



**STUDENT HANDBOOK
2021-2022**

**STUDENT CODE OF CONDUCT &
CAMPUS-WIDE POLICIES**

**DIVISION OF STUDENT AFFAIRS
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STUDENT CODE OF CONDUCT

The following violations of the Student Code of Conduct standards will be processed through the Dean of Student Affairs and/or his/her designee. Violations occurring off-campus and in online forums are subject to the terms of the Student Code of Conduct.

- A. ALCOHOL:** The use, possession, or consumption of any alcoholic beverage or paraphernalia in a university classroom building, laboratory, auditorium, library building, gallery, residence hall, faculty or administrative office, athletic facility, or any campus area, including but not limited to, possession of alcohol, consumption of alcohol, providing alcohol to a minor, public intoxication, minor driving under the influence of alcohol, driving while intoxicated is prohibited on university property without specific permission from university administration. For more information, please review the Student Handbook's section regarding Alcohol & Illicit Drugs.
 - A.a) EMPTY CONTAINER:** Possession of containers that previously contained alcoholic beverages. Empty containers will be considered an open container and deemed as proof of consumption and a violation of the alcohol policy. The policy applies to all students, regardless of age. Empty alcohol containers cannot be used as decorations.
 - A.b) COMMON SOURCE:** Possession of common source containers, whether full or empty, of alcohol such as kegs, beer balls, or boxed wine.
 - A.c) DRINKING GAMES:** Participation in and/or being in the presence of drinking games or activities that encourage rapid consumption of alcohol.
 - A.d) POSSESSION:** Possession of alcoholic beverages by anyone including persons 21 years of age or older on University property.
 - A.e) CONSUMPTION:** Consumption of alcoholic beverages or possession of an open container by anyone including persons 21 years of age or older on University property. This includes but is not limited to; public space within a residence hall, academic buildings, athletic venues/buildings, tailgating, etc.
 - A.f) INTOXICATION:** Intoxication by any person, regardless of age. Social drinking must never be undertaken to the detriment of, or in violation of, the rights of others. As such, students are reminded that it is their responsibility to be sober at all times. The University will not tolerate public drunkenness since intoxicated students act in a manner inconsistent with the values of the University, pose a threat to themselves, and can make life unpleasant for those with whom they live.

Any student found in an intoxicated condition will be subject to appropriate sanctions. Determination as to whether or not a student is intoxicated may be made on the basis of the following factors including, but not limited to whether a student is:

- unable to walk without assistance
- speaking incoherently
- unconscious
- vomiting
- emitting a strong odor of alcohol
- behaving in a loud and/or disorderly manner

A.g) SALE/DISTRIBUTION: Sale, distribution, or provision or attempts to sell, distribute or provide alcoholic beverages to or by anyone including persons 21 years of age or older on university property. This includes Hosting a party where alcohol is present and/or being consumed without administrative approval.

- B. COPYRIGHT:** Actions that violate the guidelines of the Copyright Act of 1976. The Copyright Act of 1976 provides copyright protection for original works of authorship fixed in a tangible format. This policy governs the use of copyrighted works at UPIKE and can be found at the following [UPIKE Copyright Policy Website](#). More information regarding copyright & fair use, can be found at the [Copyright & Fair Use: Just the Facts website](#).
- C. DINING HALL:** All food served by Dining Services should be eaten in the dining hall unless the University permits otherwise. Food, plates, silverware, cups and other supplies are not to be removed from the dining hall. To ensure a pleasant dining atmosphere, everyone is requested to refrain from the use of abusive language, boisterous conduct and excessive distractions at mealtime. Appropriate dress is expected at all times. For reasons of safety and health, bare feet and other inappropriate dress are not permitted. It is necessary that all diners return dishes, etc., to the busing station. Each student must present their university student ID upon entering the dining facility. Using another's university student ID to gain access to the dining facility is prohibited at all times.
- D. DISORDERLY CONDUCT:** Disorderly, lewd, or indecent conduct; and other acts, or procuring another student to participate in acts, which disrupt or interfere with the lawful administration or functions of the University.
- E. DISRESPECTING OFFICIALS:** Disrespecting a University official acting in performance of his/her duties.

- F. DISTURBING THE PEACE:** This includes actions that disturb the peace and good order of the university community, including but not limited to fighting, quarreling, the use of amplifiers, bullhorns, musical instruments, loud music, or other mechanisms or communication beyond that of the natural voice and without prior permission from University officials.
- G. DRUGS (ILLICIT):** Possession, use or delivery or coordinating the delivery of illicit drugs, as defined by the Alcohol & Illicit Drug Policy.
- G.a) PARAPHERNALIA:** Possession of paraphernalia including any item typically used to inhale/ingest/inject/mask drugs, regardless of whether the item has been used for illegal purposes.
 - G.b) POSSESSION:** Possession of drugs.
 - G.c) USE:** Use of drugs.
 - G.d) PRESCRIPTIONS:** Misuse, abuse, and/or sale of prescription drugs.
 - G.e) DISTRIBUTION:** Distribution (any form of exchange, gift, transfer or sale) of drugs.
 - G.f) CO-CONSPIRATOR/AIDING:** Serving as a co-conspirator in drug related activity on campus; includes aiding in and/or knowingly endorsing acts of distribution.
- H. FAILURE TO COMPLY:** Not cooperating and/or failure to comply with any University Official or law enforcement officers acting in performance of their duties. This includes but is not limited to not honoring an employee's request to meet to discuss University business.
- I. FALSE INFORMATION:** Furnishing false information to or about any University Official acting in performance of his/her duties. This includes but is not limited to false reporting of emergencies.
- J. FALSIFYING DOCUMENTS:** Forging, altering, misusing, creating false, or failure to provide accurate and required information on University documents, records, or identification cards.
- K. FIRE ALARM:** Actions committed with disregard to possible harm to self or others during the evacuation process of a building.
- L. FIRE/EXPLOSION:** Actions that cause or attempt to cause a fire or explosion; falsely reporting a fire, an explosion or an explosive device; tampering with fire safety equipment; failure to evacuate University buildings during a fire alarm. To meet the State fire code, the university prohibits any recreational fires from occurring within 30

feet of any university building or structure. This includes but not limited to grills and bonfires/firepits. Any student interested in grilling on campus must contact public safety 24 hours in advance for permission. Any students interested in having an outdoor fire (bonfires/firepits) must contact public safety at least 48 hours in advance due to the possible need for fire department approval.

- M. GAMBLING:** University expects students to abide by federal and state laws prohibiting illegal gambling. Such prohibited activity includes, but is not limited to:
- M.a)** Betting on, wagering on or selling pools on any athletic event;
 - M.b)** Possessing on one's person or premises (e.g. room, residence, car) any card, book or other device for registering bets;
 - M.c)** Knowingly permitting use of one's premises or one's telephone or other electronic communications devices for illegal gambling;
 - M.d)** Knowingly receiving or delivering a letter, package, or parcel related to illegal gambling;
 - M.e)** Offering or accepting a bribe to influence the outcome of an athletic event;
 - M.f)** Involvement in bookmaking or wagering pools with respect to sporting events. Students involved in illegal gambling, particularly bookmaking, risk suspension or dismissal from the University.
- N. HARMFUL ACTS:** Actions or threats of action committed with disregard of possible harm to self, an individual, or group. This includes but is not limited to acts of retaliation and actions that inflict psychological or physical harm and/or injury to self, an individual or group, and invading privacy rights of others within the University community or outside of the University community while enrolled as a student. This includes, but is not limited to, acts that take place in an online forum or via text messaging.
- O. HAZING:** Hazing or any similar act that recklessly or intentionally endangers the mental or physical health or safety of a person, for the purpose of initiation or admission into, affiliation with, or as a condition for the continued membership in a group or organization. Hazing includes, but is not limited to, any act in which a person would not normally participate.
- P. INAPPROPRIATE CONDUCT:** Inappropriate conduct and/or actions that demonstrate irresponsible and/or discourteous conduct individually and/or collectively while participating in a University-related function, on and/or off-campus.
- Q. INDUCING A PANIC:** Inducing a panic without due cause, including but not limited to: a) causing the evacuation of a space, b) causing serious public

inconvenience or alarm, c) initiating or circulating a report or warning of an alleged or impending fire, explosion, crime, or other catastrophe, d) knowing that such report or warning is false, e) committing/ threatening to commit any offense of violence with reckless disregard of the likelihood that its commission will cause serious inconvenience or alarm to the University and/or local community.

- R. INFORMATION TECHNOLOGY:** Inappropriate or disproportionate use of technology resources owned or controlled by the University or the use of information technology resources for illegal, threatening, or intentionally destructive purposes. This includes, but is not limited to, circumventing system or network security, committing copyright infringement, transmitting unsolicited or harassing e-mail, sharing a university issued password, and falsifying an e-mail header.
- S. INTERFERING WITH CONDUCT PROCESS:** Actions which interfere with or obstruct the Student Conduct Process. Charges may include, but are not limited to:
- S.a) FALSE INFORMATION:** Falsifying, distorting, or misrepresenting information to the Conduct Board or hearing officer.
 - S.b) DISCOURAGEMENT:** Attempting to discourage an individual's proper participation in, or use of, the Student Conduct system; this includes violation of the No Retaliation Policy.
 - S.c) INFLUENCE OFFICER:** Attempting to influence the impartiality of a hearing officer or member of a hearing board prior to, during, and/or after a Student Conduct proceeding.
 - S.d) INFLUENCE PERSON:** Influencing or attempting to influence another person to commit an abuse of the Student Code of Conduct system.
 - S.e) OUTSIDE INVOLVEMENT:** Actions that seek to involve others in confidential Student Conduct processes when there is no legitimate need for their involvement; this includes participation in gossip and/or actions that take place in an online forum and/or via text messaging.
 - S.f) NO SHOW:** Failure to appear at a hearing without prior notification.
 - S.g) INCOMPLETE SANCTION:** Failure to complete an assigned sanction
- T. KEYS/CARDS:** Unauthorized possession, duplication, or use of keys or access cards to gain entry into any University premises or services. All Keys/ID Cards are the property of the university and are non-transferable.
- T.a) POSSESSION OF KEYS/ID CARDS:** Students are expected to carry their ID Card with them at all times and are required to produce their ID Cards upon the request of any authorized person (university administrators, residence hall staff, faculty, or Public safety officers).
 - T.b) LOANED KEYS/ID CARDS:** Keys/ID Cards may not be loaned to anyone under any circumstances and are not to be reproduced. Due to high level security concerns, giving keys to unauthorized individuals and/or reproducing

keys will result in a fine and may result in University and/or Housing Suspension or Expulsion.

- T.c) LOST KEYS/ID CARDS:** Report lost keys/ID Cards immediately to the Office of Residence Life. A lost key will require the replacement of the keys, changing the core and changing the cylinder for the locks involved. The student will be charged for these lost residence hall keys or a lost key to any other university facility. If a key is lost, the resident must notify the Office of Residence Life within 48 hours. Students will also be charged to replace their lost ID Card.
 - T.d) UNAUTHORIZED USE:** Use of any University keys/ID Cards to enter unauthorized areas is a conduct violation and may result in disciplinary action.
 - T.e) KEY RETURN:** Failure to return keys when a student checks out of the residence hall and before leaving campus will result in fines and replacement costs.
 - T.f) KEY AUDITS:** The Office of Residence Life will conduct periodic key audits during the academic year. Students failing to produce a key and/or who have not reported a key missing will be charged with a violation of policy.
- U. LOCAL/STATE/COUNTRY:** Violations and/or charges of violations of any municipal or county ordinance, any law of the State, or any law of the United States.
- V. MISREPRESENTATION:** Participating in and/or encouraging actions that intentionally misrepresent the University in an official capacity. This includes but is not limited to operating a campus organization without proper University recognition and falsely misrepresenting oneself as a University employee and/or with the authority of an employee.
- W. MOTORIZED VEHICLES:** Reckless operation of a vehicle or wheeled transportation on University grounds. This includes, but is not limited to, motorized vehicles, skates, and bicycles used without the proper regard for safety, courtesy and caution.
- X. NO RETALIATION:** The University prohibits retaliation for filing a complaint or participating in an investigation or inquiry. No one shall be subject to any form of reprisal, discrimination, adverse treatment, or retaliation because she/he has acted in good faith to report an incident, file a complaint, or participate in an investigation or inquiry.
- Y. OFF-CAMPUS BEHAVIOR:** Disruptive behavior that occurs while students are visiting locations off-campus while enrolled in classes.
- Z. PARKING:** Violation of the Parking regulations as outline on the following website:
<https://www.upike.edu/parking-regulations-2016/>

- AA. RECORDING DEVICE:** Undisclosed and unauthorized recording of other individuals within the University community. Making, attempting to make, transmitting, or attempting to transmit audio or video of any person(s) on University premises in bathrooms, showers, bedrooms, university offices, or other premises where there is an explicit expectation of privacy with respect to nudity and/or sexual activity, without the knowledge and consent of all participants that are subject to such recordings.
- BB. RESIDENCE LIFE:** Violations of the Residence Life Policies apply to those residing within the residence halls and those visiting the residence halls. Please review the [Student Handbook's Guidelines for Residential Living](#) section.
- CC. SEXUAL MISCONDUCT:** Violations of the Sexual Misconduct Policy as outline on the following website. These violations will be processed by the Title IX Coordinator: <http://www.upike.edu/titleixpolicy>
- DD. TOBACCO USE:** The University of Pikeville is a tobacco free campus. The University is dedicated to providing a healthy, comfortable and educationally productive learning environment for faculty, staff, students, and visitors. As such, it shall be the policy of the university that tobacco use will not be allowed in either indoor or outdoor areas of the campus. This policy applies to all employees, students, visitors, contractors and externally affiliated individuals or companies renting university-owned space on university-owned and operated property campus grounds. The university's tobacco policy: <https://www.upike.edu/university-of-pikeville-tobacco-policy/>
- EE. THEFT/BURGLARY:** Taking or unauthorized use, possession, or destruction of public or private property (either on or off-campus) or services or acts committed with disregard of possible harm to such property or services. This includes, but is not limited, to theft and/or unauthorized entry into the University dining hall, the coffee-shop, the lounge, and bookstore.
- FF. THREATS/HARASSMENT/STALKING:** Acts of verbal or written abuse, threats, intimidation, harassment, coercion, fighting words, and/or other conduct which create an intimidating, hostile, or offensive working, living or educational environment. This includes, but is not limited to, acts that take place in an online forum or via text messaging.
- GG. TRESPASSING:** Unauthorized entry into or use of University premises. This includes, but is not limited to, persons violating the residential visitation policy and/or

not having a resident escort, attempting to force open locked doors, and attempting to gain entry to University buildings during times of University closure.

- HH. UNIVERSITY DISRUPTION:** Disrupting the normal operations of the University and/or infringing on the rights of other members and/or guests of the University community.
- II. UNMANNED AIRCRAFT/DRONE:** The use/operation of drones/unmanned aircrafts is not permitted on University premises including the interior and exterior of university buildings. This is due to both Federal Aviation Association requirements, and risk management/liability issues. Exceptions may be made for official institutional use or research/teaching use; those instances will be managed through the Director of Public Safety.
- JJ. VANDALISM:** Acts of vandalism or carelessness that intentionally defaces and/or litters campus grounds and/or University buildings or general property; this includes but is not limited to improper disposal of chewing gum, cigarettes, and other forms of trash.
- KK. WEAPONS:** Possession and/or use of firearms, explosives, ammunition, fireworks, and/or weapons on property owned or controlled by the university. Weapons may include, **but are not limited to:** metallic knuckles; slingshots; bows and arrows; switchblade knives; non-cooking knives with blades more than three inches in length; paintball, BB, or pellet guns; taser, stun guns, and/or other deadly weapons; or dangerous chemicals. Unmodified toy guns are permissible only at the discretion of the Residence Life and/or Public Safety staff and when possession does not infringe on the rights of others or the perception of safety on campus. **Violators of this policy may be subject to arrest, fine, imprisonment and immediate separation from the university.**
- LL. WILDLIFE HARM:** Actions or threats of action committed with disregard of possible harm to animals, including wildlife found on campus grounds.
- MM. INTELLECTUAL PROPERTY RIGHTS:** Student must comply with the university Intellectual Property Rights Policy. This policy covers all types of intellectual property, including; in particular, works protected by copyright, patent and trade secret laws. Although the following list is not exhaustive, it provides typical examples of the kinds of work the policy addresses: inventions, discoveries, trade secrets, trade and service marks, writings, art works, musical compositions and performances, software, literary works, and architecture. This Intellectual Property policy is available at the following link: [**Intellectual Property Rights policy.**](#)

- NN. ANIMALS ON CAMPUS:** Students must comply with the [Animal on Campus policy](#) which addresses the University's requirements and expectations for service animals, emotional support animals, and other issues related to the presence of animals on campus.
- OO. PROFESSIONALISM (KYCO/KYCOM):** Students are expected to conduct themselves in a professional and ethical manner befitting the honorable profession that they are entering. Students have an obligation to maintain the highest standards of integrity with regards to their personal and professional conduct. Throughout their medical education, students are afforded occasions to witness and practice professionalism, and the embodiment of their medical code of ethics. For more information, please review the appropriate KYCO/KYCOM Student Handbook.