VANDERBILT UNIVERSITY

Student Discrimination Policy

I. University Policy Statement

Vanderbilt University is committed to encouraging and sustaining a learning and work community 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, pregnancy and related conditions, 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.

II. Policy

This policy complies with applicable federal, state, and local non-discrimination laws and regulations including, but not limited to, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act as amended, the Age Discrimination in Employment Act, the Older Workers Benefit Protection Act, the Age Discrimination Act of 1975, the Uniformed Services Employment and Reemployment Rights Act, the Vietnam Veterans' Readjustment Assistance Act, the Tennessee Human Rights Act, the Tennessee Disability Act, the Pregnant Workers' Fairness Act, and the Genetic Information Nondiscrimination Act.

III. Scope and Audience

For allegations of Prohibited Conduct (defined below) not based on sex or gender, the Equal Opportunity and Access Office (EOA) will address the allegations of prohibited conduct by a student under this policy and in accordance with the Student Discrimination Procedures. Reports of discrimination, discriminatory harassment, and retaliation based on sex or gender, including sexual orientation, gender identity, gender expression, pregnancy and related conditions, and parental status are addressed by Vanderbilt University's Title IX Office. EOA will address allegations of discrimination, discriminatory harassment, or retaliation by a non-student in accordance with applicable university policies and procedures.

EOA will apply the processes in effect on the date EOA receives the report of Prohibited Conduct as defined in the Student Discrimination Policy irrespective of the date the reported incident(s) occurred. EOA will apply the definitions, including for Prohibited Conduct, in effect on the date

of the alleged incident(s). For reported conduct that spans more than one policy's definitions, EOA will use the definitions in the relevant edition of the policy in effect at the time of the most recent alleged incident.

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, discriminatory harassment, or retaliation received by EOA will be addressed by EOA based on the information available. Reports that include multiple bases for alleged Prohibited Conduct will be addressed by the relevant offices on a case-by-case basis to determine how to proceed based on applicable policies and processes. 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, discriminatory harassment, and retaliation and to resolve reports in a timely and fair manner.

IV. Definitions

Prohibited Conduct: Under this policy, prohibited conduct includes:

> **Discrimination:** Treating someone differently because of their race, color, national or ethnic origin, religion, sex, sexual orientation, gender identity, gender expression, pregnancy and related conditions, parental status, age, disability, military service, veteran status, genetic information or any other classification protected by law ("protected classes") in the administration of Vanderbilt's educational policies, programs or activities. This policy also prohibits discrimination based on the perception that any person is a member of any of the protected classes or is associated with a person who is, or is perceived to be, a member of one or more of the protected classes.
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> **Discriminatory Harassment:** Any verbal, written, or physical conduct, or conduct using technology, directed toward someone because of their membership in a protected class that has the purpose or effect of substantially interfering with the individual's educational or work performance, or creating an intimidating, hostile, or offensive living, working, or academic environment. This policy also prohibits harassment based on the perception that any person is a member of any of the protected classes or is associated with a person who is, or is perceived to be, a member of one or more of the protected classes.
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> To constitute a hostile environment, conduct must be both subjectively and objectively offensive, and so severe 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. A person's subjective belief that conduct is intimidating, hostile, or offensive does not make that conduct harassment. In determining whether a hostile environment exists, EOA and the Title IX Office examine 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: (1) it would not have occurred in the absence of the protected activity; and (2) it has a materially adverse effect on the person, meaning the action was sufficiently harmful to deter a reasonable person from engaging in the Protected Activity. Vanderbilt strictly prohibits retaliation and will take appropriate action to address reports of retaliation.

Additional Definitions:

Complainant: In general, 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 investigative 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.

Report: Any complaint or information provided to EOA alleging an incident of discrimination, harassment, or retaliation.

Respondent: The person alleged to have engaged in Prohibited Conduct. If the respondent is a student organization, EOA will designate a member of the organization to represent the organization in the investigation process.

Student: Defined in "Student Accountability Procedures" of the *Student Handbook*.

V. Disciplinary Action

Any violation of this policy may result in disciplinary action.

VI. Contacts

University Policy Owner: Associate Vice Chancellor for Equal Access
Division/Department: Division of Administration, Office for Equal Access
Executive Sponsor (Vice Chancellor): Vice Chancellor for Administration
Division/Department: Administration

VII. Roles and Responsibilities

None current.

VIII. Forms and Tools

Reports of discrimination or harassment can be reported to EOA online, by email to eoa@vanderbilt.edu, or by calling (615) 343-9336.

IX. Frequently Asked Questions

None current.

X. Related Information

- Student Discrimination Procedures
- *Faculty Manual*
- 2024-25 Sexual Misconduct Policy
- 2024-25 Formal Grievance Protocol

XI. Certification Requirements

None current.

XII. History

Date Issued: August 9, 2024

Original Issue Date:

August	2024
Month	Year

Next Scheduled Review Date:

August	2027
Month	Year