

## APPENDIX A: *Student Code of Conduct*

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***This Code applies to all members of the St Mark's College student community.***

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St Mark's College is committed to being a safe, inclusive, and respectful academic community, in which all resident students, staff, and others can live, learn, and thrive together harmoniously and with dignity in accordance with St Mark's values.

To enable this, all members of the St Mark's College student community must act in accordance with this Code and all College policies and expectations, as well as the *Code of Conduct* issued by the member's university. The Code itself only covers in detail some aspects of behavioural expectations, and others are covered more fully in other policies and statements, by which all students are bound.

In particular, it is especially important during the current pandemic (and any similar circumstances) that all College COVID-related requirements (which will arise from the College's understanding of medical advice and legal requirements) are observed, including any restrictions or modifications that may be necessary to ordinary activities. Any changes to the COVID requirements will be circulated to students in a variety of formats including the St Mark's Forum 2022, email from the Head of College or through your Residential Advisors/Wardens.

All students are expected to maintain appropriate behavioural standards, and to be role models for others, aspiring to demonstrate the highest level of personal integrity at all times. Members of the St Mark's College community must express such commitment actively in their actions and words. They must respect the rights of all other members of the College, while also acting in accordance with the laws of the wider Australian community.

The Code assumes the commitment of every student to advocate and practise respect for all people, regardless of gender or gender identity, race, religion, disability, marital status, sexual orientation, or any other attribute.

Agreeing to abide by this *Code of Conduct* is a requirement for students becoming members of St Mark's College, and abiding by this Code is a requirement for students remaining members of St Mark's College.

It is central requirement of this *Code of Conduct* that members of the St Mark's College student community must observe all College policies, guidelines, and expectations (as amended from time to time). As St Mark's is a values-based community, this includes abiding by the *Vision and Values* of the College, set out in Appendix D.

In addition, students of St Mark's College must practise:

### **Respect for and responsibility to self**

It is expected that St Mark's College students will always behave responsibly in looking after themselves. They are responsible for their own conduct at all times and they are expected to know and adhere to this Code.

## **Respect and empathy for, and responsibility to, others**

St Mark's College students should demonstrate respect, empathy and consideration for others, so that all may live, study and work in harmony, and so that community members of every background may feel respected, safe and included. St Mark's College students should permit others to live and study in a safe, respectful environment and are entitled to expect such an environment for themselves.

Bullying, discrimination, harassment, hazing, vilification, assault and victimisation are expressly prohibited.

Students should be aware that their statements and actions have an impact upon other members of the College and on the reputation of St Mark's College as a whole. Students should ensure that they act and speak in such a way as not to bring disrespect upon themselves, upon others or upon the College, nor bring the College into disrepute. This includes posts on social media sites which may cause distress to other students or staff or bring the College's name into disrepute.

## **Ethical and honest behaviour**

St Mark's College students must behave with personal integrity and honesty. They must accept the consequences of their own actions, apologise where appropriate, and practise ethical and responsible behaviour in their dealings with others. At all times, and in all dealings with external parties, St Mark's College students must uphold the good name of the College. No use of the College's name, coat of arms, logos, or other identifying emblems may be made without the express, prior, written permission of the Head of College.

## **Guidelines for Compliance with the *Student Code of Conduct***

The following sections of the Code outline expectations of the College with regards to student behaviour and consequences for breaches of the Code. These sections are in addition to other College policies, guidelines, and expectations, such as the College's zero-tolerance approach to sexual harassment and sexual assault, and its policies on alcohol, drugs, and hazing.

### **Noise**

All students of the College should be able to expect peace and quiet throughout the College but above all in their rooms, in the Academic Centre and Learning Commons, and during Jacaranda Weeks, SWOTVAC study periods and examination periods. (Jacaranda Week is the week before SWOTVAC, during which the College focuses on preparation for exams and other assessments, and no events not already on the College calendar are permitted.)

The College exists to facilitate study and academic achievement, and noise is counterproductive to this. Students wishing to listen to music/watch movies/play console games etc. at a level which is higher than the confines of their room allow should use headphones. Party speakers must not be used in student rooms or flats, nor at gatherings or events except with the permission of the Dean. All students are required to regulate their own behaviour in terms of any noise that interferes with other students' right to study or sleep. Disruptive noise can emanate from music, loud laughter, yelling,

and unnecessary banging of doors, to name but a few. The noise of small social gatherings (as distinct from parties, see below) should be confined to room level. While there will no doubt be some flexibility in the observance of such guidelines in the daytime and early evening, this should be strictly observed between 10.00pm and 7.00am.

During SWOTVAC study periods and examination periods, all students are expected to observe the College's no noise policy which will be monitored by an Assistant Dean and your Residential Advisor; there is also a reduced noise policy during Jacaranda Weeks. This policy is for the benefit of all students and applies to all regardless of whether you have exams or not.

To make a lot of noise and disturb others is an act of selfishness. Collegiate living is based on recognition of the equal rights of all. If any nearby resident complains about the noise you are making, you should heed their complaints and reduce the noise accordingly. Students will be subject to consequences in accordance with the *Behaviour Management Policy* if they persistently disturb other students.

Students are expected to monitor noise at all times and go to a venue outside the College if they feel that their behaviour may disturb other people.

It is essential that students are particularly diligent in remaining quiet and orderly when returning from the O'Connell Street precinct, especially on pub nights, for the courtesy and consideration of our neighbours. As noted elsewhere in the Handbook, for the consideration of students' personal safety and the quiet enjoyment of our neighbours, Bagot Street is not to be used as a thoroughfare on the way home from social events in the O'Connell Street precinct.

## Parties

One of the necessary compromises of living in a residential community is that parties in resident students' rooms cannot be held whenever someone feels like it. The official College definition of a party is a gathering of six or more people in a room, flat, or other space, making noise that is or may be disruptive to others. We ask that you move off-site on such occasions. (The number of people permitted in a student room may also at times be affected by COVID-19 restrictions.)

Students are expected to exercise discretion with regards to the nature of a social gathering. A Floor Meeting is, for example, not considered to be a party if floor business is the subject of discussion and the group is not making noise that is disruptive to others. Likewise, a meeting of the Book Club would not necessarily be a party if no noise were being made that might be disruptive to others.

Parties will only be approved following permission from the Dean (or, in his absence, the Director of Wellbeing or an Assistant Dean) which must be granted at least 24 hours in advance. The host is responsible for the behaviour of guests and is responsible for ensuring that noise and behaviour of the attendees does not disturb others, that College property is not damaged, and for ensuring a thorough clean-up afterwards.

In the case of impromptu parties (those arranged with less than 24-hours' notice) the Dean (or, in his absence, an Assistant Dean) must be immediately informed to request

permission. Impromptu parties should not be a regular occurrence. Failure to inform the Dean or an Assistant Dean of an impromptu party is unacceptable and is liable to result in the event being dispersed and action taken in accordance with the *Behaviour Management Policy*.

Please note that during Jacaranda Weeks and the SWOTVAC and exam periods any social gathering must be conducted off-site. Failure to observe this will result in consequences in accordance with the *Behaviour Management Policy*. Disruptions during these periods are considered a serious breach of the Code.

All parties and other gatherings must, of course, be consistent with the College and State COVID-related requirements applicable at that time.

If a student would like to use one of the common areas of College (e.g., the Junior Common Room, the College Green) for a party/social gathering, a request must be made to the Dean at least 72 hours prior.

## Alcohol

St Mark's College recognises that there is social and legal acceptance of responsible consumption of alcohol by adults. Students who are at the College and over the age of 18 are legally entitled to purchase and consume alcohol. However, **the vast majority of behavioural problems in the College arise in the context of unwise or irresponsible decisions about the service and/or consumption of alcohol** – some of these unwise decisions with significant adverse consequences for the student/s involved, other students, and the College.

It is the responsibility of students to ensure that everything is done to minimise the harmful effects of alcohol and that the College's *Alcohol Policy* (Appendix G) is adhered to and enforced. The aim of the Policy is to encourage students to make informed choices about the use of alcohol.

Consumption of alcohol at St Mark's College must be seen in the wider context of a community recognition and concern about the harmful physical, behavioural and social effects of excessive alcohol consumption. The College holds the view that the excessive consumption of alcohol is not an acceptable rite of passage in itself and that such behaviour can lead to the point of harming oneself and/or others.

The excessive use of alcohol does not diminish a resident student's personal responsibility for observing community rules and expectations. Intoxication is never an excuse for inappropriate behaviour.

Under no circumstances is anyone under the age of 18 permitted to consume alcohol on College premises or at College events, and no individual is permitted to supply alcohol to someone under the age of 18.

## Smoke-Free Campus

St Mark's College wants to encourage healthy lifestyle choices for students, staff and the wider community. The College has a legal responsibility to provide a safe workplace and to protect staff, students and visitors from the serious health risks associated with

exposure to second-hand (passive) smoke, as medical evidence is irrefutable that second-hand smoke causes serious diseases and harm to others, including non-smokers.

## Smoking

Smoking (including e-cigarettes and vaping – see next section) is not permitted anywhere on College grounds, except for within the designated smoking area (outside the New Cain and New Abel flat block – map below). Smoking is not permitted on the balconies of flats, or in the courtyards at the rear of the flats. Failure to comply will result in consequences as provided for in the *Behaviour Management Policy*. Students are asked to respect the rights of others by not smoking immediately outside entrances to the College, as this can affect other members of our community (including those who reside nearby).

If using the designated smoking area, it is important to keep this area clean and tidy. This includes placing butts in the tin provided and not leaving the area under any circumstances whilst smoking. The designated smoking area has been introduced in part to ensure student safety so that students who do choose to smoke do not sit on the side of the road or near neighbours' fences to partake. If this privilege is abused, the designated smoking area may be revoked.

The College actively supports students who want to stop smoking. Please visit <https://www.quit.org.au> or speak with the Dean or Director of Wellbeing for advice and support.

## E-cigarettes/vaping

As with smoking cigarettes, the use of e-cigarettes/vapes is not permitted anywhere on College grounds other than the designated smoking area. They are also not permitted at College or College-associated events. Students are asked to respect the rights of others by not using e-cigarettes or vaping immediately outside entrances to the College, as this can affect other members of our community (including those who reside nearby). Failure to comply will also result in consequences as provided for in the *Behaviour Management Policy*.

We are all aware of the harmful effects of smoking and nicotine, but there is a common misconception that vaping without nicotine is merely harmless water vapour — in fact, it's an aerosol made up of toxic particles. The liquid is heated into an aerosol, or vapour, and inhaled into the user's lungs, which has harmful health effects for not only the user, but for others who inhale the vapour second-hand.

The Lung Foundation of Australia has developed a variety of educational resources relating to vaping and e-cigarettes, with more information available at <https://bit.ly/lungfoundation>.

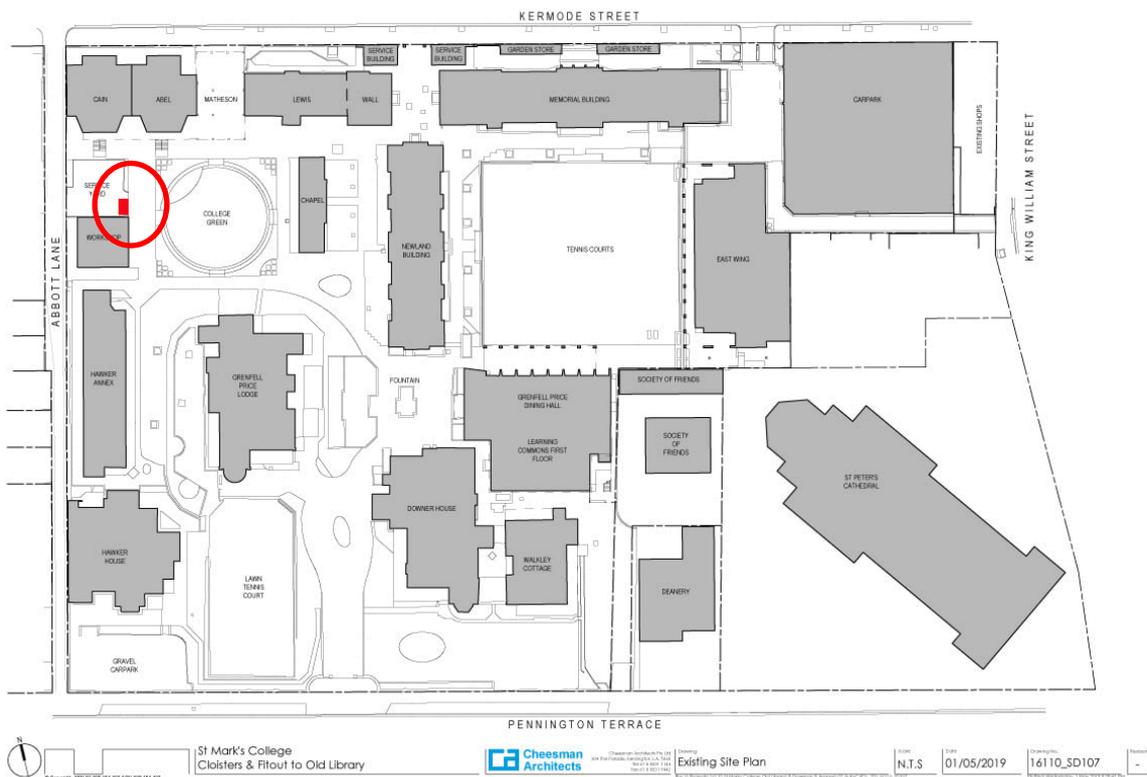
## Smoking, vaping and fire alarms

Importantly, both smoking cigarettes and vaping indoors can set off the smoke detector alarms. False alarms not triggered by technical faults in the alarm system, and which lead to the dispatch of the Metropolitan Fire Service (MFS), result in fines to the value of the MFS call-out fee (approximately \$800). Where such an alarm is triggered from an individual room or flat, the occupant(s) of the room will be required to pay the amount of the fine. Where the person responsible for triggering an alarm in a public area can be

ascertained, they will be required to pay the fine. When an alarm is triggered by intent or carelessness, but the culprit cannot be determined, the College Club will be required to pay the fine.

Improper use of fire equipment, including covering detectors, setting off alarms and the misuse of fire extinguishers, is a most serious offence and could easily endanger lives and property and will result in sanctions under the *Behaviour Management Policy*. This behaviour could lead to suspension or expulsion from the College and may involve the offender being extensively liable for damages.

Image: Location of designated smoking area in the northwest corner of the College



## Drugs

All students must abide by the College's *Drug Policy*, which is in Appendix H of the College Handbook.

If you are using drugs, seek help now, either through College staff or through expert external bodies listed in the Handbook. Don't leave it too late.

## Visitors

The College is your home and you are of course ordinarily entitled to invite guests to visit you. (This may be subject to restrictions arising from the COVID-19 pandemic from time to time. During the pandemic, visitors are generally kept to a minimum, and at particularly serious phases might not be permitted at all.)

All persons entering College grounds, including as guests, must be able to show that they are fully vaccinated, or have a valid medical exemption. Students must sight their visitor's proof of full vaccination for everyone's safety. For as long as the QR code check-in system is in use, it is also each student's responsibility to ensure that their visitor checks in using the posters with QR codes available across the College.

You also have to remember that the College is home to many others, and you have a responsibility to ensure that the behaviour of your guests will not disturb or offend other College members.

If you wish to have an overnight guest, you must seek prior permission from the Dean, and the Assistant Deans will be notified in order to accurately account for all students in an emergency situation. It is common courtesy to also inform your Residential Advisor/Warden if you have overnight guests in the case of an emergency. Students are reminded that under no circumstances is sub-letting of one's allocated room or flat allowed.

Guests are ordinarily welcome at meals (except special occasion meals, such as the Commencement and Final dinners); again, this is subject to pandemic-related restrictions, and is not currently permitted except with the prior approval of the Dean. If you have guests to a meal at the College, you must sign for them in the guest book provided and you will be charged for their meal.

Students receiving outside guests at night should always escort them within residential buildings from and to external doors, and should ensure that these are kept locked.

Students are responsible at all times for the behaviour of their guests and they should not be left unsupervised at any time. Students are not to share their key cards or leave doors open or in any way interfere with the security of buildings and rooms.

## **Pets**

Students are not permitted to have any pet animals with them in College.

## **Dress**

The College does not have a dress code, however there are circumstances where specific attire is required. Students are required to wear academic gowns to Formal Hall. Students are also expected to wear appropriate dress underneath their gowns.

There are other College occasions when formal dress is required, and you will be notified in advance of these occasions.

As per the College's *Health, Safety and Wellbeing Policy*, students are required to wear footwear for all meals and events in the Dining Hall, in the Academic Centre and the Learning Commons, and in the communal and administrative areas of Downer House.

Dress that may reasonably be considered offensive to others (e.g., because it disrespects, mocks, ridicules or belittles their gender, gender identity, sexual orientation, ethnicity, or other attribute) is not permitted.

## Breaches of the Code

Successful community life in College depends on the respectful, responsible, and cooperative conduct of everyone who lives here. Behaviour management interventions may be required from time to time when students exhibit unacceptable behaviours (or are unable to progress in their studies). Examples of unacceptable behaviours include those that jeopardise the safety of others; bring the College or a university into disrepute; discriminate against any individual or group on the basis of gender or gender identity, race, religion, disability, marital status, sexual orientation or any other attribute; and those that breach the College's *Student Code of Conduct* or result in property damage.

On taking up a place at the College, students are asked to agree to the statement of *Vision and Values*. This indicates that they will abide by the College's expectations of acceptable behaviour. Students who breach these guidelines and expectations should expect consequences for their misconduct to be imposed by the College. The College will treat all possible breaches of the Code seriously. Responses to breaches of the Code will be determined in line with the College's *Behaviour Management Policy*. A record of poor conduct may prevent a resident student from being granted readmission to College.

## Unauthorised activities

Neither the College nor its insurers take any responsibility for death, injury, loss or damage which occurs as a result of, or in connection with, an unauthorised activity. Students involved in such activities are liable to be subject to one or more of the following: fines, suspension from privileges including attendance at events, a behavioural contract and probation, unpaid community service, suspension from the College, or expulsion from the College. An unauthorised activity is any activity not authorised by the Dean or an Assistant Dean.

This means that any student or group of students arranging, contributing or taking part in such an activity will be personally responsible and, therefore, individually liable for any action for damages, injury or death either directly or indirectly caused by or in the course of such activity, without the benefit of insurance.

## Application for readmission

Students are asked to re-apply for admission to the College for the following year in the latter part of Semester 2. It should be noted that a record of poor conduct and/or unsatisfactory academic progress is liable to prevent a student from being granted readmission to the College, or may require conditions attached to continued residency or readmission.

The College Board has determined that a student will not be readmitted to residence from one year to the next if their fees for the prior year/s have not been paid in full, or an arrangement for their payment made to the satisfaction of the Business Manager, Head of College, and Chair of the Finance Committee.

Readmission is otherwise always at the discretion of the Head of College.

## Roll of Members

All new members of the College are required to sign the Roll of Members, which has been the record signed by new members of the College since the College's founding in 1925.

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***In signing the Roll of Members, members of the College give the following undertaking:***

***“Upon my enrolment as a Member of St Mark's College, I agree to be bound by, and obey honourably, the values, guidelines and rules of the College, and to do all in my power to uphold and promote the honour of the College.”***

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