

## 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.

St Mark's is a values-based community, and the *Vision and Values* of the College are set out in Appendix D.

All St Mark's College students must act in accordance with those values, this Code, and all College policies and expectations, as well as any code of conduct issued by the student'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 (such as on sexual misconduct, hazing, alcohol, and drugs), by which all students are bound. 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), including any special requirements arising from public health emergencies (such as a pandemic) or other circumstances.

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, sexual orientation, race, religion, disability, marital status, or any other attribute. St Mark's College has a whole-of-institution commitment to promoting gender equality, respect, diversity, and inclusion, and expects this to be reflected in the behaviour of all members of the College.

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.

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 or disrepute upon themselves, upon others or upon the College. 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.

Students are expected to act in accordance with the policies of their university, including respecting academic integrity. Where a student is found by their university to have acted in breach of university policies, including with regard to academic integrity, the College will consider appropriate action (such as disciplinary action) it may take in that situation.

## **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. These sections apply in conjunction with other College policies, guidelines, and expectations, such as the College's zero-tolerance approach to sexual misconduct, and its policies on alcohol, drugs, and hazing; and with the College's Behaviour Management Policy (Appendix B).

Misconduct that will result in behaviour management interventions in accordance with the College's Behaviour Management Policy includes but is not limited to:

- offensive or foul language or behaviour, including sexist or racist language or behaviour (including in social media, songs, chants, printed materials, or elsewhere), or public or publicly visible nudity;
- behaviour inconsistent with the responsible service and consumption of alcohol;
- excessive noise and anti-social behaviour at any time, and most seriously in Jacaranda Weeks, SWOTVAC, and exam periods;
- harassment of any kind, including victimisation;

- sexual misconduct, such as sexual harassment and sexual assault;
- hazing, including any demeaning, degrading or dangerous conduct, whether the subject of the behaviour appears to consent or not;
- bullying or discrimination of any kind, including through gossip and rumours, and comments on, for example, an individual's body shape, size, colour, or eating/meal preferences;
- inappropriate use of master key cards;
- any illegal behaviour, including but not limited to:
  - possession of, use of, or dealing in illegal drugs, or misuse of medications;
  - assault, or any form of violent or threatening behaviour;
  - the possession of a firearm or any device created to cause injury or menace;
  - theft of or damage to the property of the College or others, including vandalism of any kind;
  - tampering with fire safety equipment;
- trespass, damage, or disturbance to any other university college;
- urinating or vomiting in inappropriate locations;
- accessing and/or disseminating inappropriate or offensive material online, or displaying or distributing pornography;
- knowingly causing unauthorised interference with or disruption to any computer systems or networks, surveillance devices, information services, or electrical equipment of the College;
- breaches of any of the College's policies, including:
  - Sexual Misconduct Policy
  - Alcohol Policy
  - Drug Policy
  - Anti-Hazing Policy
  - Social Media Policy
- any action which endangers the safety or welfare of College members or others, or risks damaging the College's reputation;
- trespass into another college, or causing damage or disturbance in another college;
- the possession or consumption of alcohol at SAAUCC sporting events, or offensive signs or chants at such events.

Misconduct which may also result in behaviour management interventions includes:

- lack of Dining Hall etiquette (e.g., not wearing shoes, using mobile phone - DT phone exempted), wearing headwear (other than for religious or cultural reasons), throwing food;
- unauthorised removal of crockery or cutlery from the Dining Hall or the Late Meals Room;
- failing to secure buildings, bedrooms, flats, or gates;

- failure to comply with reasonable instructions relating to conduct on College grounds (e.g., entering out of bounds areas, inappropriate use of tennis courts (e.g. as a thoroughfare), not wearing shoes in required places);
- display of inappropriate materials;
- failure to clean up communal areas following an event;
- failure to attend kitchen duty when required;
- parking in an unauthorised location;
- any other behaviour which does not align with community expectations and the College's *Vision and Values*.

## Sexual misconduct

St Mark's is deeply committed to ensuring a safe and respectful environment for all, and has a zero tolerance approach to all forms of sexual misconduct, such as sexual harassment and sexual assault.

**Any member of St Mark's found to have engaged in sexual misconduct will face serious consequences, which are liable to be suspension or expulsion from the College.**

All members of the College are bound by the College's "Sexual Misconduct Policy and Response Procedures", which is at Appendix F of the College Handbook.

## Hazing

As part of its commitment to ensuring a safe and respectful environment, and to upholding respect and dignity for all, the College does not tolerate hazing in any form.

Hazing is any conduct that subjects another person to humiliation, degradation, abuse, intimidation, harassment, or endangerment of mental or physical health or safety *regardless of the person's willingness or apparent willingness to participate*.

All members of the College are bound by the College's "Anti-Hazing Policy", which is at Appendix I of the College Handbook.

## Noise

All students 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, or 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 regulate their 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, 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 or elsewhere in the College 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.

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 or other 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 asked for permission. Impromptu parties should not be a regular occurrence. Failure to seek the approval of the Dean or an Assistant Dean for 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, 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.

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

Students who are at the College and over the age of 18 are legally entitled to purchase and consume alcohol. Any service or consumption of alcohol must be done responsibly.

**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 have 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 and responsible choices about the use of alcohol.

Consumption of alcohol at St Mark's College must be seen in the wider context of community 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 considerable harm to 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 or College-related events, and no individual is permitted to supply alcohol to someone under the age of 18.

## Smoke-Free Campus

St Mark's College encourages 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 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 (as well as consideration for our neighbours) 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 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*.

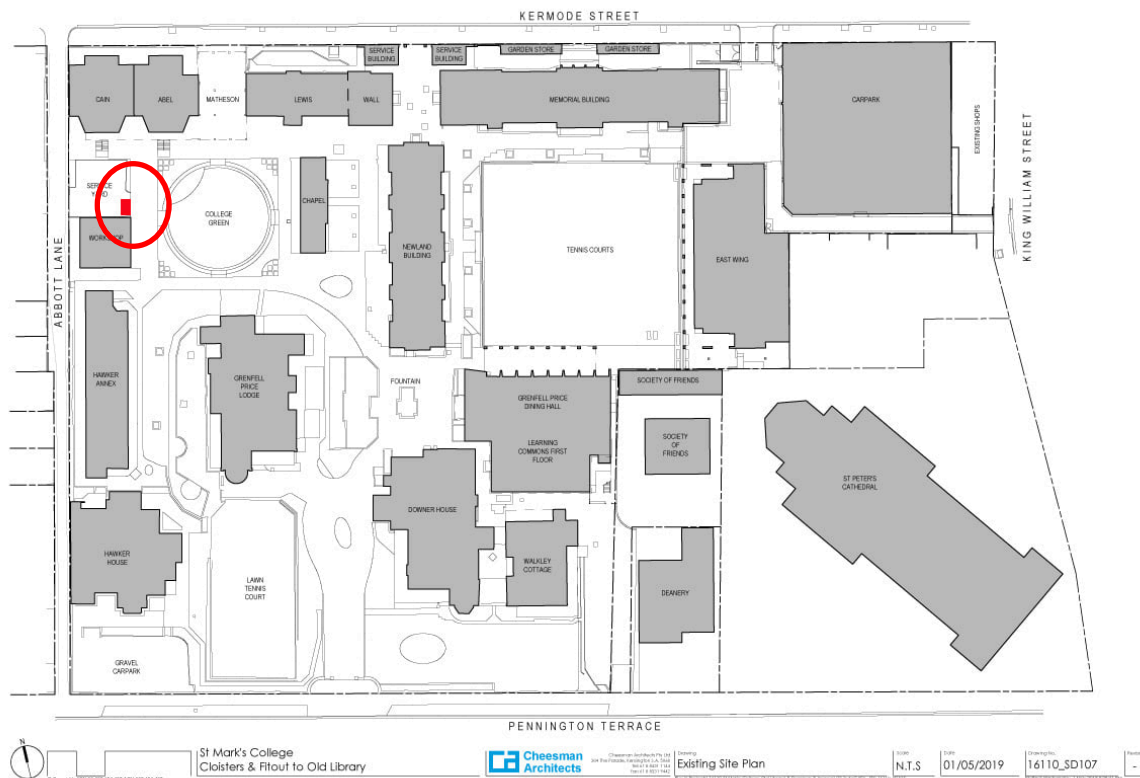
We are all aware of the harmful effects of smoking and nicotine, but there is a common misconception that vaping without nicotine is merely harmless water vapour — in fact, it's an aerosol made up of toxic particles. The liquid is heated into an aerosol, or vapour, and inhaled into the user's lungs, 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>.

Importantly, both vaping and smoking cigarettes indoors can set off the smoke detector alarms. This is liable to lead to considerable cost to anyone setting off a fire alarm, incurring the cost of a Metropolitan Fire Service (MFS\_ call-out (approximately \$800).



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.

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 would like to have a friend or family member stay over, please let the Dean and your RA/Warden know prior to their arrival.

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). 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.

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.

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 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 (which is at the absolute discretion of the Head of 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. An unauthorised activity is any activity requiring authorisation which has not been

authorised by the Dean or an Assistant Dean. Students involved in such activities are liable to be subject to consequences such as 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.

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 apply for readmission to the College for the following year in the latter part of Semester 2. Readmission to the College is at the absolute discretion of the Head of College. It should be noted that a record of poor conduct, unsatisfactory academic progress, or other unsuitability for living in the College is liable to prevent a student from being granted readmission to the College, or may require conditions attached to continued residency or readmission.

Only students who will continue to undertake full-time on-campus study at Bachelor degree or higher level at the University of Adelaide, the University of South Australia, or Flinders University will be eligible for readmission to the College.

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 and Risk 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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