



## **2021-2022 University Housing Community Standards**

Life in a University housing facility is based on the premise that learning on a college campus occurs both inside and outside of the classroom. In order to maintain a successful residential environment, residents must feel like they are part of a supportive and caring community that allows them to sleep, study, develop relationships, and connect to the UK campus. As such, University Housing Community Standards (UHCS) have been established with the goals of the residential community in mind and in accordance with University policies, and local, state, and federal laws.

All members of the residential community, students and staff alike, are responsible for maintaining University Housing Community Standards. If a resident engages in behavior that is considered a violation of one of these standards, a staff member will write a report of the incident and refer the report to the appropriate individual or office for review and follow-up. Additionally, attempts to engage in prohibited behaviors or assisting in commission of such behaviors can be treated as if the attempted violation has been completed. Follow-up on an incident report may involve an informal meeting between the involved party and a conduct officer, who may be a Resident Director, other Residence Life staff member, or Fraternity & Sorority Life staff member. In some situations, incident reports may be referred to the Office of Student Conduct and/or the Office of Institutional Equity & Equal Opportunity. Referred incidents will be resolved according to the policies and processes of the department responsible for resolution. After discussing the incident, if the conduct officer determines, by the preponderance of the evidence (more likely than not), that a violation of the community standards occurred, a restorative action plan may be issued. Possible restorative actions include, but are not limited to: written warning, conduct or residence hall probation, restriction of visitation privileges, monetary restitution, completion of substance education workshops, participation in educational programs, written reflection, transfer to another housing facility, and cancellation of the housing contract.

### **Rights in the University Housing Student Conduct Process are as follows:**

1. To be treated fairly in the University Housing student conduct process.
2. For Respondent(s), to be provided written notice of any allegation or formal charge of the misconduct, as well as a description of the alleged misconduct.
3. For Respondent(s), to be presumed not responsible for a violation until determined otherwise. The burden of proving a violation of the University Housing Community Standards and/Code of Student Conduct is on UK.
4. To review the information contained in the Student Conduct Report, with all personally identifying information of other students removed (if appropriate), in advance of a student conduct meeting.
5. To have access to the recording of a meeting with the Housing Contract Review Committee in which the Student is the Respondent(s) or Complainant(s).
6. To present relevant information verbally or in writing on their behalf.
7. To have up to two (2) Support Persons present at a student conduct meeting to provide emotional or other support.
8. To know the identity of persons speaking or providing written information to the Housing Contract Review Committee.
9. To ask reasonable questions and challenge, either verbally or in writing, the allegation(s), formal charge(s), or information provided during a student conduct meeting.
10. To not speak or answer any question during a student conduct meeting. Refusal to do so is not considered admitting responsibility for an alleged violation.
11. To request that a member of a Housing Contract Review Committee be removed from the hearing based on a conflict of interest or bias.
12. To provide an impact statement(s) for consideration during the restorative action phase of a meeting with the Housing Contract Review Committee or during a restorative conference.
13. For Respondent(s), to appeal any decision concerning cancellation of their housing contract to the Housing Contract Review Committee.

## Procedures:

### A. Initiating the Conduct Process:

1. When a potential violation of the UHCS is observed by or reported to a Residence Life staff member, an incident report will be written. An incident report is a written account of an event or situation. An incident report may include supporting documentation such as pictures, video etc.
2. The incident report will be reviewed by a Conduct Officer and assigned for management. Reports may be referred to the Office of Institutional Equity & Equal Opportunity, Office of Student Conduct, or Center for Support and Intervention. In matters where support services are necessary, the incident report may be shared with appropriate support services. The engagement of support services does not prevent the initiation of the student conduct process.
3. The Conduct Officer will review the report to determine if the report has merit. If the report lacks merit, it will be dismissed. Appropriate parties will be informed in writing within two (2) calendar weeks of the dismissal or a timeline for determining the merit of the complaint.
4. The notice letter will include a summary of the complaint, the alleged policy violations, the date, time, and location of the informal meeting, and any interim measures. The notice letter will be sent to the Respondent via UK email no less than two (2) business days prior to a scheduled conduct meeting. Failure to read the notice letter or attend the informal meeting may result in the case being heard in the Respondent's absence. Cases heard in a Respondent's absence may not be eligible for the outcome review process.
5. The time and date of the informal meeting is determined by the Respondent's class schedule and the availability of the Conduct Officer. An investigative meeting or informal meeting will only be rescheduled for good cause, as determined by the Conduct Officer.
6. Prior to any student conduct meeting, the Respondent may contact the assigned Conduct Officer to arrange to review information relevant to the allegations.

### B. Informal Meeting Process:

1. Respondents will be provided with an informal meeting to resolve the allegations. Informal meetings are closed to the public. Informal meetings permit the Respondent to discuss the allegations with a Conduct Officer. Respondents may have up to two (2) Support Persons present at a meeting. A Support Person may not represent, speak on behalf of, delay, disrupt, or otherwise interfere with a student conduct meeting.
2. The Conduct Officer will complete the following procedure:
  - a. Provide an opportunity for the Respondent to review their rights;
  - b. Review the informal meeting process and the alleged violation of the UHCS;
  - c. Review the Incident Report.
3. The Conduct Officer will provide the Respondent with an opportunity to respond to the report and the alleged violations.
4. The Conduct Officer will determine if there is sufficient information to meet the standard of proof, which is the preponderance of the evidence. The following may be decided as a result of the informal meeting:
  - a. The Respondent is found not responsible for a violation of UHCS;
  - b. The Respondent is found responsible for a violation of UHCS and accepts the proposed restorative actions;
  - c. The Respondent is found responsible for a violation and does not accept that they are responsible for the violation of UHCS and does not accept the proposed restorative action plan;
  - d. The Respondent is found responsible for a violation of UHCS and accepts the responsibility but does not accept the proposed restorative actions.
5. Cases are not eligible for an outcome review when the Respondent accepts the finding of responsibility and restorative action plan during the informal meeting.

6. The Respondent will be provided written notification of outcome within seven (7) business days of the conclusion of the informal meeting process.
7. Failure to complete the assigned restorative actions by the assigned deadline may result in a disciplinary hold or additional student conduct action.

C. Restorative Conference:

1. A restorative conference provides an opportunity for interaction between the Respondent and any harmed party or Complaining Witness, but also may involve the community in the decision-making process. Community participants may be anyone in the community concerned about the behavior. The goal is to provide everyone a voice in the process and bring understanding to all parties. Restorative conferences also allow for collaboration in deciding what is to be done about the incident in question and also to address any underlying problems that led to the incident.
2. Participation in a restorative conference is voluntary. All parties must willingly agree to attend. The Respondent must have previously accepted responsibility for the behavior in question for a restorative conference to occur. Restorative conferences may or may not result in restorative actions, depending on the outcome of the conference.
3. If a resolution is not met through the restorative conference, the student conduct process will resume, and an informal meeting will be scheduled to determine restorative actions.

D. Outcome Review Procedures:

In cases where a Respondent is found responsible for a violation and a restorative action plan is issued, the Respondent may request an outcome review.

Outcome reviews must be based on one or more of the following issues:

1. The information that was available to the Conduct Officer was insufficient to support the decision that a violation of policy occurred,
2. Whether deviations in procedures were significantly prejudicial (i.e., would alter the outcome of the informal meeting). In such cases, the Outcome Review Conduct Officer will determine if the informal meeting was conducted fairly in light of the alleged violations and information presented, and in conformity when prescribed procedures providing UK and the Respondent to present information regarding the allegations,
3. The assigned restorative action is too severe for the violation that occurred, and/or
4. New information is available that was not available during the original student conduct meeting.

When a Respondent requests an outcome review at the conclusion of the informal meeting:

1. Information on filing a request for an outcome review will be included in the informal meeting outcome letter. It is the responsibility of the Respondent to complete the Outcome Review Request within seven (7) business days of notification.
2. Failure to submit the Outcome Review Request within seven (7) business days will result in the outcome determined by the Conduct Officer in the informal meeting being final.
3. The Outcome Review Conduct Officer will send a meeting notification letter to schedule a meeting within seven (7) business days of receipt of the Outcome Review Request. Failure to read the notice letter or attend the outcome review meeting may result in the Outcome Review Conduct Officer making a decision in the Respondent's absence.
4. Outcome review decisions are final.

#### E. Housing Contract Cancellation Outcome Review:

If an informal resolution is not reached in cases where housing contract cancellation is a recommended restorative action, a Respondent can request an outcome review with the Housing Contract Review Committee (Committee) based on the four issues described in Section D. The Committee is a three (3) person committee composed of the Director for the Office of Residence Life (Committee Chair), the Executive Director of Auxiliary Services, and the Executive Director of Campus Housing. Should a member of the Committee be unavailable, the Committee Chair will determine a suitable replacement.

1. Information on filing a request for an Outcome Review will be included in the informal meeting outcome letter. It is the responsibility of the Respondent to complete the Outcome Review Request within seven (7) business days of the notification.
2. Failure to submit the Outcome Review Request within seven (7) business days will result in the outcome determined by the Conduct Officer in the informal meeting being final.
3. Upon receipt of the Outcome Review Request, the Committee Chair will send notification of receipt of the Outcome Review Request within seven (7) business days.
4. The Committee Chair will send a meeting notification letter to the Respondent a minimum of three (3) business days before the Committee meeting.

#### Committee Meeting Procedures:

1. Committee meetings are closed meetings that permit UK Housing and the Respondent to address the alleged violation or restorative actions. In addition to the Respondent, the conduct officer and complaining witnesses or witnesses in the case may be present.
2. The Respondent may be assisted by up to two (2) Support Person(s) of their choice and at their own expense. Support Persons(s) are not permitted to speak or to participate directly during the process. A Respondent should select a Support Person(s) whose schedule allows attendance at the scheduled date and time for the meeting. Delays of a meeting or hearing are not normally allowed because of the scheduling conflicts of a Support Person.
3. The Respondent is responsible for presenting their own information to the Committee. If the Respondent chooses not to participate or fails to appear before the Committee, the Committee will review the available information and make a determination in the Respondent's absence. If the Respondent did not accept responsibility, after reviewing all pertinent information, the Committee will determine whether the Respondent is responsible for the alleged violation(s) by a preponderance of the evidence.
4. If the Committee determines the Respondent has violated the UHCS, the Committee will determine restorative actions. If the Committee determines the Respondent has not violated any UHCS section, the case will be dismissed. If Respondent has previously accepted responsibility, after receiving all pertinent information, the Committee will determine restorative actions.
5. The Committee Chair will provide a written outcome to the Respondent via the Respondent's UK email address no more than seven (7) business days following the meeting, unless circumstances exist that would delay issuance of the written outcome.
6. Decisions made by the Committee are final.

**Interim Measures:** Residents may be temporarily removed from housing before a student conduct meeting occurs. An interim removal from housing is imposed to ensure the health, safety, or wellbeing of members of the residence hall community or to preserve property. Interim removals will be followed by a meeting with a Residence Life staff member.

## University Housing Community Standards:

The following behaviors do not adhere to the community standards of the residential environment:

- 1) Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances and/or paraphernalia except as expressly permitted by law,
- 2) Public intoxication due to marijuana, heroin, narcotics, or other controlled substances as defined by KRS 525.100,
- 3) Possession of containers or paraphernalia related to marijuana, heroin, narcotics, or other controlled substance use,
- 4) Use, possession, manufacturing, or distribution of alcoholic beverages as defined by the Administrative Regulation 6.4. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under twenty-one (21) years of age. Alcoholic beverages are prohibited in undergraduate housing,
- 5) Public intoxication due to alcoholic beverages as defined by the Administrative Regulation 6.4,
- 6) Participation in alcohol drinking games and the possession of instruments designed to encourage excessive drinking (e.g., beer bong),
- 7) Possession of alcohol containers or paraphernalia,
- 8) Use of any tobacco products on University premises or inside any University facility as defined by Administrative Regulation 6.5. Areas include buildings and structures, grounds, parking structures, enclosed bridges and walkways, sidewalks, parking lots, and vehicles, as well as personal vehicles in these areas,
- 9) Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct that threatens or endangers the health or safety of any person,
- 10) Retaliation, either directly or indirectly through others, against any individual involved in a student conduct proceeding or member of the University community,
- 11) Defacing, disfiguring, damaging, or destroying public or private property,
- 12) Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties. An example of a violation is failure to properly identify oneself to these persons when requested to do so,
- 13) Sexual misconduct, including non-consensual sexual activity, sexual harassment, and/or sexual exploitation as defined by Administrative Regulation 6.2,
- 14) Public exposure, defined as the exposure of the private or intimate parts of the body, in a lewd manner when the resident may be readily observed,
- 15) Stalking, as defined by Administrative Regulation 6.2,
- 16) Hazing, as defined by Administrative Regulation 6.10,
- 17) Unapproved possession of University or private property or taking of items without permission, including possession of property where the resident knows or should have known it was stolen,
- 18) Possession of firearms, explosives, dangerous chemicals, or other weapons including, but not limited to, hunting knives, airsoft guns, paintball guns, machetes, swords, daggers, nunchucks, nightstick, and throwing stars in University housing. Use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear or alarm to others is prohibited,
- 19) Acts of dishonesty, including but, not limited to the following:
  - A. Furnishing false information to any University official, faculty member, or office,
  - B. Falsifying financial means, including, but not limited to cash, checks, or money orders, to the University or a member of the University community. Recurring financial over-obligation and nonpayment of debts to the University,
  - C. Bribing, or attempting to bribe, any University employee or student official,
  - D. Impersonating any University employee or student official,
  - E. Forgery, alteration, or misuse of any record, instrument of identification, or University document,
  - F. Falsely accusing another of misconduct,
  - G. Assisting another in a violation of University policy, including the Code of Student Conduct or University Housing Community Standards,
- 20) Abuse of the student conduct system, as defined in the Code of Student Conduct,
- 21) Violating the following visitation/guest policy:
  - A. Allowing another resident, guest, or animal to violate university policy in the residence hall. A resident may be held accountable for the behavior of his/her guest or animal on residential property,
  - B. Failure to comply with the visitation policy, including but not limited to: violating the sign-in/sign-out procedures, or failing to escort one's guest at all times,
  - C. Failure to follow minor visitation policy. Minors visiting between the ages of 13-17 may be checked in for visitation between 8:00am and 12:00am. Visitation by minors between 12:00am and 8:00am is considered

overnight visitation and minors must have submitted a Minor Visitation Form 24 hours prior and be approved by the Resident Director or House Director. Requests are not monitored during University breaks and holidays,

- D. Cohabitation in the residence halls is prohibited. Cohabitation exists when a person who is not assigned to a residence hall room uses that room as if they were living there and, potentially, hinders a roommate's ability to sleep, study, or occupy their room. A person who is not a resident of the room is not allowed to stay for more than three consecutive overnights, 2am-8am, in any two-week period or as deemed excessive by the Resident Director,
- 22) Residents and guests may only use community restrooms designated for their gender identity. All guests needing to use community restrooms should be escorted by their host to the bathroom door,
- 23) Projecting, throwing, or launching any object, substance, or laser pointer, directed to, from, into, or onto University housing windows, doors, terraces, ledges, roofs, walkways, or other areas, that have the potential for damaging or defacing property, causing personal injury, or disrupting the campus community,
- 24) Using, or attempting to use, University property in a manner inconsistent with its designated purpose. This includes, but is not limited to: removal of furniture or equipment from lounges, classrooms, or rooms, misusing recycling or trash bins, or opening windows that are intended to be secured,
- 25) Unauthorized possession, duplication, or use of keys/access cards to any University premises or unauthorized entry to or use of University premises. This includes misusing an ID card or key to gain entrance into any housing facility or residence hall room,
- 26) Residents will receive three free lock outs per semester. Beginning with the fourth lock out and all subsequent lock outs, the resident will be charged a \$35 lock out fee to their student account,
- 27) Failure to comply with housing administrative processes. Examples of violations include but are not limited to: not completing paperwork and procedures necessary for moving in and out of the housing facility and transferring between facilities or rooms, moving into another bedroom or facility without authorization, failure to swipe in at the front desk upon entry into the hall, failure to attend required meetings scheduled by staff members, or failing to notify staff if dropping below full time student status,
- 28) Unauthorized access to or use of spaces in or around a University housing facility, including but not limited to: basements, boiler rooms, storage areas, mail rooms, IT closets, HVAC closets inside residence hall rooms, closets used by staff members or maintenance/cleaning staff, other residence hall or fraternity and sorority house rooms, and/or unauthorized entrance to residence halls over University breaks,
- 29) Excessive alteration to one's room without authorization. This includes unauthorized painting, construction, or other modifications to a room or common area,
- 30) Failure to maintain an acceptable level of self-care or room cleanliness to the extent that such failure interferes with the general comfort, safety, security, health or welfare of a member or members of the community,
- 31) Violation of campus fire and safety policies, as defined in the Code of Student Conduct and policies of the University of Kentucky Fire Marshal. Behaviors include, but are not limited to the following:
- A. Damaging smoke alarms, emergency lighting, exit signs, sprinkler heads and/or inappropriately using pull stations or fire extinguishers. Obstruction or removal of any fire safety equipment,
  - B. Possessing or using prohibited appliances and electrical items, which includes, but is not limited to portable heaters, deep fryers or air fryers, immersion coils for heating water, ovens or stoves, extension cords, multi-plug adaptors, and other materials,
  - C. Residents are not permitted to bring additional refrigerators or microwaves without the approval of the Disability Resource Center. All microwaves and refrigerators must adhere to housing facility policies,
  - D. Building or bringing bed lofts or bed enclosures into the housing facilities including headboards,
  - E. Possession or use of combustible or explosive materials including, but not limited to, flammable liquids, butane torches, and fireworks,
  - F. Opening, tampering with, damaging, or removing screens or window limiters, climbing through windows, being on roofs, ledges, or terraces and/or placing objects on these areas,
  - G. Decorations that could pose a fire hazard or public health hazard, including but not limited to: candles and excessive wall coverings as determined by Residence Life staff or the University of Kentucky Fire Marshal,
  - H. Furniture or personal items blocking any exits from the room,
  - I. Bicycles and motorized equipment in the building, with the exception of equipment needed by residents with disabilities,
  - J. Misuse of emergency exits and/or propping open emergency or security doors,
  - K. Placing, or allowing a guest to place, items in such a way that they block hallways, stairways or egress,
  - L. Failure to evacuate a building when a fire alarm begins to sound,

M. Other behaviors or items determined to create a fire or life safety risk as determined by the University of Kentucky Fire Marshal's Office,

- 32) Any form of unauthorized solicitation or door-to-door distribution of materials, including surveys and questionnaires,
- 33) The use of University facilities and/or property for commercial sales activities by individual or non-University organizations. This includes recharging or repairing vender-owned electric scooters in residence halls,
- 34) Hanging posters or advertisements on walls, doors, or windows in residential floors by anyone other than staff members,
- 35) Individual or group activities that result in disturbance or distress to others are prohibited, including but not limited to: indoor sports, roughhousing, loud and unnecessary music, or voices and sounds that disrupt others. Courtesy Hours are in place at all times, which means residents are expected to maintain reasonable levels of noise and to comply with requests from others to be quiet,
- 36) Failure to follow quiet hours policy. Quiet hours begin at 10:00 PM from Sunday through Thursday and 12:00 AM on Friday and Saturday and will last for a period of 12 hours every day. During quiet hours, noise from one's room or suite should not exceed the hallway door. If another resident asks you to reduce your noise level you should make reasonable efforts to comply. Designated study rooms should always remain quiet. 24-hour quiet hours are in effect for finals week,
- 37) Maintaining a pet and/or animal, regardless of length of stay, within a residence hall. Exceptions are service animals, service animals in training, emotional support animals that are registered with the Disability Resource Center, or aquarium fish contained in containers not exceeding 10 gallons, in accordance with Administrative Regulation 6.11. The care and supervision of the animal is solely the responsibility of its owner,
- 38) Failure to receive permission to stay in your housing facility past the day of your last final examination or vacate the hall by designated closing time. Residents are expected to move out of their building on the same day as their last final and vacate the hall for all designated break periods, as required by the housing contract. The housing contract expires at the completion of the resident's last examination of the spring semester or termination of the resident's enrollment,
- 39) Mail, which is to be placed in residence hall mailboxes, must be delivered by the U.S. Postal Service or by the University's campus mail service. Delivery by any other method, or the delivery of any other materials or illegal items, is not permitted,
- 40) Failure to abide by any other policy reflected in University Administrative Regulations (AR), University Governing Regulations (GR), the Code of Student Conduct, or the Housing Contract (including addendums).