ST JOHN'S COLLEGE
within the University of Sydney

SJC STUDENT CODE OF CONDUCT

PART 1 – PRELIMINARY

1. How made

1.1 This Regulation is made by the Rector under the *Saint John's College Act 2018* and the *St John's College By-law*.

2. Citation

2.1 This Regulation may be cited as the *SJC Student Code of Conduct*.

3. Commencement

3.1 This Regulation has effect from 17 October 2016.

4. Interpretation

4.1 In this Regulation –

Code means this *SJC Student Code of Conduct*.

Dean refers to the Rector in this document.

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

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.

Sexual Misconduct Policy means the *SJC Student Sexual Misconduct and Sexual Harassment Policy*

student includes:

(a) a person who has been admitted as either a resident student of the College or an affiliate student of the College, for the duration of such admission; and

(b) any other person resident in the College.

5. Application of this Code

5.1 Students are obliged to observe this Code in relation to their conduct both within the precincts of the College and elsewhere, including on social media and other internet sites.

5.2 This Code also applies to all persons resident in the College who are not students including senior members and tutors.

5.3 In addition to this Code, University of Sydney codes and policies may apply to the conduct of students both within the College precincts and elsewhere, in accordance with the terms of such codes or policies.

PART 2 – MISSION, VISION AND CULTURE

6. Mission and Vision

6.1 **Mission**: St John's College is a Catholic university college which enables young men and women to immerse themselves in university life through:

- a welcoming residential environment for students from different backgrounds;
- an experience of community living with social, sporting, religious and cultural opportunities;
- assistance to foster academic achievement;
- an opportunity to engage with the Catholic faith and its intellectual tradition;
- supportive pastoral care;
- formation in leadership through service to others.

6.2 **Vision**: Students will leave the College:

- ready to embrace life's challenges,
- having made life-long friends,
- as committed and engaged St John's alumni, and
- wanting to contribute to the Catholic and broader communities.

7. Culture and values

7.1 St John's culture is committed to:

- participation of all St John's students in the communal life of the College;
- high academic standards, critical and open inquiry, intellectual rigour;
- the compatibility of intellectual inquiry with the Christian Gospel;
- high standards of ethical behaviour and social responsibility;
- service to those less advantaged;
- respect, honesty and charity.

7.2 St John's welcomes diversity amongst its students and staff, recognising that contributions to the College's Mission can be made by individuals from a wide range of backgrounds and experiences.

7.3 We strive to ensure that all members of the College community are recognised and respected as valued friends, companions and partners in our joint endeavours.

PART 3 – CONDUCT GENERALLY

8. Ethical conduct

8.1 All students must:

- treat all other students, College staff, and visitors with respect, courtesy and consideration;
- act honestly and ethically in their dealings with other students, College staff and visitors;
- maintain a cooperative and collaborative approach to interpersonal relationships;
- respect the privacy of other students, College staff and visitors;
- respond truthfully to College officers in a disciplinary matter;
- treat the College's buildings, artefacts and other property with due respect;
- refrain from conduct which adversely affects the good reputation of the College;
- ensure that they do not impede other students or College staff from carrying out their academic work or using the resources of the College;
- respect the residents, buildings and artefacts of other colleges and observe their local rules when present on their property.

9. Examples of breaches

9.1 Conduct which may breach the Code would include:

- spreading innuendo, gossip, or rumour;
- excessive or repeated disruption to the study conditions of others;

- lying to, or attempting to mislead or deceive, College officers;
- conduct which may bring the College into disrepute (whether or not as an intended consequence);
- use of information technology contrary to regulations;
- use of cameras, including phone cameras, in ways that violate the privacy of others;
- making a false allegation against a person;
- displaying or forwarding pornography;
- publication (including electronically) of racist material;
- public nudity, whether within or outside the College grounds;
- damage to property or theft;
- engaging in inappropriate external employment or activities;
- possession, consumption or supply of illicit drugs.

PART 4 – HARASSMENT AND UNLAWFUL DISCRIMINATION

10. Harassment and unlawful discrimination

10.1 Students, College staff and visitors have a right to study and work in an environment that is free from harassment and unlawful discrimination, and to be treated with dignity and respect, regardless of their background, beliefs or culture.

10.2 Students have a responsibility to ensure that they do not engage in or encourage harassment or unlawful discrimination. The College does not tolerate any form of harassment, vilification or victimisation. Such behaviour is likely to amount to serious misconduct for disciplinary purposes.

10.3 The College maintains 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 student or any other person at the College. Students taking an active or even passive role in any such activity can expect to be expelled or to suffer rustication for a substantial period.

11. Definitions relevant to harassment

11.1 A person ***harasses*** another person where he or she engages in unwanted and unwarranted conduct which has the purpose or effect of:

(a) violating that other person's dignity, or

(b) creating an intimidating, hostile, degrading or humiliating environment for that other person.

The recipient does not need to have explicitly stated that the behaviour was unwanted.

11.2 Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a single incident can amount to harassment.

11.3 A person's intentions or motives are relevant but not determinative in deciding whether their behaviour amounts to harassment. The perception of the recipient and the extent to which that perception is in all the circumstances reasonable are also relevant. Just because certain behaviour may be acceptable to the alleged harasser or a third person does not mean it is not harassment.

11.4 Being under the influence of alcohol or otherwise intoxicated is not an excuse for harassment.

11.5 Acts of harassment may be unlawful under federal or State laws. Harassment on grounds of sex, race, religion, disability, sexual orientation or age may amount to unlawful discrimination.

11.6 Vigorous academic debate will not amount to harassment when it is conducted respectfully and without violating the dignity of others or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

11.7 Reasonable and proper management instructions administered in a fair and proper way, or reasonable and proper review of a student's work and/or performance will not constitute harassment.

11.8 ***Stalking*** is a form of harassment and may be characterised as repeated and unwanted behaviour which could involve, for example:

- following, contacting, or attempting to contact a person;
- watching or spying on a person;
- monitoring a person's communications;
- publishing material relating to a person.

11.9 ***Victimisation*** occurs where a person is subjected to detrimental treatment because he or she has, in good faith,

- made an allegation of harassment, or
- assisted another person in making such an allegation, or
- participated in an investigation.

11.10 Victimisation in connection with the making of a complaint of harassment may result in a disciplinary process regardless of the outcome of the original complaint of harassment.

11.11 Conduct which is intended to dissuade a person from participating in an investigation or otherwise providing information to College authorities may constitute victimisation or harassment.

12. Examples of harassment

12.1 The following conduct could constitute harassment in breach of this Code:

- racist language or behaviour;
- insulting, abusive or patronising behaviour or comments;
- publication (including electronically) or material which is disparaging, sexually explicit, misleading or false;
- humiliating, intimidating or demeaning criticism;
- isolation or exclusion from normal work or study places, conversations, or social events;
- open hostility;
- verbal or physical threats;
- unwanted physical contact or assault.

13. Bullying

13.1 Bullying is a form of harassment which is likely to amount to serious misconduct for disciplinary purposes and result in expulsion or termination of residence.

13.2 ***Bullying*** occurs when a person is subjected to behaviour which:

(a) is aggressive, intimidating or humiliating; and

(b) involves a misuse of a real or perceived power imbalance, which may arise for example from seniority, position, popularity, physical superiority or access to embarrassing information.

13.3 The following actions could constitute bullying in breach of this Code:

- use of offensive nicknames;
- threatening language;
- attempting to isolate a person;
- spreading rumours or innuendo about a person;
- physical assault;
- taking or destroying a person's property;
- room flipping.

PART 5 – SEXUAL MISCONDUCT AND HARASSMENT

14. Sexual misconduct and sexual harassment prohibited

14.1 Students have a responsibility to ensure that they do not engage in or encourage sexual misconduct or sexual harassment.

14.2 Conduct which contravenes the *Sexual Misconduct Policy* will constitute a breach of this Code.

15. Sexual misconduct

15.1 A student who engages in sexual misconduct will be expelled or have their residence terminated.

15.2 ***Sexual misconduct*** is defined in clause 9 of the *Sexual Misconduct Policy* and includes:

(a) sexual intercourse without consent;

(b) sexual touching without consent;

(c) carrying out a sexual act without consent;

(d) voyeurism;

(e) recording or distributing an intimate image without consent.

15.3 ***Consent*** is defined in clause 10 of the *Sexual Misconduct Policy*.

16. Sexual harassment

16.1 Sexual harassment is likely to amount to serious misconduct for disciplinary purposes and result in expulsion or termination of residence.

16.2 A person ***sexually harasses*** another person (the ***person harassed***) if:

(a) the person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or

(b) the person engages in other unwelcome conduct of a sexual nature in relation to the person harassed;

in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the other person would be offended, humiliated or intimidated.

Conduct of a sexual nature includes making a statement of a sexual nature to a person, or in the presence of a person, whether the statement is made orally or in writing.

16.3 The following actions could constitute sexual harassment in breach of this Code:

- unwanted touching, hugging, cornering or kissing;
- sexually suggestive comments or jokes that make a person feel offended;
- inappropriate physical contact;
- intrusive questions about a person's private life or physical appearance that make them feel offended;
- requests or pressure for sex;
- inappropriate staring or leering that makes a person feel intimidated;
- sexual gestures or indecent exposure;
- repeated or inappropriate invitations to go out on dates;
- inappropriate commentary, images or film of a person distributed on social media;
- repeated or inappropriate advances on email, social networking sites or internet chat rooms.

16.4 The definition of ***sexual harassment*** in clause 11 of the *Sexual Misconduct Policy* also applies for the purposes of this Code.

PART 6 – HAZING

17. Hazing prohibited

17.1 The College has a Zero Tolerance Policy to any form of hazing.

17.2 A student taking any role, whether active or passive, in any such activity can expect to be expelled or to suffer rustication for a substantial period.

17.3 Where an activity amounts to hazing, a person's consent to the activity is not a defence to disciplinary action.

18. Definition

18.1 ***Hazing*** may include:

- any initiation practice or ritual;
- any practice which humiliates or subordinates individuals or groups within the student community;
- conduct which wilfully or recklessly endangers the physical, mental or emotional health of any student or other person.

18.2 Hazing may include activities perceived to be fun and rewarding, embarrassing, physically or emotionally demanding, socially deviant, degrading, painful or brutal.

PART 7 – SOCIAL MEDIA

19. Social media

19.1 Social media provide the ability for individuals to communicate statements to large numbers of people, indeed potentially to anyone with access to the internet, in a way which was formerly available only through the very controlled environments of broadcast or print media. This carries many opportunities for good, but also risks.

19.2 When posting on social media it is sensible to assume that your post might be seen by anyone in the world, as indeed it might. "Privacy" settings cannot be relied upon to restrict the potential audience for your post.

19.3 Students should be aware that it is standard practice for employers to conduct internet searches, including social media searches, on applicants for employment. The same can, of course, be done by anyone with whom you may be in contact for any purpose. There are many recent examples of people who have damaged their reputation by their own actions on social media.

19.4 To the extent that you identify yourself or are otherwise known as a student of St John's College, the College has a legitimate interest in your use of social media. Disparaging the College or using social media in a way which harms the College's reputation may constitute a breach of this Code of Conduct.

19.5 Use of social media in a way which breaches this Code, the *General Regulation* or other College rules or policies may be the subject of disciplinary action.

PART 8 – PROCEDURE

20. Support Advisers

20.1 Any member of the College community who is concerned about harassment may contact one of the College's trained Support Advisers, who are available to discuss all aspects of a situation.

20.2 If you believe you have been harassed a Support Adviser is able to explain the options, including attempting to resolve the problem informally or making a complaint, and can refer you to external support services.

20.3 A person against whom an allegation of harassment has been made may seek assistance from a Support Adviser.

20.4 A Support Adviser does not provide counselling but can refer you to a counsellor or psychologist if required.

20.5 A Support Adviser will not be involved in any disciplinary aspect of a situation in which they have given advice.

20.6 If agreed to by both parties a Support Adviser may attempt to resolve issues by informal consultation or conciliation.

20.7 Discussions with a Support Adviser, whether in the context of advising or conciliation, are confidential.

20.8 In exceptional circumstances an Adviser may form a view that the College's duty of care requires that information should be disclosed to a relevant authority. In such a case the Adviser would inform the individual being advised, or the parties to a conciliation, accordingly.

21. Complaints

21.1 A person who wishes to make a formal complaint of harassment should do so by communication to the Rector or Vice-Rector. A Support Adviser will be able to assist with this if required.

21.2 A complaint of harassment will be dealt with under the *SJC Student Complaints Procedure*.

21.3 The *Sexual Misconduct Policy* applies to complaints and disclosures of sexual misconduct or sexual harassment.

22. Breach of Code

22.1 Conduct which may amount to a breach of this Code may be investigated by the College whether or not any person has made a complaint about the conduct, and may be the subject of a determination, after investigation, as to whether a student has engaged in misconduct.

22.2 Intentional misuse of this Code, such as by knowingly making a false allegation, may constitute misconduct and result in disciplinary action.

22.3 Subject to clause 22.4, the procedures for investigations and disciplinary proceedings are set out in the *General Regulation.*

22.4 Conduct which may contravene the *Sexual Misconduct Policy* will be dealt with in accordance with the procedures in that Policy.

Acceptance

I, _____, confirm that I have read the St John's College Code of Conduct (above) and understand that I am bound by it.

Signature _____ Date ___ |___ |_____ *[end of document]*