a whole.

When students fail to meet University standards, they ultimately risk separation from the University community. Vanderbilt's system of graduated sanctions and structured accountability action plans is designed to effect students' voluntary compliance with the policies and regulations established to protect themselves, other students, and the community. Vanderbilt hopes that educational conferences, deferred probations, and probationary periods with accountability action plans will be sufficient to help students make better choices so that separation from the community never becomes necessary.

## General Misconduct

Students and student organizations are expected to comply with all University policies, which are derived from tradition and evolve with contemporary practice. Ignorance of a policy is not a valid excuse for violating it. Grounds for corrective action cannot always be the subject of precise statement; however, when commonly held standards of conduct are broken, students must be held accountable if the University community is to be sustained.

Students are subject to corrective action when, individually or as members of a group, they violate University policy, rules, or regulations, including but not limited to the following:

- ⦿ Obstruction or disruption of teaching, administration, and University procedures and activities, or other authorized activities on University premises, including programs, events, meetings, or speakers hosted by student organizations, departments, offices, or other entities, except as outlined in the Freedom of Expression policy;

- ⊙ Physical abuse of any person, including assault and other unwanted physical contact;
- ⊙ Sexual misconduct, including stalking, domestic violence, and dating violence (See [Chapter 7, "Sexual Misconduct \(/student\\_handbook/sexual-misconduct\)"](#), for policies and procedures governing incidents of sexual misconduct, as defined therein.);
- ⊙ Conduct that may endanger the health or safety of members of the University community;
- ⊙ Unauthorized entry or use of University facilities or facilities of others;
- ⊙ Unauthorized access to or use of the roof, fire escape, ledge, and/or window of any University building and unauthorized access to or use of University amenities, including fireplaces, pools, gyms, and spaces;
- ⊙ Unauthorized possession or use of University property or property of others;
- ⊙ [Damage to University property \(/student\\_handbook/student-conduct/#damage-to-property\)](#) OR property of others, including, but not limited to, vandalism;
- ⊙ Disorderly conduct;
- ⊙ Lewd or lascivious conduct or expression;
- ⊙ [Threats of violence](#) or physical harm against another person, harassment, or other action that unreasonably impairs the security or privacy of another person;
- ⊙ Cruelty to animals
- ⊙ [Hazing](#);
- ⊙ Forgery, alteration, or misuse of University or other documents, records, or identification, impersonating a University official or any other person;
- ⊙ Furnishing false information to the University;
- ⊙ Misuse or misappropriation of University funds;
- ⊙ Use of University documents or information by unintended recipient;
- ⊙ Possession or use of any false identification or identification, including University-issued credentials, belonging to another person;
- ⊙ The unlawful possession, use, distribution or facilitation of the distribution of alcohol, other drugs, or drug paraphernalia (including possession or use of prescription medication belonging to another person and distribution or sharing of prescription medication; see also ["Alcohol and Other Drugs \(/student\\_handbook/alcoholic-beverage-and-controlled-substances-policies/\)"](#) in Chapter 6 for a more detailed statement of alcohol and other drug policies.);

- ⊙ The operation of a motor vehicle while under the influence of alcohol or other drugs;
- ⊙ Intoxication (See also “[Alcohol and Other Drugs \(/student\\_handbook/alcoholic-beverage-and-controlled-substances-policies/\)](/student_handbook/alcoholic-beverage-and-controlled-substances-policies/)” in Chapter 6 for a more detailed statement of alcohol policies.);
- ⊙ Failure to comply with authorized directives of, or, furnishing false information to, University officials, government officials or agencies, or representatives of University accountability bodies acting in performance of their duties;
- ⊙ Participating in or organizing scavenger hunts;
- ⊙ Violations of policies governing [conduct at athletic events](#) and in [libraries](#) and other University facilities;
- ⊙ Violations of University [computer](#) or [communications](#) system policies, and unauthorized access to private information;
- ⊙ Possession of [fireworks](#), firearms, other weapons, or explosives;
- ⊙ Tampering with fire-safety, security, building access, or other University systems;
- ⊙ Facilitating, aiding, or abetting a violation of University policy;
- ⊙ Attempting to violate University policy;
- ⊙ Retaliating against persons who have filed a complaint or submitted an incident report, or who have provided information as witnesses in any University investigation or proceeding.

**Organizations or individual hosts are responsible for the conduct of their members and/or guests, and students are responsible for what occurs in their rooms or residences (on and off campus), both financially and in terms of misconduct by guests. These responsibilities include compliance with federal, state, and local law and University policies. Those who fail to meet these responsibilities will be subject to corrective action through the University’s accountability process, and/or referral for prosecution by government authorities.**

The Dean of Students or the Dean’s designee may initiate corrective action, institute restrictions on, or withdraw registration from organizations that violate University policy and regulations, and may also impose restrictions or require conditions be met by organizations that are found to be in violation of policy. For more information, refer to [Chapter 5: Student Engagement \(/student\\_handbook/student-engagement/\)](/student_handbook/student-engagement/).

Students and student organizations are expected to observe the standards and policies of the University both on and off campus. An organization may be subject to corrective action, including the loss of its registration, or individuals may also be subject to corrective action for incidents that occur off campus.

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## Copyrights and Recordings

Schools, departments, programs, and individual faculty members, speakers, and artists may have policies governing the creation, use, and/or distribution of recordings—video or audio—of lectures, virtual course sessions, speeches, performances, and other activities. Individuals must obtain authorization prior to recording such activities, and to abide by the various policies governing their being recorded, including, but not limited to, policies related to use and distribution of recordings. Failure to abide by recording policies may be an Honor Code violation or may result in corrective action through the University's accountability process depending on the circumstances. In addition, examinations and the questions therein, lectures, teaching notes, scholarly writings, course handouts, assignments, and other course materials are the property of the individual faculty member. Copying or distributing any such materials without the authorization of the copyright owner may constitute a copyright infringement violation.

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## Threat of Violence or Physical Harm, Harassment

Vanderbilt University expects students to refrain from conduct that threatens violence or physical harm against or is harassing toward another. Harassment is unwelcome verbal, physical, electronic, or other conduct toward another that is so severe, persistent, or pervasive that it alters the conditions of education or participation in a University program or activity. A person's subjective belief that behavior is intimidating, hostile, or abusive does not necessarily make that behavior harassment. Students are also

expected to refrain from conduct that otherwise unreasonably impairs the security or privacy of another member of the University community by any means, including through the use of electronic communications, social media, computers, or data networks, or by recording unauthorized video or photographic images in a location in which the other community member has a reasonable expectation of privacy, or by publishing such images. Such conduct is a violation of University policy and may result in corrective action through the University's accountability process.

Harassment of any individual based on sex, race, color, religion, national or ethnic origin, age, disability, military service, or genetic information is unacceptable and may be grounds for corrective action, and may also constitute a violation of law. Equally unacceptable within the University is the harassment of any individual on the basis of sexual orientation, gender identity and gender expression, or harassment because of one's perception of another's sexual orientation, gender identity, or gender expression. The Equal Opportunity and Access Office handles complaints of harassment on these grounds. (See [Chapter 8, "Student Discrimination."](/student_handbook/student-discrimination/))

The policies and procedures governing cases involving sexual misconduct, including stalking, dating violence, and domestic violence, may be found in [Chapter 7, "Sexual Misconduct."](/student_handbook/sexual-misconduct/)

Other campus offices such as Housing and Residential Experience, the Project Safe Center, Student Care Coordination, the Center for Student Wellbeing, the Bishop Joseph Johnson Black Cultural Center, Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Life, the Margaret Cuninggim Women's Center, the Student Center for Social Justice and Identity, University Chaplain and Religious Life, and the University Counseling Center are available to provide support to students who believe they have been subjected to harassment.

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## Fireworks, Firearms, Other Weapons, and Explosives

The use or possession of fireworks, firearms, other weapons, explosives, or any type of ammunition on University premises is prohibited, with the exception that Vanderbilt University complies with Tennessee Code TCA 39-17-1313. In accordance with TCA 39-17-1313, the holder of a valid enhanced handgun carry permit or concealed handgun carry permit recognized in Tennessee may transport and store a firearm or firearm ammunition in the permit holder's motor vehicle if:

1. The permit holder's vehicle is parked in a location where it is permitted to be; and
2. The firearm or ammunition being transported or stored in the vehicle:
  - ⊙ Is kept from ordinary observation if the permit holder is in the vehicle; or
  - ⊙ Is kept from ordinary observation and locked within the trunk, glove box, or interior of the person's motor vehicle or a container securely affixed to the vehicle if the permit holder is not in the vehicle.

Student use or possession of these materials is prohibited off campus as well when such use or possession is illegal or may endanger the health and safety of the University community or the community at large.

Sports weapons must be kept in the custody of the Vanderbilt University Police Department, which is open twenty-four hours a day. It is a felony in the state of Tennessee to carry a weapon on a campus for the purpose of going armed. Air rifles and "BB" guns are considered to be firearms, the use and possession of which are prohibited on campus. The use and possession of realistic-looking or imitation firearms, other weapons, explosives, or ammunition, which may include water guns, paintball guns, etc., is also prohibited.

The use or possession of stun guns, flying Tasers, cattle prods, liquid stun guns, or other devices designed to disrupt the human neurological system for the purpose of incapacitation is prohibited. Knives of all types (except for knives used as common eating utensils and knives with small folding blades four inches or less and designed for personal use) are prohibited. The use or possession of any other device, object, or substance (or imitations and facsimiles thereof), designed to cause injury, or the use of any object capable of being a weapon *as a weapon* is also prohibited.

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## Damage to Property

Damage, vandalism, littering, or theft of University property or property of a University community member or campus visitor by a student or student groups may result in corrective action through the University's accountability process as well as the responsible student(s) being held financially responsible for the cost of repair or replacement.

For example, a student may leave a window open during sub-freezing weather causing burst pipes and the flooding of student rooms and common areas. Or, a student may cause a fire triggering the building's sprinkler system causing both water and smoke damage to student rooms and common areas. In these cases, the students committing the acts may be held responsible not only for accountability purposes, but also for the financial losses suffered by other students and the University resulting from these events. Students may be held financially responsible for damages or losses resulting from accidents or negligence. Students who suffer losses under such circumstances must take their claims to their own homeowners or renters insurance carriers. These companies may subrogate the claims to the carrier of the responsible student's insurance.

(Note: Among the most common occurrences is water damage caused by the triggering of interior sprinklers as a result of horseplay, or hanging objects from sprinkler heads.)

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## Hazing

State law requires each college and university in Tennessee to adopt a policy prohibiting hazing. Hazing is defined in the law as "any intentional or reckless act in Tennessee on or off the property of any [college or university] by one (1) student acting alone or with others which is directed against any other student, that endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger the



student's mental or physical health or safety. Hazing does not include customary athletic events or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization."

While including the statutory limitations of hazing above (i.e., student acts directed at students on or off campus), the University expands its definition of hazing to include any act by an individual or an organization that may produce, or is intended to produce, mental or physical discomfort, embarrassment, harassment, or ridicule, or any acts that are humiliating, intimidating, or demeaning, or that endanger the health and safety of an individual or group of individuals regardless of their affiliation for the purposes of, but not limited to, recruiting, joining, pledging, initiating, admitting, affiliating, or retaining membership in an organization. Such acts include—but are not limited to—the following:

- ⊙ violation of federal, state, provincial, local law, or organizational policy;
- ⊙ consumption of any food, liquid, alcohol liquid, drug, or other substance in any non-customary manner;
- ⊙ physical contact, including but not limited to, beating, paddling, branding, dangerous physical activity, or exposure to elements, or threats of such conduct;
- ⊙ exercise inconsistent with the mission of the organization;
- ⊙ adversely affecting the mental health or dignity of the individual through acts such as sleep deprivation, exclusion from social contact or conduct that could result in embarrassment, or threats of such conduct;
- ⊙ disruption of academic performance or class attendance, including early morning or late night work sessions,
- ⊙ designated driving programs;
- ⊙ personal or financial servitude;
- ⊙ publicly wearing apparel which is conspicuous and not normally in good taste;
- ⊙ engaging in public stunts;
- ⊙ morally degrading or humiliating games and activities; or
- ⊙ scavenger hunts.

The university makes no distinction as to whether the acts occurred on or off campus. Willful or voluntary participation in hazing activities by a victim does not absolve the person or organization engaging in hazing from responsibility.

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## Conduct at Athletic Events

The University prohibits the throwing of objects from the stands and abusive language or gestures at athletic events. Student spectators who throw objects at athletic events will be ejected from the contest and may be subject to corrective action through the University's accountability process. Spectators who are not affiliated with Vanderbilt will be treated similarly by local authorities. The possession or consumption of alcoholic beverages in undesignated areas is prohibited at athletic events, as is the use of tobacco, electronic smoking devices, and other nicotine delivery systems.

### ***Fan Access Policy***

The Southeastern Conference Fan Access Policy states: "In all sports, access to the competition area shall be limited to participating student-athletes, coaches, officials, support personnel and properly-credentialed individuals, at all times. For the safety of participants and spectators alike, at no time before, during or after a contest shall spectators be permitted to enter the competition area." Students who violate this policy—including by rushing a court, field, or other competition areas—are subject to corrective action through the University's accountability process, and may be required to pay a fine. In addition, individuals who improperly enter the competition area may be expelled from the facility, arrested for trespassing, or lose future ticket privileges.

### ***Signs, Banners, and Artificial Noisemakers***

Students may paint themselves, using the common names for Vanderbilt teams (e.g., Dores, Vandy, VU). Students and/or registered student organizations may submit banners to be displayed at the game to the appropriate athletic department official, prior to the game. Banners with obscene, offensive, or derogatory messages—as determined by athletic department personnel—will not be displayed. Efforts will be made to display all banners submitted and approved. Banners must be submitted to the designated member of the athletic department a minimum of 48 hours prior to a contest. Students are permitted to bring hand-held signs to athletic events provided that the signs meet the following guidelines:

1. The signs must be no larger than one piece of standard-size poster board (22" x 28");
2. Signs may not display abusive, offensive, or obscene words or drawings—as determined by athletic department personnel; and
3. Names of commercial products other than the official broadcast networks of the contest may not be mentioned on the sign.
4. Dry erase boards and the like are prohibited. Signs must be completed and approved by the designated member of the athletic department prior to the event, and may not be changed once approved.

Event staff has the discretionary authority to determine whether a sign meets the guidelines. Signs that do not meet these guidelines may be confiscated at any time during the event. Students in possession of a sign that does not meet the guidelines may be ejected from the contest if they refuse to comply with the policy stated above.

Artificial noisemakers (cowbells, vuvuzelas, inflatable balloon-stick clappers, etc.), are prohibited at any athletic event, with the exception of musical and percussive instruments used by official team bands in accordance with Southeastern Conference regulations.

The complete Vanderbilt Athletics Fan Code of Conduct is available on the Athletics [website](https://vucommodores.com/wp-content/uploads/2020/06/FanCodeOfConduct.pdf) (<https://vucommodores.com/wp-content/uploads/2020/06/FanCodeOfConduct.pdf>). Where in conflict with this policy, the University's Freedom of Expression policy will be applied to actions of students participating in a protest, demonstration, or dissent.

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## Conduct in the Libraries

Vanderbilt's Jean and Alexander Heard Libraries offer a welcoming, comfortable, and safe environment for its users. The libraries are a place for learning and reflection, and library staff supports these efforts by providing helpful, responsive, and knowledgeable services. Mutual courtesy and respect among users and staff are essential to the University's educational mission, and the role the libraries serve in fulfilling it. One of the

highest goals of the libraries is to create a setting where its users feel free to pursue research and study without compromising their privacy or safety. Each campus library provides a variety of spaces for quiet study. Library users are asked to be courteous to others, and to be aware of the potential impact of their conversations and use of electronic devices in open areas. Collaborative study spaces enable conversation and interaction among students. All conduct should be consistent with and contribute to the research and scholarship of the Vanderbilt community.

Equally important is protecting the physical integrity of library books, journals, and other resources. These materials form the intellectual core of the libraries. In order to preserve and share materials, users are expected to adhere to the libraries' circulation policies and any special guidelines that exist for handling delicate or one-of-a-kind materials in certain locations. Food and drinks in covered containers are allowed except in designated areas. Users at computer workstations in library locations are expected to show consideration for others. Library users are encouraged to report concerns to any library Service Desk.

More information about Library policies may be found on the Library [website](https://www.library.vanderbilt.edu/)

(<https://www.library.vanderbilt.edu/>).

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## Conduct in Study-Abroad Programs

Students who participate in Vanderbilt University study-abroad or remote overseas programs, including students from other institutions or who are not primarily registered at Vanderbilt, are representatives of Vanderbilt, and their respective countries, for the duration of the specific programs in which they are enrolled, and for any period immediately before or after that, should they extend their respective visits abroad. Participants are expected to conduct themselves appropriately and respectfully, and to abide by the policies and regulations set forth by the University, the Global Education Office (GEO), their respective program directors, on-site program staff, study-abroad program providers, foreign host institutions (in the case of exchange and direct-enroll programs), and facilities in which they reside. Students are also expected to abide by the

laws and customs of the countries in which they are studying or traveling. In addition, provisions of the [Student International Travel Policy \(/global/student-international-travel-policy-2/\)](/global/student-international-travel-policy-2/) apply to students studying abroad.

Given the nature and function of study-abroad programs, student-participant adherence to policies, procedures, and directives is crucial. Should there be an allegation of a violation of policy, the allegation will be addressed using the [Accountability Procedures \(/student\\_handbook/student-conduct/#accountability-procedures\)](/student_handbook/student-conduct/#accountability-procedures) outlined below or other applicable procedures considering the nature of the incident. Cases involving sexual misconduct, including stalking, domestic violence, and dating violence during study-abroad programs must be addressed according to the policies and procedures outlined in Chapter 7, "[Sexual Misconduct \(/student\\_handbook/sexual-misconduct/\)](/student_handbook/sexual-misconduct/)."

Students enrolled in study abroad or remote overseas programs not directly administered by Vanderbilt (i.e. direct enroll or exchange programs, or programs operated in conjunction with third-party providers) are subject to accountability proceedings as outlined by the relevant program or institution. Generally speaking, these institutions will inform and work with the Global Education Office and the GEO will in turn inform Student Accountability, Community Standards and Academic Integrity who will investigate and respond to alleged violations of policies or regulations.

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## University Trademarks

All students and student organizations are expected to comply with the appropriate use of University trademarks. More information about the appropriate use of Vanderbilt University trademarks by students and student organizations can be found in the [Communication and Promotion section of Chapter 5, Student Engagement \(/student\\_handbook/student-engagement/\)](/student_handbook/student-engagement/).

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## Use of University Computers and Data Networks

Vanderbilt students who are granted access to the University's IT systems, including computer centers or campus-wide internet services, are expected to ensure appropriate use of those systems, including by complying with the [Student Computing Policy](#) ([/enrollmentbulletin/policies/student-computing-policy/](#)) and [The Computing Privileges and Responsibilities Acceptable Use Policy](#) (<http://www.vanderbilt.edu/info/computing-aup/>). Among other things, these policies prohibit sharing Vanderbilt University passwords, violation of copyright laws, including illegal file sharing, the transportation of obscene materials across state lines, and unauthorized access to private information, whether obtained through direct "hacking" or by "social engineering" methods. University computers and data networks, including electronic mail systems, may not be used by students for commercial business purposes not authorized by the University or to harass another by threats, obscenities, or repeated unwanted emails. In addition to sanctions through University accountability proceedings, computing and data network privileges may be revoked in appropriate circumstances.

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## Use of University Communications Systems

Students should identify themselves to the persons contacted through University communications systems and may not use the systems to harass another by threats, obscenities, or repeated contact in which they fail to identify themselves. Harassment over communications systems may be a violation of state law that subjects an individual to criminal prosecution as well as corrective action through the University's accountability process. Students who experience such contact should report the matter to Student Accountability, Community Standards and Academic Integrity and/or the Vanderbilt University Police Department. Some harassment over University communications systems may be sexual harassment, as defined in Chapter 7, "[Sexual Misconduct](#)" ([/student\\_handbook/sexual-misconduct/](#)), and the policies and procedures outlined in that chapter should be followed.

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## Good Neighbor Policy

Vanderbilt University is dedicated to participating in the Nashville community in meaningful ways. To that end, the [Good Neighbor Guidelines](/ohare/housing/good-neighbor-guidelines/) exist to assist students living off campus to be responsible neighbors.

All residents living in an off-campus residence who engage in behavior or allow guests to engage in behavior that contradicts the Good Neighbor Guidelines may receive a warning that continued acts will be subject to disciplinary action. Actions that adversely affect the University's relationship with neighboring communities may be referred to Student Accountability, Community Standards and Academic Integrity regardless of prior warnings.

In addition to sanctions assigned by Student Accountability, Community Standards and Academic Integrity, residents found responsible for violating the Good Neighbor Policy may be restricted from living off-campus in future years.

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## The Accountability System

***Note: General provisions of the University's Honor System, may be found in Chapter 2, [The Honor System](/student_handbook/the-honor-system/) .” Policies and procedures governing cases involving sexual misconduct, including stalking, dating violence, and domestic violence are outlined in Chapter 7, [Sexual Misconduct](/student_handbook/sexual-misconduct/) .” Policies and procedures governing cases involving student discrimination are outlined in Chapter 8, [Student Discrimination](/student_handbook/student-discrimination/) .”***

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. For matters specific to their areas, delegated to them by the Director of Student Accountability, authority may also be exercised by the Interfraternity Council and Vanderbilt Student Communications, Incorporated. The nature of specific areas of authority is described in [Chapter 5: Student Engagement](#)

([/student\\_handbook/student-engagement/](/student_handbook/student-engagement/)).

In consultation with the Office of the General Counsel, the Dean of Students may assume jurisdiction for cases before Student Accountability or any of the several Honor Councils. The 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 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.

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## Jurisdiction

All persons 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, or participating in programs and activities of the University as students, even if not registered primarily at Vanderbilt, and students on official leaves from the University (medical, personal, disciplinary, or otherwise) fall under the jurisdiction of the accountability system from the time of their arrival on campus or matriculation, whichever is sooner, until degree conferral. This includes those taking part-time courses of study; participants in summer programs; participants in programs of the English Language Center; transients during the summer or other sessions; and students cross-registered from a neighboring institution.



Accountability proceedings for these students are the same as for full-time Vanderbilt students. 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.

Similarly, student organizations fall under the jurisdiction of the accountability system.

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## Accountability Procedures

Student Accountability has original jurisdiction in all cases of nonacademic misconduct, excluding sexual misconduct and discrimination cases, involving undergraduate, graduate, and professional students.

Rights of students or student organizations 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, proof to accountability staff for a finding of responsibility 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, or an officer in the case of an organization (hereinafter “student”), 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.

The student facing potential corrective action may choose a Vanderbilt faculty, staff, or student adviser who is not related to the student, and who has not had formal legal training (except in cases concerning students in the Law School), 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. Student organizations may send no more than two representatives to an accountability meeting and may have an adviser that meets the requirements previously outlined.

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 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 student may also speak to the question of the appropriateness of any particular corrective action or sanction.

The findings will be based on information presented at the accountability meeting. 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. A search differs from Room Entry by Housing and Residential Experience; for more information, see [Chapter 4: Residential Life](/student_handbook/residential-life/) ([/student\\_handbook/residential-life/](/student_handbook/residential-life/)).

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 by the University. Recordings not authorized by Student Accountability, are prohibited. 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.

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.

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 process 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 are outlined in Chapter 7, "[Sexual Misconduct \(/student\\_handbook/sexual-misconduct/\)](/student_handbook/sexual-misconduct/)." The policies and procedures governing cases involving student discrimination are outlined in Chapter 8, "[Student Discrimination \(/student\\_handbook/student-discrimination/\)](/student_handbook/student-discrimination/)."

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## Alternative Resolutions for Registered Student Organizations

Student organizations engaged in mismanagement of events, activities, or operations that do not result in harm--financial, physical, or otherwise--may be subject to an alternative resolution plan to stop the behavior and prevent its reoccurrence. The decision to refer to an accountability proceeding or issue an alternative resolution plan is at the sole discretion of Student Accountability.

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.

Alternative resolutions are not eligible for appeal.

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## Appeals and the 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). Information on the policies and procedures governing appeals in cases involving sexual misconduct, including stalking, dating violence, and domestic violence may be found in Chapter 7, [“Sexual Misconduct \(/student\\_handbook/sexual-misconduct\)”](/student_handbook/sexual-misconduct).

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.

### *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](/student_handbook/student-discrimination/) (/student\_handbook/student-discrimination/)).

Appeals involving cases of sexual misconduct, including stalking, dating violence, and domestic violence are discussed in Chapter 7, “[Sexual Misconduct.](/student_handbook/sexual-misconduct/)” (/student\_handbook/sexual-misconduct/)

### ***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](https://cm.maxient.com/reportingform.php?VanderbiltUniv&layout_id=12)

([https://cm.maxient.com/reportingform.php?VanderbiltUniv&layout\\_id=12](https://cm.maxient.com/reportingform.php?VanderbiltUniv&layout_id=12)) form by no later than 5pm on the tenth (10<sup>th</sup>) 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](mailto: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.

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## Sanctions

Vanderbilt's system of graduated sanctions and structured accountability action plans, is designed to educate and effect reflection on the part of students and their organizations, as well as to effect students' and student organizations' voluntary compliance with the policies and regulations established to protect themselves, other students, and the community. Vanderbilt hopes that educational conferences and probationary periods will be sufficient to help students and their organizations make better choices so that separation from the community never becomes necessary.

Given the educational nature of University accountability proceedings, several factors are considered when determining sanctions and the components of an accountability action plan. In addition to a student's or a student organization's previous record, the circumstances surrounding the violation or infraction—such as the nature and severity of the event and the impact on others—may also be considered. Finally, a student's or a student organization'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 be implemented only 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 [document retention policy](#) delineated below), 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 and will be implemented only 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. 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, and (2) the most recent violation is not the same charge as the misconduct resulting in the prior or current probationary status(es).
- ⦿ *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 [document retention policy](#) delineated, below), 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. 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 from an immediate, active, or potentially ongoing threat. Such an interim suspension is not considered disciplinary action and will not be subject to appeal.

- ⦿ *Expulsion*. Permanent separation from the University. Expulsions are entered upon the student's permanent disciplinary record (which is maintained in accordance with the [document retention policy](#) delineated, below), 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 is a list of common sanctions for student organizations:

- ⦿ *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.

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 or student organization. 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. 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.

In all cases, accountability bodies have authority to establish various sanctions and accountability action plans appropriate to violations or infractions. Routine sanctions and accountability action plans may be established for certain infractions 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 re-enroll subject to restrictions (as in probation) for the next term. A student's previous record will be considered when a sanction or accountability action plan is imposed. When sanctions and/or accountability action plans are indicated for a student organization, the group's prior record will be considered in determining the appropriate sanction or plan.

### ***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 policies and procedures governing cases involving student discrimination are outlined in Chapter 8, "[Student Discrimination](/student_handbook/student-discrimination/)".

### ***Notification***

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 required 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 official will take action to implement 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, action is normally not taken until the accountability process, including an appeal, if any, is completed.

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.

### ***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 will 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 an accountability proceeding may be held.

The student may respond in one of three ways: participate in the accountability proceedings, waive the right to give testimony personally, thereby acknowledging that proceedings may go forward 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 during the proceedings. Failure by the student to respond will be considered a waiver of the right to appear.

During the time prior to the proceedings, a notation will be placed on the student's academic record, stating that accountability proceedings are pending. 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 the Dean of Students (or the Dean's designee). The matter must be resolved before the student may re-enroll.

### ***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.

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## 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.

No contact directives issued in matters involving sexual misconduct, including stalking, dating violence, and domestic violence, are issued by the Title IX Office (Chapter 7, "[Sexual Misconduct \(/student\\_handbook/sexual-misconduct/\)](/student_handbook/sexual-misconduct/)"). Violations of no contact directives issued by the Title IX Office 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 Title IX in making that determination.

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## Pending Disciplinary 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
- ⊙ 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
- ⊙ 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

- ⊙ 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

### ***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.

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## Disciplinary Records

Upon graduation or withdrawal from the University, student records in Housing and Residential Experience and Student Accountability are maintained for a period of seven years, after which time they are destroyed. Official records of students who are

suspended or expelled from the University will be maintained indefinitely.

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.

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