

A person's subjective belief that conduct is intimidating, hostile, or offensive does not make that conduct harassment. To constitute harassment, the conduct must from both a subjective and objective perspective be so severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives a member of the community of the ability to participate in or to receive benefits, services, or opportunities from the University's education or employment programs or activities. In determining whether a hostile environment exists, Equal Opportunity and Access (EOA) examines the context, nature, scope, frequency, duration, and location of incidents, as well as the relationships of the persons involved.

**Retaliation** includes action threatened or taken, directly or through others, intended to deter a person from engaging in Protected Activity (defined below) or done in retribution for engaging in Protected Activity. Action in response to Protected Activity is not retaliatory unless it (1) would not have occurred in the absence of the protected activity; and (2) has a materially adverse effect on the person, meaning the action was sufficiently harmful to deter a reasonable person from engaging in Protected Activity. Vanderbilt strictly prohibits retaliation and will take appropriate action to address reports of retaliation.

Additional Definitions:

- **Report** is any complaint or information provided to EOA alleging an incident of discrimination, harassment, or retaliation.
- **Complainant** is generally the person who is reported to have been subjected to discrimination, harassment, or retaliation; if the complainant is a student organization, a representative from the organization will be designated to represent the organization in the investigation process.
- **Respondent** is the person alleged to have engaged in Prohibited Conduct; if the respondent is a student organization, EOA or Student Accountability, Community Standards and Academic Integrity ("Student Accountability") will designate a member of the organization to represent the organization in the investigation process.
- **Protected Activity** includes (1) reporting (internally or externally) or inquiring, in good faith, about suspected Prohibited Conduct; (2) assisting others in reporting or inquiring, in good faith, about suspected Prohibited Conduct; or (3) participating in an investigation or proceeding related to suspected Prohibited Conduct.

## Harassment

Vanderbilt University expects students to refrain from conduct that 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.

Harassment of any individual based on sex, race, color, religion, national or ethnic origin, age, disability, military service, or genetic information is unacceptable. 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. Harassment that falls within one of these protected categories is subject to referral for investigation and adjudication by EOA.

## 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