



undergraduate student  
**HANDBOOK**  
2013 - 2014





# UNIVERSITY OF PIKEVILLE

This handbook is designed to acquaint the undergraduate student body with the rules, regulations, policies, structure and services of the University of Pikeville. A tentative calendar has been included in this handbook for your reference. You are encouraged to read the entire handbook and refer to it when you have questions. If any part is unclear, please seek clarification from the vice president for student services or any other University of Pikeville official.

The general policies of the university are established by the Board of Trustees and are administered by the university departments under the responsibility and authority of the president. Administration, faculty and students contribute to policy decisions through a variety of campus committees.

It is the policy of the university that no student shall be excluded from participating in, be denied the benefits of, or be subjected to discrimination in any program sponsored by the university because of age, gender, race, color, creed, religion, handicap, sexual orientation or national origin. The Student Handbook is not intended to cover every infraction that could occur. Anything that is not covered will be dealt with on a case-by-case basis.

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# **UNIVERSITY OF PIKEVILLE STATEMENT OF MISSION**

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## ***Commitment to Christian Tradition***

Founded by Presbyterians in 1889, the University stands as an opportunity for quality higher education in the heart of Appalachia. Maintaining its commitment to Christian principles, the University recognizes the infinite worth of each person, respecting and accepting a variety of religious expressions.

## ***Commitment to Students***

While the University remains primarily committed to serving students from Appalachia, it encourages and welcomes students from all regions and cultural backgrounds. The University of Pikeville provides an opportunity for students to receive a quality education that focuses on the development of the whole person, including the intellectual, spiritual, social and physical dimensions.

## ***Commitment to Education***

The University of Pikeville offers associate, baccalaureate, and graduate degree programs that prepare students for a variety of professions or careers. The undergraduate curriculum rests on a broad liberal arts foundation, emphasizing communicative and quantitative skills; independent thinking; tolerance of diverse points of view; cultural, historical, and ethical awareness; and preparation for leadership, civic responsibility, and lifelong learning. The University of Pikeville-Kentucky College of Osteopathic Medicine provides graduate students with an osteopathic medical education that emphasizes primary care, encourages research, promotes lifelong scholarly activity and produces graduates who are committed to serving the health care needs of communities in eastern Kentucky and other Appalachian regions.

## ***Commitment to Community and Region***

The University of Pikeville is committed to enhancing the educational, cultural and economic opportunities for Appalachia through quality academic and continuing education programs as well as involvement in community service and humanitarian efforts.

## **UNIVERSITY OF PIKEVILLE INSTITUTIONAL GOALS**

The University has set the following 10 general goals for carrying out its mission:

- I. To maintain a sense of community which stresses ethical and moral values, fosters an appreciation for diversity, and provides an atmosphere that accepts and respects a variety of backgrounds and modes of religious expression within a Christian context.
- II. To offer each undergraduate student the opportunity to receive a liberal arts education, emphasizing the value of intellectual development through the promotion of independent and creative thinking as well as the development of basic communication and problem-solving skills.
- III. To assist each student in acquiring competence in a chosen professional or career-oriented field based on a broad liberal arts foundation, which encourages lifelong learning.
- IV. To enhance each student's sense of self-worth, self-discipline and personal integrity while developing social responsibility and leadership potential through a comprehensive co-curricular program.
- V. To provide each medical student the personal and professional skills necessary to improve health care services in the Appalachian region.
- VI. To maintain a community of high-quality faculty, staff, administrators and trustees who are dedicated to meeting the individual needs of students and who promote a caring and supportive environment conducive to learning.
- VII. To provide necessary resources for a quality education through instructional materials, information technology, library and physical facilities.
- VIII. To promote the growth and development of the community at large by encouraging faculty, staff, students, and alumni to serve the community and by encouraging members of the community to serve the University.
- IX. To maintain efficient and effective administrative services for institutional and educational support programs.
- X. To secure support from private, state, and federal sources to strengthen the University's viability through sound fiscal policy.

**Accreditation Statement**

*The University of Pikeville is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award associate, baccalaureate, masters and doctoral degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia, 30033-4097 or call 404-679-4500 for questions about the accreditation of the University of Pikeville. (2012)*

*The University's program for the associate degree in nursing is approved by the Kentucky Board of Nursing, and programs in teacher education are approved by the Kentucky Education Professional Standards Board. The university's degree program in social work has begun the initial accreditation process with the Council on Social Work Education and has been granted candidacy status. The University of Pikeville-Kentucky College of Osteopathic Medicine has been granted accreditation by the American Osteopathic Association's Commission on Osteopathic College Accreditation. This body is recognized by the U.S. Department of Education as the accrediting agency for colleges educating osteopathic physicians.*

# **ADMINISTRATIVE OFFICES**

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## ***Academic Affairs***

The Academic Affairs Office has administrative responsibilities for academic programs, registration and related academic services. This office is also responsible for the coordination of policies and procedures pertaining to faculty, curriculum, instruction and class scheduling.

## ***Business Affairs***

Business Affairs is responsible for all business operations of the university and for all university property. Departments operating within this complex include the Business Office, Information and Technology Services and Facilities Management.

## ***Student Services***

Student Services is responsible for non-academic life at the University of Pikeville. This office is responsible for residence halls, the dining hall, student lounges, health services, campus activities, intramural sports, student life, campus organizations, career development, and campus public safety.

## ***Admissions and Financial Aid***

The Admissions Office acts as the primary agent for the acceptance of prospective students and develops an admissions program that is responsive to student and university needs. The Financial Aid Office is committed to making the University of Pikeville accessible to qualified students who have financial needs and meet specified guidelines.

## ***Public Affairs***

The Office of Public Affairs is responsible for alumni affairs, music ensembles, public information, publications, public relations, special events, the university Web site and is the copy/print center for all departments on campus.

## ***Advancement***

The Office of Advancement is responsible for the solicitation of gifts from both private and corporate donors through the use of annual giving, alumni affairs, planned giving and prospect research and development.

## ***Administrative Officers***

Dr. James L. Hurley .....	<i>President</i>
Paul E. Patton .....	<i>Chancellor</i>
Dr. Eric A. Becher .....	<i>Vice President for Advancement</i>
Dr. Boyd R. Buser .....	<i>Vice President for Health Services and Dean of KYCOM</i>
Ron Damron .....	<i>Vice President for Student Services</i>
Dr. Thomas Hess .....	<i>Vice President for Academic Affairs and Dean of the College of Arts and Sciences</i>
Gary Justice .....	<i>Vice President for Enrollment Management/ Special Assistant to the President</i>
Douglas Lange .....	<i>Vice President for Business Affairs</i>

# **SERVICES FOR STUDENTS**

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## ***Statement of Non-Discrimination***

It is the policy of the university that no student shall be excluded from participating in, be denied the benefits of or be subjected to discrimination in any program sponsored by the university because of gender, race, religion, sexual orientation, age, handicap or national origin. In order to promote a broad learning environment, the University of Pikeville welcomes applications from individuals of diverse backgrounds.

## ***Academic Advising***

Responsibility for general coordination of the advising system at the University of Pikeville rests with the dean of the college of arts and sciences. When students enter the university they are assigned a faculty advisor. The major objectives of the university advising program are:

1. To provide individual assistance to each student in order to help the student advance within his/her program.
2. To assist with scheduling.
3. To review academic credentials for graduation.
4. To acquaint students with services provided by the university.

## ***ACE Program***

The ACE Program (Academic and Cultural Enrichment) is a federally funded program that offers a variety of programs and activities designed to provide comprehensive academic support and improve academic performance and increase student retention and graduation rates. Students interested in becoming a member of the ACE Program must apply and qualify for the program. Students may apply for this program in the ACE offices located in the Armington Learning Center, Rm. 011 or obtain information by calling 218-5701.

## ***Student Sickness and Accident Insurance Plan***

The University of Pikeville believes it is essential for students to be protected against unexpected accidents or illnesses and therefore provides an option for students to purchase a sickness and accident insurance plan. Information on this policy can be found in the Student Services office.

## ***Allara Library***

Allara Library has collections of books (both circulating and reference), periodicals, databases, microforms and videos and can supply free, on interlibrary loan, books or photocopies of articles it lacks. Special Collections houses the university archives and a collection of Kentucky/Appalachian history and genealogy. For more information, please check the pamphlets in the library or ask a librarian. See also the Medical Library (Ext. 5150, KYCOM Telemedical Learning and Resource Center) and the Curriculum Center (Ext. 5318, Administration Building 213).

## ***Bookstore***

The university Bookstore, located in the lower level of the Pikeville parking garage on Hambley Boulevard, offers books, clothing, school supplies, sports items and

gifts. During final exams of fall and spring semesters, the bookstore buys back textbooks from students. The bookstore was established primarily to meet the needs of students, faculty and staff, but the public is also welcome to make purchases.

### ***Career Development***

The Career Development Department is located in the Student Services Office. This service provides assistance with resume writing and holds interview workshops. This office also maintains a list of available part-time jobs for students. For assistance, call 218-5229.

### ***Computing Services***

The University of Pikeville maintains several public access facilities located in the following buildings throughout campus: Administration 212, 308 and the Education Resource Center in 213, Allara Library main floor, Tutoring Center 001 and 028, ACE Writing Center Armington 011, Armington 115, Record Memorial Nursing Lab 308 and the KYCOM Telemedical Learning and Resource Center third floor, 413 and Community Technology Center 136. To obtain a PCNET account or an ID Card, report to the Information Technology Office located on the second floor of the Community Technology Center Building.

### ***Counseling Service***

Counseling services are provided through the office of student services and the Office of Student Success. These offices will serve as an initial point of contact for students with academic, financial or personal issues. Clinical services including behavioral health and alcohol and substance abuse counseling are also available. Information can be obtained and appointments can be made by calling the office of student services at (606) 218-5224 or the office of student success at (606) 218-5626.

### ***Dining Hall Policies***

All food served should be eaten in the dining hall. 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 meal time. 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.

### ***Disability Services***

The Disability Services Office is located on the ground floor of the Administration Building. Students with disabilities must make the disability known to this office and must provide current and comprehensive documentation concerning the nature and extent of the disability in order to be granted accommodations under Section 504 and ADA. For more details see "Students with Disabilities" on page 24 of this handbook. For assistance, call 218-5232 or e-mail [katherinepetot@upike.edu](mailto:katherinepetot@upike.edu).

### ***Food Service Information***

The university food service is operated by Aramark Food Services, Inc., which maintains the university dining hall (City View Café), located in the Coal Building, and Java City, located in Wickham Hall.

### ***Leadership/Community Service Program***

The goal of this program is to empower students to become compassionate agents of change, to use their knowledge and abilities to help others, to inspire responsibility and to stimulate service as a life-long conviction.

Volunteer efforts completed can be submitted onto a second transcript, which will be kept on file in the office of student services. The second transcript may be obtained for references at the request of the student.

### ***Post Office***

The main post office for the entire campus is located in Wickham Hall. Mailboxes are available for all residence hall students and are assigned through the campus post office.

### ***Health Services***

The Pike County Health Department provides Health Services to UPIKE students. Services available include: Treatment of minor medical issues; wellness service; family planning; male health clinic; providing of limited over the counter medication; dental referrals; and limited access to a physician. Students are responsible for all prescription medication. Health services is located in the Armington Science Building, Room 201. The phone number is 606-218-5240.

### ***Spiritual Life Committee***

The Spiritual Life Committee consists of the campus chaplain, faculty, staff and student members and is responsible for religious activities at the university. They plan and conduct programs, which include weekly chapel services, group experiences, Bible study and community involvement. The Spiritual Life Committee seeks to be sensitive to the religious needs of the entire university community.

### ***Student Lounge***

The university's Student Lounge is located on the ground floor of Wickham Hall. It offers an opportunity for students to relax, study and enjoy time with fellow students. A pool table is located in the lounge and pool cues may be checked out in the office of student services. There are also televisions, couches, gaming consoles, an air-hockey table, arcade games, tables and chairs for students to use at their leisure. The university asks that all students respect the property of the university so that all students may enjoy the Student Lounge. Destruction of university property is grounds for disciplinary action up to and including separation from the university.

### ***Testing Center***

The Testing Center is located on the ground floor of the Administration Building. This office serves as an information resource center for all national and in-house testing programs. Proctoring for correspondence, on-line and ADA accommodated testing is also available by appointment. Juniors and seniors in good academic

standing may apply for employment as proctors for the National ACT and SAT. For assistance, call 218-5232 or e-mail [katherinepetot@upike.edu](mailto:katherinepetot@upike.edu).

### ***Academic Assistance Center***

The University of Pikeville provides academic assistance to all students enrolled in coursework at the university. The Academic Assistance Center is staffed with current students who have excelled in their academic coursework and are equipped with the knowledge and skills to assist with college level writing/composition as well as courses in their particular majors. The Academic Assistance Center is committed to the success of every University of Pikeville student. All students employed as academic assistants take part in scheduled training sessions and impromptu meetings designed to guarantee successful assistance sessions. There is no fee for university students who take advantage of this service.

The Academic Assistance Center is located in Allara Library, room 016 and operates on a drop-in or scheduled basis. The location of the center in the library allows easy access to the extensive support services of the library as well as individual, personalized service. The center has assistants available daily, Monday through Thursday, as allowed by individual course schedules, and from 3 p.m. until 9 p.m. Each semester a schedule is posted on campus bulletin boards, on Facebook under Academic Assistance Program, and on the Academic Assistance link of the library Web site to provide students with detailed days and times when there is available assistance for specific courses or areas of study. This schedule is also provided to the faculty, athletic coaches and Student Services personnel.

Off-campus students may contact the center via phone, email, SKYPE, or the library link on the university Web site.

#### **Contact Information:**

Elizabeth (Libby) Shockey, Coordinator Academic Assistance Program  
Office: All 013-A  
606-218-5328  
[ElizabethShockey@upike.edu](mailto:ElizabethShockey@upike.edu)

Academic Assistance Center  
Location: Allara Library 016  
606-218-5622

### ***Veterans***

The VA Certifying Official acts as point of contact for all veterans and the dependents of disabled/deceased veterans who wish to claim educational benefits through the Veterans Administration while attending the University of Pikeville. The Office for Veterans Benefits is located on the ground floor of the Administration Building. For assistance, call 218-5232 or e-mail [katherinepetot@upike.edu](mailto:katherinepetot@upike.edu).

## **POLICIES**

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A student in attendance at the University of Pikeville accepts the obligation to conform to the regulations of the university. It is understood and agreed upon by each student that failure to meet this obligation shall justify disciplinary action. These sanctions will be enforced through the office of student services. The university is not limited by this list or other published regulations when it initiates disciplinary action.

### **Parental Contact**

As a private university, we reserve the right to contact your parent(s) or guardian for good cause such as an accident or serious illness, disappearance from campus or other serious matters relative to your health or safety and that of the campus community.

### **Misconduct Sanctions**

Separation from the University of Pikeville involves removal from programs offered by the university, including resident status, for a minimum of one year. Formal application for re-admission must be made through the Admissions Office and the vice president for student services must approve the re-admission after a conference with the student. The student will be placed on probation for one semester upon readmission.

The following offenses may result in separation from the university:

- Bullying
- Intentional bodily harm
- Distribution, sale, possession or use of drugs deemed illegal by federal or state authorities
- Theft
- Forcible entry, concealment or possession of a deadly weapon
- Sexual assault, sexual harassment, date rape or rape
- Verbal assaults
- Fighting
- Destruction of property
- Misuse of safety equipment
- Obstructing disciplinary procedures or other university activities on university owned property

Disciplinary warnings and fines may be issued by the resident life director, residence hall director, the assistant dean of students or by the vice president for student services. Three such warnings in one academic year could result in separation from the University of Pikeville.

The following offenses may result in disciplinary warnings and fines:

- Possession of illegal items that present safety risk in the residence halls (i.e., devices with heating elements, candles/incense, extension cords, power cords, weapons, toy weapons)
- Tampering with safety equipment

- Tobacco use on campus
- Social media abuse
- Intoxication on illegal drugs
- Intoxication or possession of alcoholic beverages:
  - a. public intoxication resulting from the use of alcohol
  - b. failure to comply with laws on use and sale of alcoholic beverages
- Failure to pass cleanliness inspection
- Entry into another's room without permission
- Failure to comply with room inspection
- Unauthorized alteration to building or grounds
- Violation of quiet hours
- Failure to comply with the request of a university official attempting to prevent disorder
- Failure to leave building during fire alarm
- Misuse of a University of Pikeville I.D. card
- Pranks potentially harmful to other people
- Dishonesty (knowingly falsifying written or oral information to a university official)
- Excessive noise
- Hazing
- Other offenses deemed inappropriate by the vice president for student services

## **Bullying**

The university is committed to providing students the right to study in a safe, supporting and secure environment. Incidents of bullying will not be tolerated as they jeopardize this commitment. Bullying is conduct intended to cause harm either physically or psychologically, which is provoked and which may continue over a long period of time. Any behavior which is intended to harm someone in any way or to make someone feel uncomfortable or unhappy may be considered bullying. It may further be defined as the deliberate and repeated attempt to humiliate, threaten, frighten or harm someone by means of verbal or physical abuse and could also include racial, religious, cultural, sexual/sexist, homophobic, special educational needs, disability and cyber (social Web sites, mobile phones, text messages, photographs and email) bullying.

The university recognizes the seriousness of bullying in causing psychological damage or even suicide. Although bullying is not a specific criminal offense, there are criminal laws which apply to harassment and threatening behavior. The university teaches the values of integrity, morality, a concern for others and to develop student self-confidence and independence so that they are well-equipped to play an active role in society. Bullying is inappropriate and unacceptable and is grounds for disciplinary action up to and including separation from the university.

## **Substance Abuse Policy**

The University of Pikeville Substance Abuse Policy is as follows: The distribution, sale or use of drugs or narcotics deemed illegal by federal authorities including, but not limited to, barbiturates, hallucinogens, amphetamines, cocaine, opium or marijuana on university owned or controlled property may result in separation from the University of Pikeville. Separation from the university is removal from programs offered by the university, including resident status, for a minimum of one year. Formal application for re-admission must be made through the Admissions Office and the vice president for student services must have a conference with the student and approve this re-admission. The student will then be placed on probation for the first returning semester.

Intoxication or possession of alcoholic beverages will result in a disciplinary warnings and/or fines. Continued alcohol abuse could result in probation up to separation from the university. The specific activities will be decided by the vice president for student services as each individual case is reviewed.

## **Sexual Harassment**

The University of Pikeville is committed to providing its students with an environment free from implicit and explicit cohesive behavior used to control, influence or affect the well-being of the student. Sexual harassment can include physical conduct or verbal comments of a sexual nature that creates an intimidating, hostile or offensive environment. Sexual harassment of any person is inappropriate and unacceptable and is grounds for disciplinary action up to separation from the university.

Examples of sexual harassment, but not limited to, include the following:

1. Verbal or written harassment or abuse
2. Sexist remarks or suggestive comments, insults, humor or jokes about sex or gender specifications
3. Unnecessary touching, petting or pinching
4. Pressures for sexual activity
5. Constant brushing of another's body
6. Demanding sexual favors accompanied by implied threats
7. Physical assault
8. Electronic media pornography, including use of the university's Internet connections.

While matters of sexual harassment are covered under civil rights legislation and under matters of discrimination, the University of Pikeville assumes a position to prevent and eliminate sexual harassment on campus by any faculty, staff, administrator or student. It is the policy of the university that any practice or behavior that constitutes sexual harassment or any other unreasonable interference with performance will not be tolerated. The University of Pikeville is committed to ensuring that the institution is free of sexual assault or harassment. Students who feel sexual harassment has occurred should file a report with the vice president for student services. Full cooperation will be extended by the University of Pikeville to law enforcement agencies when cases are being investigated.

## **Sexual Abuse**

The university urges victims of sexual abuse to contact the vice president for student services or the local law enforcement agency immediately so that the authorities can take whatever action is necessary. Those authorities will inform the victim of the proper procedure to follow. The FBI Uniform Crime Reporting Act as amended by the Hate Crime Statistics Act defines sex offenses as follows: forcible sex offenses are defined as, “Any sexual act directed against another person, forcible and/or against the person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent,” and include rape, forcible sodomy, sexual assault with an object and forcible fondling.

Non-forcible sex offenses: are defined as, “Unlawful, non-forcible sexual intercourse,” and include incest and statutory rape. Full cooperation will be extended by the University of Pikeville to law enforcement agencies when cases are being investigated and/or tried.

### ***Procedure for Victim***

What you should do if you are raped:

- a. First things first, FIND SAFETY.
- b. Report it to the vice president for student services or Public Safety.
- c. Don’t shower, wash, douche, urinate, defecate, comb hair, change or remove clothing or put on makeup.
- d. Don’t straighten up the area where it occurred. You might destroy valuable evidence.
- e. Seek medical attention. Even if you don’t think you have been physically injured, you may be in a state of shock and unaware of the extent of injury to your body.
- f. Contact a friend. It is your right to have someone there with you.
- g. Medical/legal exam: the medical exam is designed to show that recent sexual intercourse has occurred, to document any signs of force and to treat them and to collect evidence for use in identifying the assailant.

## **Service Animal Policy**

This policy and procedure addresses the use of service animals by individuals with disabilities on the grounds of the University of Pikeville and presents a standard of behavior for the animals and the students, faculty and staff who are in the proximity to the animals.

In compliance with the Americans with Disabilities Act, public institutions are required to allow the use of service animals on college campuses in order to achieve access to programs, activities and services. Under this policy, the University of Pikeville does allow service animals in all buildings, classrooms, residence halls, meetings, dining areas, recreational facilities, activities and events when the animal is accompanied on campus by individuals with a disability or who indicate the service animal provides a specific service to them.

### ***Policy Statement***

It is the policy of the University of Pikeville that service animals assisting individuals with disabilities are generally permitted in all facilities and programs on the University of Pikeville's campus except as described in this service animal policy.

### ***Definition***

"Service Animal" is defined in Title III of the ADA regulations (28 C.F.R. §36.104) as "any animal individually trained to work or perform tasks for the benefit of an individual with a disability including, but not limited to, guiding individuals with impaired vision, alerting individuals who are hearing impaired, pulling a wheelchair, alerting and protecting a person in a medical emergency such as seizures, fetching dropped items" or performing other special tasks. Service animals are working animals, not pets.

If an animal meets this definition, it is considered a service animal under the ADA. Service animals meeting the guidelines of this definition do not have to be licensed or certified by a state or local government or by a private agency.

The university reserves the right to inquire about specific tasks a service animal will perform and/or request documentation in instances where the identified tasks are not obvious. In the event that documentation is required it should be printed on professional letterhead and be less than a year old.

### ***Examples of Service Animals***

- Guide dog, or seeing eye dog, is a carefully trained dog that serves as a travel tool for persons with severe visual impairments or who are blind.
- Hearing or signal dog is a dog that has been trained to alert a person with significant hearing loss or who is deaf when a sound, e.g., knock on the door, occurs.
- Psychiatric Service Dog can be trained to perform a variety of tasks that assist individuals with disabilities to detect the onset of psychiatric episode and lessen their effects. Tasks performed by psychiatric service animals may include reminding the handler to take medicine; providing safety checks, or room searches, or turning on lights for persons with post traumatic stress disorder; interrupting self-mutilation by persons with dissociative disorders; and keeping disoriented individuals from danger.
- SSigDOG (sensory signal dogs or social signal dog) is a dog trained to assist a person with autism. The dog alerts the handler to distracting repetitive movements common among those with autism, allowing the person to stop the movement (e.g., hand flapping).
- Seizure response dog is a dog trained to assist a person with a seizure disorder. How the dog serves the person depends on the person's needs. The dog may stand guard over the person during a seizure or the dog may go for help. A few dogs have learned to predict a seizure and warn the person in advance to sit down or move to a safe place.

### ***Procedures for Students Request for Disability Accommodations***

Students requests for disability accommodations, including requests to have a service animal accompany a student on campus, in classrooms and UPIKE housing, are determined by the Student Services Office. Students can reach the Student Services office at (606) 218-5224.

Students who use a service animal are required to contact the school's disability resource counselor to register as a student with a disability. The coordinator will evaluate the student's documentation of disability and discuss appropriate accommodations, including the assistance of a service animal.

### ***Requirements for Service Animals***

- Health Records: As appropriate, the animal must have a health statement illustrating a clean bill of health, including vaccinations from a licensed veterinarian, dated within the past year from a licensed veterinarian. Preventative measures must be taken for flea and odor control.
- Vaccination: Service animals must be immunized against diseases common to that type of animal. All vaccinations must be current and submitted yearly.
- Leash: Service animals must be on a leash at all times, unless impracticable or unfeasible due to owner/keeper's disability.
- Under Control: The handler of a service animal must be in full control of the animal at all times. The care and supervision of a service animal is solely the responsibility of the handler.
- Cleanup Rule: The handler of a service animal must follow the City of Pikeville ordinance in cleaning up after the animal defecates.
- Identification: Service animals must always display proper identification. Identification must include handler's name and contact information.

### ***Behavior and Etiquette of Service Animals***

#### **Control requirements**

- The animal must be as unobtrusive as possible.
- Injuries to or caused by the service animal must be reported to Student Services or the disability resource counselor.
- Exclusion from campus: A service animal may be excluded from campus when that animal's behavior poses a direct threat to the health and safety of others. Infractions will be handled on an individual basis. Consequences may include but are not limited to, muzzling a barking animal, refresher training for the animal and the handler or exclusion of the animal from the university.

#### **Service animal etiquette**

- The animal must not sniff people, food or the belongings of others.
- The animal must not initiate contact with others without the handler's permission.
- The animal must not display any disruptive behaviors such as barking, whining, growling or rubbing against people.

- The animal must avoid licking and scratching or other grooming behaviors in public.
- The animal must not block an aisle or passageway.
- The animal must never be more than three feet from the handler.
- The animal must be trained not to be attracted to food that is nearby.

### **Public etiquette for interaction with a service animal**

- Do not pet a service animal.
- Do not feed a service animal.
- Do not deliberately startle a service animal.
- Do not separate or attempt to separate a service animal from a handler.
- Do not hesitate to offer assistance by asking if assistance is needed.

### ***Relief Areas***

Handlers of service animals should meet with the director of residence life before the start of each semester to discuss procedures for identifying proper waste disposal areas on campus. The handler is ultimately responsible for all the cleanliness, grooming and health of the animal and must take responsibility for the proper disposal of all waste.

### ***When a Service Animal May be Asked to Leave or Barred from a University of Pikeville Facility or Program***

A service animal may be asked to leave a UPIKE facility or program if the animal's behavior or presence poses a direct threat to the health or safety of others. For example, a service animal that displays vicious behavior towards people may be excluded.

Service animals may also be excluded in areas where the presence of a service animal fundamentally alters the nature of a program or activity or is disruptive. Examples may include, but are not limited to, research labs, areas requiring protective clothing, food preparation areas, and primate labs.

In addition, animals not covered under the ADA service animal definition can be asked to leave a UPIKE facility or program. Questions related to the use of service animals on campus should be directed to the Student Services office, (606) 218-5224, or disability resource counselor, (606)218-5232.

### ***Emergency Situations***

In the case of an emergency, emergency and public safety personnel should be made aware that there is a service animal on the premises. Every effort should be made to keep the animal with its owner. It may be necessary to leave the animal behind in certain disaster situations.

## **STATEMENT OF STUDENT RIGHTS**

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Any student who has been charged with a violation and thus alleged to be involved in an inappropriate behavior is guaranteed the following rights in order to insure fundamental fairness.

Each student has the right to:

1. Be informed in writing of the specific violation and inappropriate behavior in which the student is suspected of involvement and informed that the judicial process is stated in the *University of Pikeville Student Handbook*.
2. Know the nature of the evidence against the accused and to be able to state his or her position.
3. Offer a defense by presenting material and/or witnesses on behalf of the accused student.

If there is an appeal of any disciplinary action, the student has the right to:

1. Be present throughout all judicial proceedings concerning the particular case except the deliberation process of the hearing body.
2. Be informed both orally and in writing of the results of the hearing.
3. Appeal any decision made and/or action taken by any individual or hearing body within the judicial process until a final appeal is made to the president of the university.

## **UNIVERSITY OF PIKEVILLE STUDENT JUDICIAL SYSTEM**

### ***Purpose***

This system is a vehicle giving students the responsibility of protecting their individual rights while demanding due respect and awareness of the rights of all members of the University of Pikeville community. It provides a method of peer review and regulation unique to the University of Pikeville. More importantly, students under this system have the right to appeal separation from University of Pikeville or dismissal from the residence hall to an alternate autonomous body.

The system is designed to be both educational and practical, based on the concepts of fundamental fairness, which signify a procedure that maximizes equal and just treatment of all parties involved, with due respect for all individual rights and privileges.

The authority of this document is vested in the authority of the University of Pikeville and the Student Government Association. Decisions made by the student judicial system will be upheld and enforced with the authority of the Office of the President and administered by the vice president for student services.

Jurisdiction of the student judicial system includes all cases concerning separation from the University of Pikeville or removal from the residence halls. The University of Pikeville Judicial Review Board (J-Board) consists of three student members elected by the student body, a chairperson appointed by the president of SGA and two faculty members elected by the University of Pikeville faculty.

### ***Appeals Procedure***

1. A student or students may appeal to the Judicial Board (J-Board) any actions or decisions made by the administration against that person.
2. The student has one week after the decision of the accuser to appeal (in writing) to the J-Board.

3. The student must appeal in writing giving reasons and decisions of why the appeal is being made. The student must include name(s) of the accuser, those involved in the incident(s) and all witnesses.
4. The J-Board Chairperson will designate a time for a meeting within one week after receiving an appeal. All members of the J-Board, the accuser and all persons involved, including witnesses, must attend the hearing called by the J-Board.
5. It is the duty of the J-Board Chairperson to contact all persons involved.
6. The J-Board shall hear all evidence from each side and with a majority vote come to a decision on the appealed matter.
7. The J-Board's decision will be final and may not be appealed again to the J-Board.

If any new evidence is brought forth after review by the J-Board, a final appeal may be made to the President of the university. The President's decision is final and no further appeals can be made.

## **ACADEMIC HONESTY**

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The University of Pikeville is an academic community and like all other communities, it can function properly only if its members adhere to clearly established goals and values. Essential is the commitment to the principles of truth and academic honesty. In order to articulate fully its commitment to academic honesty and to protect members of its community from the results of dishonest conduct, the University of Pikeville has adopted the following policies to deal with cases of academic dishonesty. Academic dishonesty includes, but is not limited to, the following acts:

1. Cheating: intentionally using or attempting to use unauthorized materials, information or study aids in any academic exercise.
2. Plagiarism: the deliberate or accidental taking of another's ideas, work or words as one's own without properly documenting or crediting the original source in any academic exercise.
3. Fabrication: the deliberate falsification or invention of any information or citation in an academic exercise.
4. Facilitating Academic Dishonesty: intentionally or knowingly helping or attempting to help another violate any provision of this policy.

If an act of academic dishonesty is determined to have occurred, sanctions will be imposed depending on the perceived intent and extent of the offense. Possible sanctions may include, but are not limited to the following:

1. Giving a warning.
2. Reducing the grade for the academic exercise.
3. Giving an "F" or zero for the academic exercise.
4. Giving a failing grade in the course with the inability to withdraw.
5. Reporting the matter to the dean of the college of arts and sciences for further possible action.

# **FINAL COURSE GRADE APPEAL PROCEDURE**

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1. **Meeting with Faculty Member:** A student who seeks appeal of a final course grade will first speak with the instructor concerned. If the instructor determines that a miscalculation resulted in an incorrect grade or that new and compelling evidence warrants a different grade, the instructor will submit a request for a change of grade to the division chair. If this request is approved by the division chair, it will be forwarded to the dean of the college of arts and sciences for final approval and action by the Office of the Registrar.
2. **Meeting with division chair:** A student wishing to proceed further with an appeal will then speak to the division chair. The division chair should keep a written record of all discussions and forward a copy to the dean of the college of arts and sciences. If there is any question about the decision reached in this conference, the aggrieved student will request a meeting with the dean of the college of arts and sciences.
3. **Conference:** Upon receiving a student's request, the dean of the college of arts and sciences will call a conference with the student, the instructor and the division chair. If a satisfactory solution is not found, the appeal will continue. The dean of the college of arts and sciences will keep a written record of this conference.
4. **The Hearing**
  - a. If the student wishes to proceed further on the appeal, he/she will register his/her grievance on a "Request for Hearing" form obtained from the Registrar's Office. The "Request for Hearing" form must be filed within 60 calendar days following the beginning of the next regular fall or spring semester after the grade in question was assigned. Grade appeals will normally be heard only during fall or spring semesters, although the executive committee may determine to hear an appeal during summer or during school breaks if, in its judgment, the student's academic situation warrants it and if the necessary faculty members are available.
  - b. **The Committee:** The committee shall consist of the elected members of the executive Committee and two students selected by the Student Government Association. In any proceeding, faculty and student representatives from the Division involved in the grievance shall be excluded. In addition, either the student or the faculty member may request the removal of any person from the committee. The committee will decide if a reasonable basis exists for this request.
  - c. **Selection of Chair:** The chair of the executive committee will sit as chair of the committee unless disqualified; in which case, the committee will select a chair by a simple majority of votes in a secret ballot.

The chair will:

- i. have full voting rights,
- ii. determine the status of all observers,

- iii. set reasonable time limits for presentation and discussion,
  - iv. rule on the admissibility of evidence and
  - v. be responsible to rule on such other questions as may arise.
- d. **Notice of Hearing:** The committee chair will call the hearing within 10 working days after the receipt of the “Request for Hearing” form. Either the student bringing the appeal or the faculty member concerned may request, in writing, a time extension of up to thirty calendar days. The extension will automatically be granted. Further time extensions may also be granted, but only with the approval of the executive committee. Notices of date, time and place will be sent to the executive committee, the student, the instructor, the division chair and the dean of the college of arts and sciences.
- e. **Conducting the Hearing:** The hearing will be conducted in an orderly impartial manner. The student bringing the complaint and the faculty member involved will have the right to participate in the discussion. Each will have the right to be accompanied by an advisor from the college community (current student, faculty member or administrator). The advisor may verbally participate in the proceedings.
- f. **Recording the Hearing:** The hearing will be recorded and the recording retained by the dean of the college of arts and sciences. This recording will be kept in confidence and will be destroyed one calendar year after the decision of the hearing committee.
- g. **Committee Deliberations:** The committee, in closed session, will carefully consider all of the evidence. In reaching its findings and recommendations, the committee will consider the reliability of the witnesses and the authenticity and accuracy of the documented evidence regarding the point at issue. The committee will make its decision solely on the basis of the evidence presented at the hearing. The decision of the committee shall be final.
- h. **Committee Report:** The committee will prepare and sign a written report of its findings and decision. The report will be sent to the executive committee and copies of the report will be sent to the dean of the college of arts and sciences, the division chair, the instructor and the student.
5. **Conclusion:** The registrar will inform the student and the instructor of the decision’s effect upon the grade.

## **ADMINISTRATIVE WITHDRAWAL**

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Class attendance policies are set by the instructor for the course in which the student is enrolled. Policies are printed on the course syllabi, which are presented during the first two weeks of class. Students are expected to adhere to such policies. Failure to attend class as prescribed may result in grade reduction, class failure or administrative withdrawal. Instructors are expected to document and report excessive absences to the administrative assistant to the dean of the college of arts and sciences. The attendance record is necessary to document last date of attendance

for financial aid purposes.

Students who accumulate excessive absences (six consecutive MWF class meetings; four consecutive TR class meetings or two consecutive weekly class meetings) will receive a warning of pending administrative withdrawal. If the student fails to return to class or to complete the official withdrawal form within one week of the warning, an administrative withdrawal will be initiated. A student who is administratively withdrawn at any point during the semester will receive a grade of “Q” to indicate an administrative withdrawal. This grade will be calculated by zero quality points divided by hours attempted.

Faculty members will report excessive consecutive absences on the attendance report form. Upon receipt of the report, the administrative assistant to the dean of the college of arts and sciences will determine if the student has stopped attending other classes. Then, warning of pending administrative withdrawal will be issued for all courses that the student is not attending. A follow-up will be done one week later to determine if the student has returned to class or withdrawn. If the student has done neither, the administrative withdrawal takes place. Students will be notified that they have been withdrawn and that they have the right to appeal and present appropriate documentation. Copies of the administrative withdrawal will be sent to the instructor, the academic advisor, the Business Office, Office of Student Financial Services, Student Services and the registrar.

Students who are subject to an administrative withdrawal will also be subject to the Refund Policy/Return of Title IV Funds Policy as outlined earlier. The student is responsible for all charges on account through the date of administrative (or self) withdrawal which are not covered by financial aid. These charges are comprised of tuition in addition to any charges incurred for room and board, parking fines, bookstore charges, etc. Room charges will accumulate through the week that a residence hall checkout sheet is completed with residence hall director or resident assistant. All students who withdraw (self-withdrawal or administrative withdrawal) before a semester is complete must arrange to settle business office accounts.

Because there are instances when the student has a legitimate reason for not completing the withdrawal, students have the right to appeal an administrative withdrawal by presenting a written request and supporting documentation (doctor’s statement, etc.) to the Office of Academic Affairs. If the appeal is approved, the student may consult with his/her instructor(s) to determine if he/she may be able to return to class and the student’s transcript will be revised to reflect an official withdrawal with the grade of “W,” “WP” or “WF” (based on the date of withdrawal) or a completed semester with grades assigned by the instructor(s).

Reinstatement to the university does not mean an automatic return of student financial aid. Because the reinstatement of financial aid may vary due to the differences in financial aid program regulations and satisfactory academic progress requirements, a student must consult the Office of Student Financial Services for more information regarding financial aid status before returning to class.

## STUDENTS WITH DISABILITIES

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The University of Pikeville is committed to providing students with disabilities the same educational programs and services offered other students, in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990. Under Section 504, a student has a disability if that individual has a physical or mental impairment that substantially limits major life activities such as walking, seeing, hearing, speaking, working or learning. Section 504 further requires that institutions make appropriate and reasonable adjustments for students with disabilities to ensure accessibility to academic and nonacademic activities. Under ADA, all institutions of higher education must comply with government policies, procedures and employment practices that impact the treatment of students.

Each student brings a unique set of strengths and experiences to the academic setting. Even though students learn in different ways, it is not necessary to dilute curriculum or to reduce course requirements for individuals with disabilities. Special accommodations may be needed, however, as well as modifications in the way information is presented and in methods of testing and evaluation. Faculty will be assisted in these efforts by drawing upon the student's own prior learning experiences, using available institutional resources and collaborating with the Disabilities Services Office adjacent to Student Services. An individual with a disability is not required to accept an accommodation if the individual has not requested one and does not believe one is needed. However, if the individual refuses accommodation necessary to perform in that area of study and, as a result, cannot meet established requirements, the individual may not be considered qualified.

**In order to be granted protection under Section 504 and ADA, students with disabilities must make the disability known to appropriate university officials (Disabilities Services Office) and must provide current and comprehensive documentation concerning the nature and extent of the disability.** A student with a disability may make known his/her disability and seek verification for it at any point in his/her academic career. Upon verification, the Disabilities Resources Office will work with the instructor and the student to determine reasonable accommodations. With the student's written permission, a written description of accommodations will be forwarded to the instructor by the Disabilities Services Office. Students with verified disabilities should contact the Disabilities Services Office and inform faculty very early in the semester if they wish to exercise their rights to reasonable accommodations. Accommodations necessary for ensuring complete access and full participation in the education process do not require the instructor to adjust evaluations of academic performance nor absolve the student from personal responsibility for class attendance, assignments and other course requirements. Rather, accommodations make it possible for a student with a disability to learn the material presented and for the instructor to fairly evaluate the student's performance.

Located in the Student Services Counselor's Office on the ground level of the Administration Building, the Disabilities Services Office is under the supervision of the Office of the vice president for student services. The Disabilities Services Office

maintains various publications regarding reasonable accommodations under Section 504 and ADA and serves both students and university employees with assistance in regard to appropriate services for students with disabilities. For assistance, call 218-5232.

## **STUDENT WRITTEN GRIEVANCES**

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If, at any time, any student feels that he or she has been wrongly treated by a member of the university community, the student may present a written grievance to a designated university official as follows:

A student's grievance concerning a faculty member should be made to the head of the faculty member's department, the vice president for academic affairs or the president.

A grievance concerning a staff member should be made to the vice president responsible for the staff member's department or to the president. A grievance concerning another student should be made to the vice president for student services in the undergraduate program, the associate dean of student services in the Kentucky College of Osteopathic Medicine or the president.

After a written grievance is received, a response to the grievance will be issued within five business days.

## **INCLEMENT WEATHER POLICY**

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In the event of extreme weather conditions, the University of Pikeville will either have school on a regular schedule or will cancel all classes. However, we recognize that road conditions vary on isolated mountain roads and hollows. No one should jeopardize his/her safety on hazardous roads. Notices of the closing of the university will be made over local radio and TV stations. Should weather conditions require the cancellation of evening classes, announcements will be made over local radio and TV stations and notices will be posted on campus.

## **STUDENT PUBLICATIONS**

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The University of Pikeville respects the basic principles of free speech, but will not approve the use of institutional publications or organizations for partisan political purposes or the dissemination of material which denigrate or offend any group or individual because of age, gender, race, color, creed, religion, handicap, sexual orientation or national origin.

The institution publishes a weekly newsletter entitled, *The Bear Facts*. This publication includes items of interest concerning campus activities, sports, chapel programs, special guests and other campus news. In addition, the Humanities Division of the university publishes *Voices from the Hill*, a collection of writings by students enrolled in the English classes at the university. All students are urged to read and contribute to these publications.

Other student publications may be useful and necessary from time to time. Students wishing to publish under the name of the University of Pikeville must receive prior approval from the Student Services Office and the Office of Public Affairs. This prior approval is necessary for all types of publications, including electronic or computer-aided publications. The office of student services may be able to assist or provide funds for worthy student endeavors.

## **STUDENT ROLE IN DECISION MAKING**

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The University of Pikeville recognizes that students have innovative ideas and can offer constructive suggestions which, when implemented, improve the general welfare of the students. The university encourages students to become an integral part of the decision making process by affording students the opportunity to take part in various standing committees. These students chosen by the Student Government Association (SGA) have full voting rights on the following standing committees: Curriculum Committee, Instructional Resource Committee, Teacher Educational Committee, Student Services Committee, Spiritual Life Committee and the Special Events Committee. The SGA president and vice president serve as non-voting student representatives to the Board of Trustees. Also the SGA may provide additional student forums for other ideas concerning student welfare.

## **STUDENT ORGANIZATIONS**

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### ***Student Government Association***

The Student Government Association (SGA) works in cooperation with the faculty and administration to build a better and stronger University of Pikeville. SGA is responsible for sponsoring many of the activities on campus and takes the lead in establishing desirable patterns of campus and community citizenship. The SGA Senate is made up of elected representatives of the student body and campus organizations. Elections are held in the fall of each school year and the student body is encouraged to vote for their representatives. All students are considered members; but to be considered an active member, the student needs to attend the monthly meetings, which are posted on bulletin boards around campus. The SGA office is located on the Ground Floor of Wickham Hall.

### ***National Honor Societies***

Qualified students are provided the opportunity to participate in the following honor societies:

#### **Alpha Mu Gamma**

Alpha Mu Gamma is a national collegiate foreign language honor society. The aims of Alpha Mu Gamma are to (1) recognize achievement in foreign language study, (2) nurture an interest in the study of foreign languages, literatures and civilizations, (3) stimulate a desire for linguistic attainment and (4) foster sympathetic understanding of other peoples through the medium of language. Membership is generally offered to students who have a 3.0 overall grade point average and who have earned two A's in one foreign language. Students may be admitted at any stage in their university

careers. Upon initiation a member receives a parchment certificate of membership and may wear the scroll-shaped gold pin or key.

### **Beta Beta Beta**

Beta Beta Beta (Tri-Beta) is the National Biological Honor Society. It has more than 500 chapters in colleges and universities across the United States. Founded in 1922 at Oklahoma State university, Tri-Beta promotes the enrichment of the undergraduate experience in biology through activities, research and other means that complement the formal instruction received in the classroom.

### **Chi Omicron Mu**

Chi Omicron Mu is the communication honor society of the University of Pikeville. Chi Omicron Mu exists to further the mission of the communication department. The purposes of Chi Omicron Mu shall be: (a) to recognize, foster and reward outstanding scholastic achievement in communication studies; (b) to stimulate interest in the field of communication; (c) to promote and encourage professional development among communication majors; (d) to provide an opportunity to discuss and exchange ideas in the field of communication. Membership is generally offered to students that: (a) maintain a minimum GPA of 2.5 and a minimum communication GPA of 3.0; (b) are enrolled as a student in good standing as determined by the institution's policies; (c) have a sophomore standing or higher, with a communication major or minor; (d) exhibit high standards of personal and professional character and support the purposes of the honor society.

### **Kappa Sigma Chi**

Kappa Sigma Chi is the criminal justice honor society of the University of Pikeville. Kappa Sigma Chi's objectives are as follows: (a) to improve criminal justice through educational activities; (b) to foster professionalism in law enforcement personnel and agencies; (c) to promote professional, academic and public awareness of criminal justice issues; (d) to encourage the establishment and expansion of higher education and professional training in criminal justice; (e) to provide a unified voice for professionals in, and students of, criminal justice; (f) to promote high standards of ethical conduct, professional training and high education within the criminal justice field.

### **Lambda Pi Eta**

Lambda Pi Eta is the national honor society for communication scholars. As an accredited member of the *Association of College Honor Societies* it represents what Aristotle described in his book, *Rhetoric*, as the three ingredients of persuasion: Logos (Lambda) meaning logic, Pathos (pi) relating to emotion and Ethos (Eta) defined as character credibility and ethics. Lambda Pi Eta is focused on simulating, fostering, encouraging and rewarding scholastic achievement in communication studies.

### **Lambda Sigma**

Lambda Sigma is a national honor society for second-year college students dedicated to fostering leadership, scholarship, fellowship and service among its members as

they promote the interests of the colleges and universities they represent. Candidates for membership are those first-year students who have placed in the top 35 percent of the class academically at the time of selection and who have shown strong evidence of leadership. Students meeting these qualifications are eligible for selection in the spring term following completion of at least one academic term. Members are selected in the spring and are active members during their second year. Membership consists of not more than 50 students nor fewer than 15 students.

### **Phi Alpha Theta**

Phi Alpha Theta is a professional society whose mission is to promote the study of history through the encouragement of research, good teaching, publication and the exchange of learning and ideas among historians. This honor society seeks to bring students, teachers and writers of history together for intellectual and social exchanges that promote and assist historical research and publication by members in a variety of ways. Members must have taken at least 12 hours in history and have an overall GPA of at least 3.0 and a GPA in history of 3.1.

### **Phi Eta Sigma**

Phi Eta Sigma is a society for the recognition of freshmen honor students. Founded at the university of Illinois in 1923, the society now has chapters on more than 200 campuses. The University of Pikeville chapter was established in the spring of 1983. Freshmen who are full-time degree students may join the society if they achieve a 3.5 GPA in their first semester or a cumulative 3.5 grade point average in their freshman year. Phi Eta Sigma members assist other students by disseminating information on how to study and by serving as tutors. Senior members are qualified to apply for scholarships, which the national society gives to aid those continuing with graduate or professional education.

### **Psi Chi**

Psi Chi is the National Honor Society in Psychology, founded in 1929, for the purpose of encouraging, stimulating and maintaining excellence in scholarship and advancing the science of psychology. Psi Chi has chapters located in more than 940 colleges and universities. The University of Pikeville chapter was installed in the fall of 2000. Membership is open to psychology majors and minors who have completed nine semester hours of psychology, achieved a cumulative and psychology GPA of at least 3.0 and ranked in the upper 35 percent of their class in general scholarship.

### **Sigma Beta Delta**

Sigma Beta Delta is an international honor society that recognizes, encourages and rewards scholarship, accomplishments and character among students of business. A candidate for membership must have completed at least one-half of the degree program in which he or she is enrolled, rank in the upper 20 percent of the junior and senior classes, possess a GPA of at least 3.0 in both his or her major and overall and be selected by majority vote of the business faculty. The principles of Sigma Beta Delta are wisdom, honor and pursuit of meaningful aspirations. Membership is limited to those of high scholarship and of good moral character.

### **Sigma Tau Delta**

Sigma Tau Delta's central purpose is to confer distinction upon students of the English language and literature in undergraduate, graduate and professional studies. Established in 1924, Sigma Tau Delta provides opportunities to members to be recognized for their outstanding achievements to enrich their education, help them make career choices and advance their careers. Students with a minimum of a B average in English and in general scholarship and who have completed at least three semesters of college work are eligible to participate.

### **Sigma Zeta**

Sigma Zeta is a national honor society that encourages and fosters the attainment of greater knowledge in the fields of science and mathematics and recognizes outstanding scholastic achievement through active, graduate and honorary memberships. The Beta Xi Chapter was installed in the spring of 1999. Membership is open to students who have declared majors in mathematics, computer science and natural science, completed at least 15 semester hours in these areas with at least a 3.0 GPA and earned an overall GPA of 2.75.

### **Theta Alpha Kappa**

This religion honor society is the only national honor society serving the needs of those involved in the study of religion and/or theology at both the baccalaureate and post-baccalaureate levels of higher education. Honoring excellence in these academic fields is its purpose and it currently hosts more than 200 local chapters throughout the United States at institutions large and small, public and private. Undergraduate students who have been enrolled in an institution with a TAK chapter for three semesters, have completed 12 hours in religion, have a 3.5 GPA in their Religion courses and a 3.0 GPA overall and are in the top 35 percent of their class qualify. The Alpha Eta Chapter was installed at the University of Pikeville in the spring semester of 2004.

### ***Clubs and Organizations***

All clubs and organizations that wish to remain active must complete an annual organization form. These forms are available in the Student Services Office.

Academic Team	Phi Alpha Theta
Archery Club	Phi Beta Lambda
Art Club	Pink Ladies
Baptist Campus Ministry	Pre-Professional Club
Beta Xi Chapter of Sigma Zeta	Psi Chi
Biology Club	Psychology Club
Blessed Unity of God	The Round Table
Chi Omicron Mu	Rotaract Club
College Republicans	ROTC
Concert Choir	Rowdy Bears Pep Club
Fellowship of Christian Athletes	Sigma Beta Delta
History Club	Speech Team
Kappa Sigma Chi	Student Nurses at the University of Pikeville
Kentucky Education Association- Student Program	WYRD: Anime and Gaming Club
Mountain Bikers Club	Young Democrats

All events and meetings are to be placed on the student activities calendar in the office of student services as they are planned.

### ***Fraternities and Sororities***

The university has two fraternities and sororities housed on campus. Students are encouraged to attend recruitment week to become interested in these social organizations.

### ***Forming a New Club or Organization***

#### **Sororities**

Delta Delta Nu  
Zeta Omega Chi

#### **Fraternities**

Delta Alpha Lambda  
Gamma Sigma Chi

Students interested in forming a new organization must pick up an annual organizational approval form from the Office of Student Activities and secure a member of the university faculty or staff who will serve as advisor to the organization. The Director of Student Activities must be presented with a completed Organizational Approval Form as well as a copy of the organization's statement of purpose or constitution.

### ***Student Organization Conduct***

Student organizations are expected to conform to the rules and regulations established by the University of Pikeville. Members representing the University of Pikeville at off campus events are to conform to the rules and regulations established by the university. Student organizations traveling under the banner of the University

of Pikeville are expected to obey all university rules. If damages to university owned property are the result of any student activity, the damages will be assessed and billed to the organization.

All fundraising projects must have the approval of the vice president for student services and the vice president for advancement.

## **ATHLETICS**

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### *University of Pikeville Athletic Teams*

The university offers intercollegiate competition in the following sports: basketball, baseball, softball, golf, bowling, soccer, tennis, track and field, football, women’s volleyball, women’s lacrosse, cross country, cheerleading, and dance and jazz. The Bears and Lady Bears are members of the National Association of Intercollegiate Athletics (NAIA) and the Mid-South Athletic Conference. All full-time students enrolled in four-year programs are encouraged to compete for positions on the various teams. NAIA by-laws do not permit students enrolled in two-year programs to compete in intercollegiate competitions at four-year institutions.

### *Men’s and Women’s Intramurals*

The Intramural Program is open to all students and has as its primary function organizing and promoting competitive and recreational activities for voluntary participation by the entire student body, faculty and staff. Flag football, basketball and softball are just a few of the sports offered.

## **UNIVERSITY PARKING REGULATIONS**

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### **I. Purpose**

Campus parking at the University of Pikeville is a privilege which entails certain responsibilities. It is the vehicle operator’s responsibility to know and abide by the university’s parking regulations as well as state and local laws. The following regulations have been established to ensure the proper maintenance, control and use of all university parking facilities.

### **II. General Guidelines**

**(Note: These guidelines are in effect 24 hours a day, 365 days a year including all holidays)**

#### **A. Vehicle Registration**

The University of Pikeville requires that all vehicles parked on campus be registered with the University of Pikeville Public Safety Department. To register your vehicle you must complete a vehicle registration form located in the Public Safety Department office. All vehicles must have a valid parking permit visible in the rear window at all times while parking on campus.

#### **B. Parking on Campus**

1. The lots on campus are reserved 24 hours a day for VALID PERMIT

HOLDERS ONLY. College Square and UPIKE South residents may NOT park on campus. The lower Record Memorial lot and the Parking Garage are open to those students.

2. Within these lots are a few specific reserved spaces for dorm directors, disabled parking, etc. These individual spaces are clearly marked with “RESERVED” signs. Violators will be ticketed or towed.
3. All disabled parking on campus is reserved 24 hours a day for vehicles with a valid state-issued handicap parking placard. The placard must be displayed in the window and the owner of the placard must be present.
4. The lot located behind Allara Library is reserved for fleet vehicles, vendor parking, and reserved parking for staff.
5. The lot located behind Derriana Hall is designated for visitors and reserved parking. One hour visitor spaces are not be used by students (resident or commuter) during business hours (Monday-Friday 7 a.m. to 5 p.m.) These parking spaces are reserved for visitors who need short-term (one hour or less) parking.

### **C. Permit Guidelines**

1. Permits are issued on a graded basis. Grades are as follows:
  - a. Original permit = Included in comprehensive fee
  - b. Subsequent permits or replacement permit = \$10
2. All University of Pikeville resident student permits are valid for one year beginning July 1 and expiring on June 30 of the next year.
3. Permits are issued under the following designations:
  - a. On or Off Campus Resident student parking (1 year expiration)
  - b. Faculty/Staff parking (No expiration)
  - c. Fleet vehicle or specialty lots (No expiration)

## **III. Penalties**

### **A. General Policies**

1. Vehicles without permits will be wheel-locked and towed at the owner’s expense.
2. Illegally parking – even for a moment – may result in a ticket from University of Pikeville Public Safety Department.
3. If a vehicle is disabled, it is the responsibility of the operator to contact Public Safety prior to receipt of any citation.
4. All violations are the responsibility of the person registering the vehicle.
5. Excessive violations will result in the loss of parking privileges.

### **B. List of Fines**

1. Disabled Parking	\$100
2. Fire Lane	\$100
3. Visitor Only	\$50
4. Reserved Parking	\$50
5. All other violations	\$20

### **C. Fines**

1. Fines are added to the account of the person registering the vehicle.
2. Parking fines must be paid with cash, check, or credit card; they may not be deducted from scholarship or grant money.
3. All fines are paid in the Business Office located in the Administration Building.

### **D. Towing/Immobilization**

Vehicles not authorized to park on University of Pikeville property (no permit) will be subject to immediate towing 24 hours a day, 7 days a week.

(Once the tow truck has been called towing fees will apply.)

## **IV. Appeals**

- A. Parking appeals may be made in the UPIKE Public Safety Department or online on the UPIKE Public Safety Web site before the next Parking Appeals Committee meeting, no exceptions.
- B. The University of Pikeville Parking Appeals Committee which meets twice a semester, once near mid terms and again the week before finals.
- C. There are five members on the committee.
  - a. The chief of public safety or his designee– chair
  - b. The director of operations or his designee
  - c. The dean of students or his designee
  - d. A faculty member appointed by the vice president of academic affairs
  - e. The Student Government Association president or his/her designee
- D. Appeals are not to be considered granted or denied until written notification is received from the committee.
- E. No person sitting on the committee can appeal his/her own citation. They may elect to designate someone to sit on the committee while their appeals are heard.
- F. The committee's decision is final and cannot be appealed again.

## **RESIDENCE HALLS**

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The University of Pikeville consists of nine residence halls. Each student will be given an opportunity to request his/her choice of resident rooms and roommates and that request will be considered as much as possible when making assignments. If single rooms are available, priority will be based on seniority. The University of Pikeville has the final approval on assignment of rooms or roommates. A copy of the residence hall regulations will be available on the university's Web site for all students living on campus.



**PUBLIC SAFETY DEPARTMENT**

**PARKING VIOLATION APPEAL FORM**

Parking appeal must be filed within three days of offense - NO EXECPTIONS

ALL FIELDS BELOW MUST BE COMPLETED.

TODAY'S DATE: \_\_\_\_\_ VIOLATION #: \_\_\_\_\_

NAME: \_\_\_\_\_

PHONE #: \_\_\_\_\_ EMAIL: \_\_\_\_\_

SIGNATURE \_\_\_\_\_

PLEASE GIVE A BRIEF DESCRIPTION EXPLAINING WHY YOU FEEL YOU SHOULD NOT BE RESPONSIBLE FOR THIS TICKET:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A DECISION WILL BE MADE AT THE NEXT PARKING APPEALS MEETING BASED ON YOUR EXPLANATION AND THE RESULTS WILL BE EMAILED TO YOU.

APPEAL GRANTED ( )

APPEAL DENIED ( )

OTHER ( ) Explain \_\_\_\_\_

# INTELLECTUAL PROPERTY RIGHT POLICY

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## *Introduction*

The University of Pikeville is committed to providing an environment that supports the learning, teaching, scholarship, and creative activity of all of its faculty, students, and staff. Within this context, this Intellectual Property Rights Policy (the “Policy”) is intended:

1. to encourage excellence and innovation in teaching, scholarship, and creative activities by identifying and protecting the intellectual property rights of faculty, staff, students and the university
2. to encourage the notion that creative and scholarly works produced at the University of Pikeville should advance the state of knowledge and contribute to the public good
3. to clarify the interests of the university and to acknowledge and protect the traditional property rights of scholars with respect to products of their intellectual endeavors (e.g., faculty-authored books, articles, manuscripts, plays, writings, musical scores, and works of art)
4. to guide policy and process for commercial uses of employee-created intellectual property other than the traditional products of scholarly work.

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.

## *Policy*

The University of Pikeville owns the rights to all works, inventions, developments and discoveries (herein referred to as “work” or “works”) created by employees within the scope of their employment or whose creation involves the substantial use of university equipment, services, or resources. This includes, but is not limited to, any patentable invention, computer-related software, and databases. This policy will not be applied to such traditional scholarly works as faculty-authored books, articles, manuscripts, plays, writings, musical scores and works of art (hereinafter referred to as “scholarly works”), nor to Regular Instructional Works (including, but not limited to, online courses, course materials, lecture notes and laboratory manuals, unless directed or commissioned by the university) developed without substantial university support and used solely for the purpose of assisting or enhancing the faculty member’s instructional assignment. In determining whether university support is substantial, factors such as the following shall be considered: (i) whether the creation of the work involved the use of special services, equipment, facilities or technological information that go beyond what is traditionally provided to faculty members generally in the preparation of course materials; and (ii) whether the work in question was created as a specific requirement of employment or as an

assigned instructional duty. If the creator needs clarification as to whether a work is considered a Regular Instructional Work he/she should consult with the appropriate division chair and the vice president for academic affairs and dean of the college of arts and sciences. In the case of the Kentucky College of Osteopathic Medicine, the appropriate associate dean and the vice president for health affairs and dean of the college of the Kentucky College of Osteopathic Medicine should be consulted. This policy applies to all students, faculty, and staff of the university, including the College of Osteopathic Medicine. Subsequent references to the terms “employee” or “employees” shall include any of the foregoing.

The “work-for-hire” rule in the Copyright Act grants the university ownership of the copyright to all copyrightable works produced by its employees within the scope of their employment. (Please see Heading I below concerning the ownership of intellectual property and Heading II concerning an employee’s scope of employment.) However, in the case of scholarly works, such as faculty authored books, articles, manuscripts, plays, writings, musical scores and works of art, the university cedes copyright ownership to the author/creator(s). It is not the intent of this policy to change the relationship between author/creator and the university that has existed through the years in relation to copyright ownership of scholarly works, or regular instructional works referred to above.

The use of university equipment, services or resources is “substantial” when it entails a kind or level of use not ordinarily available to all, or virtually all, faculty and/or staff. (Please see Heading III below for the definition of “substantial use.”) Where question arises as to whether a particular work involves “substantial use” or falls within the “scope of employment,” the matter shall be referred to the Intellectual Property Committee (IPC) who will be responsible for policy decisions regarding intellectual property and making recommendations to the president of the university for final approval. The IPC membership will include the vice president for academic affairs and dean of the college of arts and sciences, the vice president for health affairs and dean of the college of the Kentucky College of Osteopathic Medicine, the chief financial officer, the division chair/associate dean of the faculty member involved, the chair of the executive committee of the undergraduate faculty and the chair of KYCOM faculty congress (or their surrogates if necessary).

When employee-created intellectual property results from third-party grants, contracts, or awards made to the University of Pikeville, the intellectual property is owned by the university unless written agreement involving the university, the employee, and the sponsor establishes an alternative ownership arrangement. No such agreement shall be entered into without the review and approval of the vice president for academic affairs and dean of the college of arts and sciences (undergraduate) or the vice president for health affairs and dean of the college of the Kentucky College of Osteopathic Medicine (medical school).

A compilation is a work formed by the collection and assembly of university-owned and employee-owned intellectual property in such a way that the resulting work as a whole constitutes an original work of authorship. If a work is a compilation, each

contributing employee shall retain all ownership interests in his/her intellectual property; but by allowing the work to become part of the compilation, he/she thereby grants a non-exclusive, royalty-free license to the university for use of his/her contribution. While the University of Pikeville shall own rights to the compilation, it shall own no rights to the underlying work beyond said license and will share any net proceeds from the compilation as described below.

If an employee creates intellectual property other than a scholarly work or Regular Instructional Works and which may lead to commercial development, then he/she is expected to immediately notify his/her immediate supervisor and the vice president for academic affairs and dean of the college of arts and sciences (and the vice president for health affairs and dean of the college of the Kentucky College of Osteopathic Medicine for medical school employees) in order to provide them with sufficient information to permit the university to evaluate the work, both its ownership and its commercial potential, and, if appropriate, to take steps to protect the intellectual property rights. If ownership rests with the university, but the university elects not to exercise its ownership rights, then ownership rights and responsibilities related to patenting, copyrighting and licensing shall rest with the author(s). In such a case, the university retains a nonexclusive, royalty-free right to use the work for non-commercial purposes.

In the case of employee-owned intellectual property, the author/creator may petition the university to accept assignment of ownership rights and the attendant control of and responsibility for development. The university, however, is under no obligation to accept this assignment and would do so only when independent evaluation indicates that accepting the assignment would further the mission and work of the university.

***Revenue Sharing***

The university wishes to encourage excellence and innovation in teaching, scholarship and creative activities and to support the notion that works produced at the University of Pikeville should be used for the greatest possible public benefit. In the context of these aims, the university endorses the legitimate expectation of employee author/creators to share in any net revenues produced by licensing or other development of intellectual property. Accordingly, for any work in which the university asserts ownership interest under this policy, the university and the author/creator(s) will share any annual net revenue (revenues less recovery of all legal and other costs involved in protecting the intellectual property rights of the work, licensing costs, and other directly related administrative costs) in the following percentages, unless different contractual agreements have been reached in relation to particular works:

Net Revenue	Author/Creator(s)	University of Pikeville
< \$10,000	100%	0%
\$10,000-\$50,000	75%	25%
\$50,000-\$100,000	60%	40%
>\$100,000	50%	50%

If a work involves more than one employee as author/creator, the author/creators will divide their share equally unless they provide the university with an alternative revenue distribution agreed upon by them. Net revenues received by the university under this policy should be directed toward support of scholarly, research or creative activity on the part of faculty and staff where feasible.

Recognizing that this area is complex and rapidly evolving, the University of Pikeville remains open to the possibility of arriving at special agreements as the need may arise in relation to particular projects. This policy shall be reviewed periodically by the Intellectual Property Committee and revised as necessary.

### ***I. Who owns intellectual property?***

*When does the university own employee-created intellectual property?*

Any one of these circumstances will result in university ownership:

1. If intellectual property is created by an employee within the scope of employment; or
2. If intellectual property is created on university time with substantial use of university equipment, services or resources; or
3. If intellectual property is commissioned by the university
  - pursuant to a signed contract; or
  - if it fits within one of the nine categories of works considered works for hire under copyright law.
4. If intellectual property results from research supported by federal funds or third party sponsorship and no written agreement involving the university, the researcher and the sponsor have established an alternative ownership arrangement

*When does an employee own intellectual property?*

1. If it is unrelated to the employee's job or class responsibilities and the employee has not made substantial use of university equipment, services or resources; or
2. If it is an work that has been released to the author/creator in accordance with this Policy; or
3. If the intellectual property is embodied in such traditional scholarly works as faculty authored books, articles, manuscripts, plays, writings, musical scores, and works of art even though such a work may be within the scope of employment and even if significant university resources were used unless the work is:
  - created by someone who was specifically hired or required to create it or commissioned by the university In either of these cases, the university, not the creator, will own the intellectual property.

### ***II. What is meant by "within the scope of employment?"***

Works related to an employee's job responsibilities, even if he or she is not specifically requested to create them, will belong to the university as works-for-hire. A copyright work is related to your job responsibilities if it is the kind of work you are employed to do and you do it, at least in part, for your use at work, or for use

by fellow employees, your employer or your employer's clients. The work should be performed substantially at work using work facilities, but your use of personal time or other facilities to create the work will not change its basic nature if it is related to your job as described above. Works that have nothing to do with job duties will remain the property of the employee, so long as he or she makes no more than incidental use of university facilities.

For example, if your job is "Safety Engineer," a software program that you create on your own initiative to run on each employee's computer to show a graphic of their nearest fire exits is related to your job duties and will belong to the university, even if no one asked you to create it and you did some of the programming at home on your own computer. A program that you create that does not relate to your job, that neither you nor others use at work, and that you create on your own time would belong to you.

### ***III. What is meant by "substantial use?"***

The Intellectual Property Rights Policy uses the phrase "substantial use of university equipment, services, or resources" in determining when the university claims ownership of employee-created intellectual property, not including work identified in the Policy as traditional "scholarly works" or "Regular Instructional Works." The purpose of this section is to amplify the intended meaning of "substantial use."

For purpose of this Policy, "substantial use" is the use of resources other than those "ordinarily available" to most or all faculty and/or staff. At this date, such ordinarily available resources include office space and personal office equipment, office computer work stations, library and other general use information resources, and the means of network access to such resources. Involvement of students receiving funding through the external grants or federal programs is also excluded from the definition of "substantial use." By contrast, utilization of university laboratories or special instrumentation, dedicated assistance by university employees, special financial assistance, or extensive use of shared facilities would constitute substantial use.

The understanding of "substantial use" may be revised from time to time to reflect changes in technological paradigms.

### ***IV. Disclosure Procedures***

Procedures for disclosure of intellectual property should be discussed with the vice president for academic affairs and dean of the college of arts and sciences in the undergraduate program and with the vice president for health affairs and dean of the Kentucky College of Osteopathic Medicine.

***Acknowledgement: This policy borrows from intellectual property policies at the university of Texas System, Berea College, Centre College and Transylvania university.***

## Copyright Policy

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The Copyright Act of 1976 provides copyright protection for original works of authorship that are fixed in a tangible format. This policy governs the use of copyrighted works at the University of Pikeville.

It is the intent of the University of Pikeville and the University of Pikeville - Kentucky College of Osteopathic Medicine (KYCOM) to support and abide by the provisions of the United States Copyright Law (Title 17, United States Code, Sect. 101, et seq.) The following policies are intended to be used as guidelines for all university employees who wish to use copyrighted material in the course of their duties at the university. This includes, but is not limited to, reproducing, altering, or performing works that are protected by copyright.

Two other laws which also address the use of copyrighted works are the 1998 Digital Millennium Copyright Act (DMCA) and the 2002 Technology, Education, and Copyright Harmonization (TEACH) Act. The DMCA restricts the use of copyrighted works in electronic formats. The TEACH Act permits additional distribution rights for online education. The University of Pikeville and KYCOM both support and abide by the restrictions of both the DMCA and the TEACH Act.

U.S. copyright law contains many gray areas and the goal of this policy is to provide administrators, faculty, librarians, students, employees and others with a standard approach for addressing complex copyright issues. This policy covers classroom issues such as photocopying, online and distance education, and coursepacks. It also covers library uses such as print and electronic Reserves, ILL, and document delivery. Other copyright and intellectual property policies may complement this policy by providing guidance on copyright issues beyond text-based materials used in the classroom and library.

The following policy provides practical guidelines and procedures to follow on copyright-related matters; however, it is not a substitute for legal advice and proper legal assistance should be obtained when necessary. The university copyright officer will be able to assist you.

Copyright Officer  
Karen Evans  
Director of Library Services  
(606) 218-5606  
KarenEvans@upike.edu

Members of the university community who willfully disregard the copyright policy do so at their own risk and assume all liability.

Approved Undergraduate Faculty (October 28, 2010)  
Approved KYCOM Faculty (November 2010)  
Approved UPIKE Board of Trustees (February 5, 2011)

## ***Guidelines and Procedures***

### ***What is the purpose of Copyright Law?***

The rights granted by the Copyright Act are intended to benefit creators of original works including literary, dramatic, musical, architectural, cartographic, choreographic, pantomimic, pictorial, graphic, sculptural and audiovisual creations. This means that virtually any creative work—including books, magazines, journals, newsletters, maps, charts, photographs, graphic materials and other printed materials; unpublished materials such as analysts’ and consultants’ reports; and non-print materials, including electronic content, computer programs and other software, sound recordings, motion pictures, video files, sculptures and other artistic works—is almost certainly protected by copyright. Exclusive rights are granted to the creator of original work which includes the rights to reproduce, distribute, publicly perform and publicly display their works.

These rights provide copyright holders control over the use of their creations and an ability to benefit, monetarily and otherwise, from the use of their works.

In the U.S., the general rule of copyright duration for a work created on or after January 1, 1978 is the author’s life plus 70 years after the author’s death. This is often referred to as “life-plus-70.” Works created by companies or other types of organizations generally have a copyright term of 95 years.

Copyright law does not protect ideas, data or facts.

### ***What are the rights of copyright owners?***

Copyright is designed to provide legal protection for the authors of original works, including literary, dramatic, musical, artistic, or any other intellectual product. Publication is not essential to claim copyright protection; however, in order to take legal action, the copyright must be registered with the U.S. Copyright Office. Section 106 of the Copyright Act gives the owner exclusive rights to control who can do the following:

1. Publicly display the work.
2. Reproduce copies of the work.
3. Prepare derivative works based on the work.
4. Distribute copies of the work by sale, rental, lease or lending.
5. Publicly perform the work.

The rights above are subject to “Fair Use” limitations which apply to all media with medium specific limitations.

### ***What is Fair Use?***

Fair Use, covered in Section 107 of the Copyright Act of 1976, allows scholars and students limited use for educational purposes. Fair Use is expressed in guidelines and consists of four factors that must be considered. The Copyright Clearance Center has an excellent explanation of how to determine Fair Use for academic purposes.

The following must be considered:

1. The purpose and character of the use.
2. The nature of the copyrighted work with special consideration given to the

difference between a creative work and an informational work.

3. How substantive the portion or amount of the work to be used versus the work as a whole.
4. Effect of the use on the potential market for the work.

Permission for copying in excess of Fair Use can be obtained through the Copyright Clearance Center (<http://www.copyright.com>.) and the cost will be charged to the academic department. Permission of the department chair is required before you make the request.

### **Copyright Law and Printed Materials**

Works that may be used freely

Some publications, primarily scholarly, will include a notice stating that the work can be used freely for educational purposes.

Other works may be in the public domain, so their use is not protected by copyright.

1. Publications dated 1922 or earlier.
2. Works published before January 1, 1978 that do not contain a copyright notice.
3. Most United States Government documents.

### **Photocopying**

Copies made for classroom use must meet the Fair Use Guidelines and include a notice that it is a copyright work. See “Library Reserves” below for more guidelines.

### **Photocopying Sheet Music**

The following guidelines pertain to the copying of sheet music.

1. Emergency copying for a performance is allowed, as long as a replacement copy is subsequently purchased.
2. An entire performable section is allowed if it is out of print or only available in a larger work.
3. Excerpts to be used in class, but not performed should not exceed 10 % of the entire work and should not equal a performable unit.

### **Signage**

Effective signage regarding photocopies and copyright must be posted at every photocopy machine on campus.

### ***Copyright Law and Library Reserves***

#### **General Information**

Section 107 of the Copyright Act requires that all items placed on library Reserve meet the Fair Use Guidelines as to the purpose of use, brevity of selection, spontaneity and cumulative effect. Each copy must also include a notice that the item is copyrighted material. For the Fair Use Test, visit the Copyright Clearance Center at: [http://www.copyright.com/Services/copyrightoncampus/basics/fairuse\\_rules.html](http://www.copyright.com/Services/copyrightoncampus/basics/fairuse_rules.html) Reserve materials should be a reasonable portion of the reading and required material for the course. Reserve material is not intended to substitute for textbooks.

## **Books**

Books owned by the library that are part of the circulating collection, personal copies of the faculty member, or copies owned by the department may be placed on Reserve without copyright permissions. The selection assigned must meet Fair Use Guidelines. The amount used in the class usually cannot exceed one chapter or one selection from an edited collection of readings or essays. Required workbooks or textbooks cannot be placed on Reserve.

## **Journals**

Only one article from an issue of a journal or newspaper may be placed on Reserve without obtaining copyright permission.

## **Media**

Media items owned by the library, personal copies of the faculty member, or copies owned by the department may be placed on Reserve. Please note that some library videocassettes/DVDs have public performance rights, but most do not. However, copyright allows their use in face-to-face teaching situations.

Recordings that have been illegally copied or recorded will not be placed on reserve.

## **Photocopies**

The guidelines below apply to both print and electronic Reserves. All photocopies placed on Reserve are considered to be the property of the faculty member. The copies will either be returned or destroyed at the end of the semester. The following items can be placed on Reserve without acquiring copyright permission.

- Exams created by the faculty member
- Lecture notes
- Government documents
- Works that are in the public domain
- Works that do not include a copyright notice and were first published before January 1, 1978.

If the following items meet the Fair Use Guidelines, they can be placed on Reserve. A reasonable number of photocopies (one copy for every 10-20 students) is allowed.

- One copy of an article from a single journal issue
- One short story, essay or poem
- One chapter of a book
- One chart, drawing, diagram, cartoon, illustration or graph

In order to comply with the copyright guidelines, the library staff will require the following items, as applicable.

- Faculty must sign a form that they are complying with copyright guidelines when placing items on Reserve.
- All items must contain a notice of copyright. The library staff will have a standard form that can be filled out, copied, and placed with the material.
- Student work placed on Reserve will require a signed permission form from the student.

**Items that cannot be placed on Reserve:**

- Photocopied pages of a workbook
- Anthologies created by using photocopies from different works
- Items that were on Reserve the previous semester for which copyright permission has not been obtained by the faculty member.

Items will be returned if the library staff determines that there is an infringement of copyright law. You may obtain the needed permissions and re-submit the material. In order to obtain permission, please visit the Copyright Clearance Center at <http://www.copyright.com>. The cost will be covered by the department but departmental procedures must be followed.

***Copyright Law and Interlibrary Loan***  
**General Information**

Interlibrary Loan (ILL) is a service that allows University of Pikeville and KYCOM students, faculty and staff to borrow copyrighted materials, including books, journals, and other materials from other libraries. Interlibrary loan activities are primarily governed by section 108 of the Copyright Law of 1976 and are further restricted by the Commission on New Technological Uses of Copyrighted Works (CONTU) guidelines, which limit aggregate quantities for photocopying. Section 107 (Fair Use Guidelines) may also apply to certain interlibrary loan transactions.

Books and other materials:

- Most books and other materials may be borrowed without violation of copyright as long as they adhere to the Fair Use Guidelines.
- Textbooks may not be requested if they are required for a course taught at the University of Pikeville. Interlibrary loan services are not intended as an alternative to purchasing a required text for a course, and requesting them would be a violation of the Fair Use Guidelines.
- Circulation of collections is at the discretion of the lending library. Many libraries choose not to lend certain collections, such as Reference, Audio-Visual, or Genealogy materials.

Periodicals and Photocopying

- Section 108 of the Copyright Act specifies that a library may copy “no more than one article or other contribution to a copyrighted collection or periodical issue, or ... a small part of any other copyrighted work.” The copy must become the property of the requestor, and its use is limited to “private study, scholarship, or research.”
- The University of Pikeville libraries adhere to the CONTU Guidelines, which offer guidance as to what a “small part” of a work may be.
- The CONTU Guidelines state that five is the maximum number of photo copied articles that can be requested from the most recent five years of a periodical to which the libraries do not subscribe. Individuals requesting copies in excess of the CONTU allowance may be asked to pay a royalty or the fee necessary to obtain such copies commercially.

- The following may be copied and distributed through Interlibrary Loan:
  - Entire works or sections of works that are in the public domain
  - Entire works or sections of works by the U.S. government
  - Entire works or sections of works used with permission from the copyright holder
  - Entire works or sections of works used under the provision of Section 108 (reproduction by libraries and archives)
- Portions of books, journal issues, and other print resources that meet a reasonable determination of fair use
  - Works used under the provisions of a contract or license agreement (These agreements may differ from, and often take precedence over, what is allowed under copyright law.)
  - Copyrighted works owned by the University of Pikeville libraries, or another library, if after a reasonable investigation, the copyrighted work cannot be obtained at a fair price.

The Interlibrary Loan office is legally obligated to display prominently the following notice and to include the same text on all request forms:

**NOTICE**

**WARNING CONCERNING COPYRIGHT RESTRICTIONS**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be “used for any purpose other than private study, scholarship, or research.” If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of “fair use,” that user may be liable for copyright infringement. This institution Reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law.

**Digital Resources**

No clear-cut guidelines have been developed yet pertaining specifically to digital resources. Electronic resources and subscriptions usually require license agreements which detail who, how and where the resources may be accessed. These license agreements vary widely and must be regarded individually in terms of copyright issues. It is the responsibility of the Lending Library to ascertain whether fulfilling an Interlibrary Loan request is in violation of their license agreement. The University of Pikeville libraries do not “lend” electronic access or copies of materials obtained electronically to people or libraries under any circumstance that may violate their license agreements.

**Copyright Law and Multimedia**

Multimedia materials include but are not limited to still and moving images, sounds, data, digital texts and Web services. The use of these materials in the classroom is

protected under copyright law unless there is specific reason to believe that they are in the public domain. Students may read, watch and copy multimedia materials presented in the classroom for private use but may not copy and distribute these materials. If students use parts of these multimedia texts in research and written work, they must credit these sources appropriately. Students must obtain permission from the copyright holders to share the material beyond the classroom. Use of these materials is permitted in an educational institution as long as certain conditions are met. Section 110 (1) of the Copyright Act of 1976 specifies that the following is permitted:

“performance or display of a work by instructors or pupils in the course of face-to-face teaching activities of a nonprofit educational institution, in a classroom or similar place devoted to instruction, unless, in the case of a motion picture or other audiovisual work, the performance, or the display of individual images, is given by means of a copy that was not lawfully made under this title, and that the person responsible for the performance knew or had reason to believe was not lawfully made.”

Additional text of the Copyright Act and portions of the House Report (94-1476) combine to provide the following, more detailed list of conditions [from Virginia M. Helms, *supra*]:

- They must be shown as part of the instructional program.
- They must be shown by students, instructors or guest lecturers.
- They must be shown either in a classroom or other school location devoted to instruction such as a studio, workshop, library, gymnasium or auditorium if it is used for instruction.
- They must be shown either in a face-to-face setting or where students and teacher(s) are in the same building or general area.
- They must be shown only to students and educators.
- They must be shown using a legitimate (that is, not illegally reproduced) copy with the copyright notice included.
- Multimedia texts may not be used in a classroom setting for entertainment or recreation, whatever the work’s intellectual content.

### **Making and using PowerPoint slides from copyrighted works**

Faculty members are responsible for obtaining copyright permissions for classroom materials. Copyright ownership of slides and photographs encompasses control over display as well as reproduction. However, Section 110 of the Copyright Act of 1976 addresses the display of copyrighted slides and photographs in educational settings by allowing “display of a work by instructors or pupils in the course of face-to-face teaching activities of a non-profit educational institution, in a classroom or similar place devoted to instruction” so long as the copy of the artwork was lawfully made. Furthermore, the purpose of the display must be integral to the course.

Faculty members have access to the ARTStor database which does allow use of most of the material in the classroom.

## **Copyright and Distance Learning**

### ***A Brief Guide to the Technology, Education, and Copyright Harmonization (TEACH) Act***

Copyright law does not distinguish between copyrighted materials by format. Print and digital materials are handled in the same manner. However, distance education and online course management systems created new issues due to the need to digitize, display and copy material. Students at distant locations were at a disadvantage due to copyright restrictions that limited use to face-to-face teaching situations. The TEACH Act amends sections of 110(2) and 112(f) of the U.S. Copyright Act to permit greater latitude in the use and display of copyrighted materials for distance education.

If an institution meets the requirements of the TEACH Act:

- Instructors have the right to use a wide range of material in distance learning.
- Students may participate in class from any location.
- Storing, digitizing and copying of documents is permissible.

A partial listing of requirements that must be met under the TEACH Act:

- The institution must be an accredited, non-profit educational institution.
- Students must be informed that the material is covered by copyright and a notice of copyright must be displayed on the materials.
- Technological measures to prevent unauthorized users and/or excessive printing, copying, (other than assigning a password), must be in place.
- Access must be terminated at the end of the class.
- Use must be limited to students in a class.
- Use cannot include transmission of textbooks or materials that would normally be purchased, such as workbooks.
- Fair Use Guidelines do apply.
- A full list of requirements is available at [www.copyright.gov/legislation/archive](http://www.copyright.gov/legislation/archive).

If it is necessary to conduct an online class without live interactive feedback, apply the following rules to confirm the educational use exemption applies. Check U.S. code Title 17 Chapter 1 section 110 to determine if in fact you need to worry about transmitting copyright works in the first place. If you feel that copyright still applies to the works you want to use in your class then please follow these rules of thumb in their use:

1. Incorporate copyrighted works in limited amounts and then only if a faculty member or the institution possesses a legal copy of the work.
2. Address any copyright issues by properly citing the source.

Include in your citation:

- any copyright notice on the original item
- appropriate citations and attributions to the source
- A “do not copy under penalty of law...” statement is necessary. Please use the official University of Pikeville notice available from the copyright officer.

If your use does not fit easily into the above rules of thumb you will need to apply Title 17 Chapter 1 section 107, the Fair Use Guidelines. Please contact the director of copyright policy for the University of Pikeville to determine if your use passes the “fair use exceptions.”

### **Course Management Systems**

The guidelines that apply to classroom use also apply to use of copyrighted material on a Course Management System (CMS). Some things to remember:

- Fair use applies to all material just as it does in print.
- A CMS does not substitute for purchasing textbooks or workbooks.
- Providing links to online database content subscribed to by the library is allowed and is the preferable method for providing access.
- Remember that the rights included with the purchases of textbooks vary by publisher. Some will allow scanning and posting but some do not.
- Copyright notices must be included with copyrighted material.
- Be certain that copyrighted materials are removed at the end of the semester.

### **Copyright and Software**

#### ***Personal Use***

All software is copyrighted and may not be duplicated without the permission of the author. Major applications such as Microsoft Word and PowerPoint as well as utilities such as Norton Anti Virus, clip art and the operating system (Windows), are samples of copyrighted software. When software is purchased, the buyer has the right to use it but does not own the software. The buyer can legally install and use one copy on one machine unless a multiple user license has been purchased. Shareware is user supported software that is distributed by the author, but it is not free. Usually, shareware is accompanied by a request for evaluation of the software for a set period of time after which the user is expected to either pay for the software or delete it.

Freeware is software that has been placed in the public domain by the author and can be copied and distributed without cost.

#### ***Fair Use and Software***

Fair Use Laws do not apply to software. Universities and colleges are subject to the same software copyright laws as corporations and individuals. Software cannot be duplicated without authority from the publisher. The following activities will violate copyright restrictions pertaining to software:

- Using one set of disks to install software on several computers without purchasing a site license.
- Borrowing or loaning software.
- Installing university-owned software on a home computer, unless a copy is purchased by the university for that purpose.

Unauthorized duplication of software, also known as software piracy, is a federal crime carrying significant penalties for universities and corporations. To protect creativity and intellectual endeavors, software piracy will not be tolerated by the university.

The Music Library Association (MLA) offers guidelines pertaining to copyright and use of digital audio files. *Published Guidelines. Copyright Guide for Music Librarians. Resources.*

### ***Digital Millennium Copyright Act (DMCA)***

On October 28, 1998, the Digital Millennium Copyright Act (DMCA) was signed into law. Title II of this Act gives protection from liability for copyright infringement to online service providers (OSP), such as colleges and universities, who comply with the provisions of the act. Users providing copyrighted information on a Web site hosted by the University of Pikeville are reminded that repeated copyright infringement may result in loss of network access. To report suspected copyright infringement on a Web site hosted by the University of Pikeville, users should contact the University of Pikeville assistant vice president for information technology:

Corrine Bolt - Assistant Vice President for Information Technology  
University of Pikeville • 147 Sycamore Street • Pikeville, KY 41501  
Phone: (606) 218-5327 • Fax: (606) 218-5174 • E-mail: CorrineBolt@upike.edu

## **CAMPUS DINING FACILITIES**

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### ***Dining Hall Hours***

Breakfast: Monday–Friday	7 a.m.–9:30 a.m.
Continental Breakfast: Monday–Friday	9:30 a.m.–10:30 a.m.
Lunch: Monday–Friday	11 a.m.–2:00 p.m.
Grill Items Only	2:00 p.m.–4:00 p.m.
Dinner: Monday–Thursday	4:30 p.m.–8:00 p.m.
Friday	4:30 p.m.–6:30 p.m.
Brunch: Saturday	11:30 a.m.–1 p.m.
Sunday	11:30 a.m.–2 p.m.
Dinner: Saturday	5 p.m.–6:30 p.m.
Sunday	5 p.m.–7:00 p.m.

The hours listed above are adhered to during the fall and spring semesters. Summer hours vary at the need of those on campus.

### ***Meal Costs***

Individual meal costs for those students who do not live in the resident halls\*:

**Breakfast: \$5.25      Lunch: \$6.50      Dinner: \$7.25**

\*Meal plans are available for non-resident students.

### ***Java City Hours***

Mon.-Thur.	7 a.m.-11 p.m.
Fri.	7 a.m.-4 p.m.

For more information call:  
University of Pikeville Dining Service  
Director of Food Service  
(606) 218-5032

## HELP IS ONLY A PHONE CALL AWAY

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<b>Question</b>	<b>Office</b>	<b>Location</b>	<b>Ext.</b>
ACE Program	ACE Offices	ARM 011	5701
Add a class	Academic Affairs	ARM 218	5221
Athletics	Student Services	AD 004	5224
Bill Payment	Business Office	AD 002	5200
Bookstore	Bookstore	Parking Garage	5725
Campus Chaplain	Chaplain's Office	RM 602	5762
Campus Post Office	Post Office	W-Ground	5700
Counseling Services	Student Services	AD 004	5232
Declaration/Change of Major	Academic Affairs	ARM 218	5221
Drop a class	Academic Affairs	ARM 218	5221
Financial Aid	Financial Aid	AD 003	5253
Food Services	Dining Hall	CB-5th Floor	5032
Food	Java City	W-Ground	5040
Health Problems	Health Services	ARM 201	5048
Housing	Student Services	AD 004	5224
I.D. Cards	Student Services	AD 004	5224
Intramurals	Student Services	AD 004	5358
Jobs: Off campus	Career Placement	AD 004	5229
Library	Allara Library	Allara	5605
Lost/Found	Student Services	AD 004	5224
Parking	Public Safety	CH-LL	5940
Safety Issues	Public Safety	CH-LL	5940
Scholarship	Financial Aid	AD 003	5253
Student Activities	Student Services	AD 004	5226
Student Government	Student Services	W Ground	5226
Student Loans	Financial Aid	AD 003	5253
Residence Life	Student Services	AD 004	5229
Student Success Coordinator	Student Success	AD 201	5626
Withdrawal from school	Academic Affairs	ARM 218	5221

KEY: **AD**—Administration Building  
**ARM** - Armington Learning Center  
**CB** - Coal Building  
**CH-LL**—Condit Hall Lower Level  
**CTC** - Community Technology Center  
**RM**—Record Memorial  
**SA**—Spilman Apartments  
**W**—Wickham Hall

## EMERGENCY NUMBERS

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**In the event of an emergency, DIAL 911**

Public Safety .....606-218-5940

Cell .....606-477-0262

## Fall Semester 2013

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August	15-16	Open registration
	19	Classes begin
	22	Last day to add a class
September	2	Labor Day (No classes)
October	2	Last day to file for December 2013 graduation
	3-4	Fall Holiday (No classes)
	16	Midterm grades due
October	30 -	Early registration for Spring 2014
November	15	
	27-29	Thanksgiving recess (No classes)
December	2	Classes resume
	3	Last day of classes
	3	Last day to receive a grade of “W”
	4	Study day (No classes)
	5	Begin final exams
	11	Last day of final exams

## Spring Semester 2014

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January	9-10	Open registration
	13	Classes begin
	16	Last day to add a class
	20	Martin Luther King Day (No classes)
March	3	Last day to file for May 2014 graduation
	17-21	Spring Break
	26	Midterm grades due
April	4-18	Early registration for Summer/Fall 2014 begins
	10-11	Hillbilly Days (No classes)
	18	Good Friday (No classes)
May	5	Last day of classes
	5	Last day to receive a grade of “W”
	6	Study day (No classes)
	7	Begin final exams
	13	Last day of final exams
	17	Commencement

**UNIVERSITY OF PIKEVILLE**  
(606) 218-5224 • [www.upike.edu](http://www.upike.edu)