



POLICY REGISTER
GENERAL REGULATION 2016 – as at 1 February 2018

GENERAL REGULATION

PART 1 - PRELIMINARY

1. How made

- 1.1 This Regulation is made by the Rector under the *St John's College Act 1857* section 12 and the *St John's College By-law*.

2. Citation

- 2.1 This Regulation may be cited as the *General Regulation*.

3. Commencement

- 3.1 This Regulation has effect from 17 October 2016.

4. Interpretation

- 4.1 In this Regulation –

expel means deprive a person permanently of his or her membership of the College.

Guest means, in relation to a resident, a person invited or permitted to enter the College's buildings or grounds by the resident.

investigator means a person conducting an investigation under clause 26.

non-resident means a person who is not a resident as defined in this Regulation and includes previous residents.

RA means a Resident Assistant and includes a Sub-Dean.

resident includes:

- (a) a student as defined in this Regulation (including a non-resident student); and
- (b) any other person resident in the College.

Resident Tutor means a person appointed as such by the Rector.

rusticate means withdraw the right of access to the College's land, buildings and facilities for a specified period or until the fulfilment of specified conditions.

student means a person who has been admitted as either a resident student of the College or a non-resident student of the College, for the duration of such admission.

Student Contract means the contract between a student and the College which gives effect to their student membership of the College.

student membership means the status held by a student in relation to the College.

suspend means withdraw the right of access to the College's land, buildings and facilities as an interim measure pending further investigation.

University means the University of Sydney and, in relation to a student, includes any other university at which the student may be enrolled.

PART 2 – AUTHORITY AND DIRECTIONS

5. Authority of the Rector and delegated authority

- 5.1** Under the *St John's College Act 1857* the Rector has general powers of superintendence and control of the students and of the College. These powers extend to all persons within the precincts of the College, and include power to give directions and enforce compliance with directions given.
- 5.2** The Rector's powers of superintendence and control within the College may be exercised at all times by the Vice-Rector, the Dean, a Resident Tutor and, when on duty, by an RA.

6. Directions

- 6.1** The Rector, Vice-Rector, Dean, a Resident Tutor and, when on duty, an RA, may give a direction to any person within the precincts of the College, including (without limitation) a direction to cease making noise, to vacate a common area, to require a non-resident to leave the College premises, or to refrain from any other behaviour which may be regarded as unreasonable in the circumstances.
- 6.2** An authorised direction must be complied with. Failure to comply with an authorised direction is a serious matter which may result in disciplinary consequences.

PART 3 – UNIVERSITY ENROLMENT

7. Enrolment

- 7.1** Students are admitted on the basis that they will continue to be enrolled as a full-time student in the particular degree course which they have notified to the College. For this purpose, in most degree courses, "full-time" means that in each semester a student will be enrolled in units of study worth 24 credit points.
- 7.2** Where there are special circumstances the College may grant permission to enrol in 18 credit points only. Such permission must be sought in advance from the Dean and will be subject to approval by the Rector. An unauthorised reduction of enrolment below full-time status may result in termination of student membership.
- 7.3** A request to transfer to another degree course within the University must be notified in advance to the Dean and will be subject to approval by the Rector. An unauthorised change of degree course may result in termination of student membership.
- 7.4** Students seeking to change their units of study within their existing degree course must notify the Dean in advance.

8. Access to enrolment information and results

- 8.1** It is a condition of student membership that a student authorises the University to make information about their enrolment and academic results available to the College, and authorises the College to request such information from the University.

PART 4 – RE-ADMISSION

9. Re-admission

- 9.1 An offer of a place in College is made for a defined period (Residency Period), usually one academic year. Re-admission to the College for a subsequent year or other period is not automatic. A student seeking re-admission must apply by the due date, which is 31 October for re-admission in semester 1 of the following year, or 30 April in a case where the Residency Period expires at the end of semester 1.
- 9.2 A decision whether to grant re-admission is at the discretion of the Rector. Re-admission may be granted subject to conditions.
- 9.3 In deciding on a re-admission application the Rector may take into account any relevant matter but will give particular consideration to the following:
- (a) the applicant's academic work as evidenced both by results in units of study and progression in a timely manner through the degree course approved by the College;
 - (b) whether the applicant's conduct both in the College and generally has been consistent with the *SJC Student Code of Conduct*, this Regulation and other rules and policies; and
 - (c) the applicant's record of payment of College fees.
- 9.4 The Rector is entitled to form an opinion as to whether the applicant's values, as evidenced by his or her behaviour, are consistent with the character of St John's as a Catholic university college, and may take such opinion into account on a re-admission application.
- 9.5 An applicant's conduct may be considered not to warrant re-admission whether or not any warning or other admonishment has been issued.
- 9.6 An applicant who is in arrears of College fees may be refused re-admission for that reason.

PART 5 – ACADEMIC EXCLUSION

10. Exclusion on academic grounds

- 10.1 A student who fails to meet the College's normal requirements for academic results in a semester may be excluded from continued student membership.
- 10.2 The ***normal requirements for academic results*** are published in the Student Handbook.

PART 6 – HEALTH ISSUES

11. Health information

- 11.1 The College's policy is to protect a student's privacy in relation to information about their health. Nevertheless, circumstances may arise where, in the College's judgment, the best interests of the student require disclosure of information about their health to a parent or guardian.
- 11.2 It is a condition of student membership that a student authorises the College to contact their parent(s) or guardian(s) in the event of a medical emergency, or if they are hospitalised or diagnosed with a serious medical condition including a mental health condition.

12. Exclusion for health reasons

- 12.1 Where in the College's reasonable judgment a person is unfit on health grounds to continue as a student member of the College, the College may terminate the person's student membership.

12.2 Unfit on health grounds to continue as a student member means that, on account of the person's physical, mental, psychological or emotional condition, the person lacks either or both of:

- (a) the ability to meet the reasonable academic requirements of their degree course, or
- (b) the ability to meet the reasonable social and behavioural requirements of a student member without their condition having an unacceptably deleterious impact upon the health, safety or welfare of the person or of other students or staff.

PART 7 – GOOD ORDER OF THE HOUSE

13. Bounds

13.1 Residents may not enter areas of the College buildings which are out of bounds, including all roof spaces and the upper levels of the Freehill Tower. Climbing on buildings, including roofs, walls, ladders and scaffolding is prohibited.

14. CCTV

14.1 Closed circuit television (CCTV) cameras are installed at various points across the College. This equipment is essential for security purposes. Any interference with the regular operation of CCTV equipment is a serious offence.

15. Fire safety and equipment

15.1 Any activity in College buildings involving a naked flame (such as smoking or lighting candles or incense) is strictly prohibited, except for authorised activities in the Chapel or College kitchen.

15.2 The only form of heater permitted in student rooms, other than heaters provided by the College, is an oil-filled column heater. The use of heaters with exposed elements is strictly prohibited.

15.3 Rooms in College are fitted with sensitive smoke detectors, which are linked via the College system directly to the Fire Brigade. If a smoke detector is activated, fire alarms will sound and the Fire Brigade will come to the College. A charge (currently about \$1,650) is levied by the Fire Brigade for activation of an alarm in the absence of a fire. A resident who causes a fire alarm activation by a prohibited activity will be held responsible for expenses incurred.

15.4 Unauthorised use of the fire-fighting equipment such as hoses or extinguishers, or tampering with a smoke detector (including by covering it), is an extremely serious offence which may lead to expulsion as well as civil consequences. A resident will be held responsible for all expenses related to their unauthorised use of fire-fighting equipment.

16. Noise

16.1 The College's essential purpose is to provide an environment which is conducive to study. It follows that every resident has a right to undisturbed study conditions. Undue noise is inimical to the College's purpose and is unfair to other residents. In this context "undue" includes:

- Noise emanating at any time from audio equipment, computers, radios, television or musical instruments which may cause a disturbance to fellow residents, members of staff or members of the general public.
- Yelling in common areas at any time, especially in the Quadrangle (which greatly amplifies noise).

- Noise (including raised voices) after 10:30pm which is audible in any common area or any other resident's room. Noise is to cease inside the College at 10:30pm each evening. (This does not mean that residents may create excessive noise prior to 10:30pm.)

16.2 Where an approved Student Club function or private party is held, the conditions of approval with respect to noise must be strictly observed.

17. Smoking

17.1 Smoking is prohibited in all parts of the College buildings and grounds.

18. Playing fields

18.1 The upkeep of the College's playing fields is undertaken by Sydney University Sport & Fitness (SUSF), which also regulates their use. St John's residents may only use the playing fields, whether in teams or individually, subject to the terms of the College's agreements with SUSF and in accordance with any rules or directions issued by SUSF consistent with that agreement.

18.2 A field may not be used if it has been declared closed by SUSF, which may happen due to maintenance requirements or weather conditions.

18.3 Driving a vehicle on a playing field, or otherwise undertaking activities likely to cause unusual damage, will be treated as a serious offence.

19. Parking

19.1 No person, whether resident or visitor, may park any vehicle anywhere on the College grounds unless authorised to park in that location, and the conditions of any such authorisation must be observed.

19.2 The College may apply penalties for unauthorised parking. Repeated failure to observe parking regulations may be treated as misconduct.

19.3 The College reserves the right to wheel-clamp or tow away a vehicle parked contrary to regulations.

PART 8 – ROOMS AND COMMON AREAS

20. Students' bedrooms

20.1 Rooms are allocated to students by the College. The Rector has authority to change a student's room allocation at any time on reasonable notice.

20.2 A student may not permit any other person to occupy or reside in their allocated room.

20.3 College staff may have access to any room for reasons of security, cleaning or maintenance or any other lawful purpose connected with the administration of the College.

21. Common areas

21.1 The College retains complete discretion over the use of all common areas of the College at all times.

22. Private parties

22.1 Private parties (defined to mean any social event attended by more than five persons) may not be held without permission. This applies to spontaneous gatherings just as much as to planned events, and to gatherings in students' rooms as well as in any common area.

- 22.2** Permission to hold a private party should be sought from the Vice-Rector well in advance, and a risk management analysis may be required. All conditions of approval must be strictly observed. Students will be personally responsible for cleaning after their function or party.
- 22.3** A private function or party will not be approved if it coincides with Mass on Sunday or is proposed to take place during Holy Week.

PART 9 – ABSENCE FROM COLLEGE

23. College to be notified

- 23.1** A student, other than an affiliate student, intending to be absent from College for more than one night must notify the College through Reception prior to the period of absence.

PART 10 - ALCOHOL

24. Alcohol generally

- 24.1** Alcohol should only be consumed in moderation. Binge drinking is dangerous and inconsistent with College policies.
- 24.2** The consumption of alcohol must always be a matter of personal choice. To apply pressure to another person to encourage them to drink is completely unacceptable.
- 24.3** Intoxication is never an excuse for antisocial behaviour. Students will be held responsible for their actions regardless of their blood alcohol content at the time.
- 24.4** Beer bongos and other paraphernalia associated with binge drinking are prohibited on College property. Such items, even if they are not being used at the time, will be confiscated.
- 24.5** Alcohol abuse may be a cause for disciplinary action.

25. Responsible service of alcohol (RSA)

- 25.1** In all circumstances alcohol may only be supplied or consumed within the precincts of the College in accordance with the rules and strategies of the RSA program administered by Liquor & Gaming NSW.
- 25.2** The College is a member of the University of Sydney Liquor Accord established under the *Liquor Act 2007* (NSW). All events held at the College must comply with the Liquor Accord Principles and Guidelines.

26. Alcohol at student events

- 26.1** Alcoholic drinks may only be supplied at student events under a liquor licence issued in accordance with the *Liquor Act 2007* (NSW).
- 26.2** The supply of alcoholic drinks at a student event is subject to the prior approval of the Rector or Vice-Rector as to the type and quantity of drinks which may be supplied.

27. Alcohol in the Hall

- 27.1** Students may not take alcoholic drinks into the Hall. Alcohol may only be consumed in the Hall when it is provided as part of the dinner service. Students are not to enter the Hall if they are intoxicated.

PART 11 – THE STUDENT CLUB

28. House Committee election

- 28.1** The Rector's prior approval is required for the holding of an election for the committee of the Student Club, which may be granted subject to conditions as to timing and the procedure to be followed.
- 28.2** The Rector shall appoint a Returning Officer to conduct the election, who shall not be a member of the Student Club.

29. Budget

- 29.1** As soon as practicable after election, the House Committee shall present a budget for proposed expenditure to the Rector for approval.
- 29.2** Student Club funds may only be expended in accordance with the approved budget.

30. Funds not to be expended on alcohol

- 30.1** Student Club funds may not be expended on the purchase of alcohol.

31. Social events

- 31.1** Student Club social events and activities require the approval of the Vice-Rector. Application for approval must be made well in advance and a risk management analysis will be required. An event or activity will not be approved if it coincides with Mass on Sunday or is proposed to take place during Holy Week.
- 31.2** All conditions of approval, including as to date, times, number and identity of invitees, service of alcohol, noise and clean up must be strictly observed.

PART 12 – INTELLECTUAL PROPERTY

32. College arms, logos and brand

- 32.1** The College's coat of arms, crest, logos and branding are intellectual property of the College and may not be used by any other person or body without express authorisation.
- 32.2** The College may permit the Student Club to use designs incorporating specified elements of the arms and branding upon conditions. Approval for particular uses (for example, on social media) must be sought.
- 32.3** Students wishing to use any element of the College's branding must apply to the Director of Community Relations.

PART 13 – CODE OF CONDUCT

33. SJC Student Code of Conduct

- 33.1** Students are required to comply with the *SJC Student Code of Conduct*.
- 33.2** The *SJC Student Code of Conduct* applies to the conduct of students outside as well as within the precincts of the College.

34. Zero Tolerance Policy

- 34.1** The College has a Zero Tolerance Policy towards any form of harassment, intimidation or victimisation (including but not limited to any form of initiation ritual) directed towards another resident or any other person at the College. A student taking an active or even passive role in any such activity can expect to be expelled or to be rusticated for a substantial period.

PART 14 – DISCIPLINARY PROCEDURES

35. Communications with College authorities

- 35.1** As an institution which provides an environment of pastoral care for its residents, the College requires residents to be honest and truthful in their dealings with the College administration.
- 35.2** Any instance of deliberate falsehood or attempt to mislead or deceive in communications with College officers will be treated as a serious breach of the standard of behaviour expected of residents by the College.

36. Investigations

- 36.1** Where it appears that an instance of misconduct may have occurred within the College or involving a resident, the Rector or Vice-Rector may cause an investigation to be conducted into the facts and circumstances.
- 36.2** An investigation may be conducted by the Rector or Vice-Rector or such other properly qualified person as may be appointed by the Rector for that purpose.
- 36.3** An investigator may make all such inquiries as may be conducive to gathering relevant evidence for the purpose of establishing the facts and circumstances, including interviewing any resident.
- 36.4** Residents are under an obligation to co-operate with an investigation including attending an interview if required.
- 36.5** The Rector may suspend a resident for the purpose of preventing misconduct by the resident while an investigation is being conducted. A person who has been suspended is not permitted to enter the College buildings or grounds except with the written permission of the Rector.

37. Warnings

- 37.1** Conduct which disrupts the peace and good order of the House, or which is contrary to any College rule, policy or code, may be the subject of a Warning. A Warning may be issued by the Rector or Vice-Rector.
- 37.2** A Warning puts the recipient on notice that any further breach of acceptable conduct standards is likely to result in disciplinary action, which may include rustication or expulsion.
- 37.3** The issue of a Warning will be taken into account on any re-admission application by the recipient.

38. Disciplinary proceedings

- 38.1** The Rector or Vice-Rector may hear and determine an allegation of misconduct against a resident.
- 38.2** Before proceeding to a hearing the Rector or Vice-Rector, as the case may be, shall ensure that reasonable steps have been taken to inform the resident of particulars of the allegation.

38.3 The resident shall be afforded a reasonable opportunity: to respond to the allegation; to adduce evidence; to make submissions as to the findings which should be made; and to make submissions as to penalty if misconduct is found.

38.4 A resident attending a disciplinary hearing may be accompanied by a support person.

38.5 Disciplinary action may be taken and a penalty imposed whether or not the resident has previously received a Warning.

39. Penalties for serious misconduct

39.1 The Rector has full authority to rusticate or expel a student for serious misconduct.

39.2 A breach of this *General Regulation*, the *SJC Student Code of Conduct*, or other rules or policies may, depending on the circumstances, amount to serious misconduct. It is not possible to give an exhaustive list of matters which may, in themselves or in particular circumstances, amount to serious misconduct.

39.3 Any incident involving the possession or consumption of illegal drugs, whether on College grounds or elsewhere, or the harassment of another resident, will be treated as serious misconduct which would normally warrant expulsion. Tampering with fire-fighting equipment or alarm systems is likely to amount to serious misconduct.

39.4 A student who has been rusticated or expelled is not permitted to enter the College buildings or grounds or to attend Student Club events except with the written permission of the Rector.

39.5 A student who has been rusticated or expelled may appeal against the decision by lodging with the Chair of Council a notice stating the grounds of the appeal. An appeal will be determined by an Appeal Panel appointed *ad hoc* by the Chair, consisting of three Fellows who may include the Chair. The decision of an Appeal Panel is final.

39.6 The lodging of a notice of appeal does not stay the effects of rustication or expulsion.

40. Other penalties

40.1 One or more of the following penalties or orders may be imposed by the Rector or Vice-Rector in respect of misconduct by a resident:

- (a) a fine not exceeding \$500;
- (b) a reprimand or a severe reprimand;
- (c) a community service order;
- (d) an order that the resident not accept nomination for election to the House Committee (including House Executive);
- (e) an order for compensation for damage to property;
- (f) an order for restitution of property.

41. Notification of misconduct to University

41.1 In some circumstances the College may notify a student's misconduct to the University. The College may do so if the conduct is such that a fair minded person would regard the misconduct as sufficiently serious to warrant expulsion or other serious disciplinary action.

41.2 It is a condition of residency that a student authorises the College to notify the University of any instance of their conduct which a fair-minded person would regard as sufficiently serious to warrant expulsion from the College or other serious disciplinary action.

41.3 The College may notify the University after a person ceases to be a student of the College of the person's conduct while they were a student of the College.

PART 15 – DAMAGE TO PROPERTY

42. Liability for damage

42.1 A resident is liable to make compensation for:

- (a) any loss or damage to College property caused by the resident or their Guest; and
- (b) any loss or damage to any person's property within the College (whether of another College resident or of anyone else) caused by the resident or their Guest.

42.2 The amount of any such loss or damage will be assessed by the College and may be debited to the resident's account or required to be otherwise paid at the College's discretion.

42.3 Deliberate non-trivial damage to property by a resident or their Guest is likely to constitute serious misconduct.

43. Student Club liability

43.1 Where any loss or damage occurs to College property which appears to be a result of misconduct but the College is unable to identify the person or persons responsible, the Rector or Vice-Rector may require the assessed amount of the loss or damage to be paid by the Student Club and the Student Club's account with the College to be debited accordingly.

44. College not liable

44.1 The College excludes liability for damage to or loss of any item of personal property brought into the College buildings or grounds.

PART 16 – NON-RESIDENTS

45. Non-residents

45.1 The College officers, staff and RAs have authority to require any non-resident to leave the College buildings and grounds at any time.

45.2 The Rector or Vice-Rector may declare that the College is closed to non-residents at specified times (for example after a certain hour of the day) or for specified periods (for example during orientation or examination weeks). During such times or periods residents may not facilitate the entry of any non-resident to the College's buildings or grounds.

45.3 The Rector may prohibit any person from entering the College buildings or grounds either indefinitely or for a specified period. The College is entitled to use legal means if necessary to enforce such prohibition.

45.4 There have occasionally been instances of previous residents seeking to use the College premises in an inappropriate way (for example by staying in students' rooms or common areas). Current residents have an obligation not to facilitate the presence of unauthorised persons on College premises.

46. Conduct of Guests

46.1 Any person who is permitted to enter the College property by a resident will be treated as a Guest of that resident. A resident is responsible for the conduct of their Guest. Residents should not allow any non-resident into the College unless they are prepared to be responsible for the behaviour of that person.

47. Overnight visitors

47.1 Non-residents may not stay more than one night at the College without the permission of the Rector or Vice-Rector.

47.2 As part of good risk management practice, the College needs to be aware of all persons staying overnight on the premises. A resident inviting a person to stay overnight must ensure that the person's name is noted in the Overnight Guest Register which is accessible through Reception or the RA on duty after hours.