

	<h2>Student Residence Code of Conduct</h2>	
	Version: 1.00 Last amendment: Feb 2014	Approved By: Vice-Chancellor Date: 26 Feb 2014
	Next Review: Feb 2017	Contact Officer: Manager, International House Darwin

## INTRODUCTION

The University is committed to providing a residential environment conducive to study at all times, including a place for people to live while studying. The Student Residence Code of Conduct applies specifically to students and/or other persons who may from time to time reside in any hall of residence or accommodation facility established or provided by the University.

Residents and guests are expected at all times to display mature, tolerant, courteous behaviour and consideration for others, and should act in such a way as to cause no offence, inconvenience, harm or disturbance to any other resident, staff member or any neighbour of the residence. Furthermore, no resident should act in a manner which would bring the residential facility or the University into disrepute.

In order to fulfil its functions of imparting and gaining knowledge, the University has the authority and responsibility to maintain order within the University and to penalise those who are disruptive.

## STATEMENT OF AUTHORITY

The authority behind this policy is the [Charles Darwin University Act 2003 \(NT\)](#) part 9, section 47.

## INTENT

This Code outlines the positive standards of behaviour expected within the University's residential community which are specific to residential living.

## RELEVANT DEFINITIONS

### In the context of this document:

**Authorised Officer** means any member of University staff, who may, acting within the authority of his or her position, give a reasonable direction to a student with regard to the student's conduct;

**Bullying** means the repeated use words or actions against someone or a group of people to cause distress, embarrassment, anxiety and risk to their wellbeing. These actions are usually done by people who have more influence or power over someone else, or who want to make someone else feel less powerful or helpless. Bullying is not the same as conflict between people (like having a fight) or disliking someone, even though people might bully each other because of conflict or dislike. It can be occur online, in writing or pictures, or by conduct. It can range from acting unpleasantly near or towards someone, giving nasty looks, making rude gestures, spreading rumours, stalking, and taking advantage of any power over someone;

**Exclusion** means a student is denied participation in an activity, event or the access to or use of the University's residential services or facilities for a specified period of time;

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**Eviction or Expulsion** means an immediate and permanent termination of a person's entitlement to reside at, visit or use the University's residential services or facilities on disciplinary grounds where, because of the serious or repeated nature of the offence, a penalty greater than suspension or exclusion is called for. It may be applied in the case of a breach of disciplinary probation. Expulsion is the strongest penalty that can be applied by the Residence Manager;

**Harassment** means behaviour that is unwelcome, for example, making a person feel intimidated, insulted or humiliated. Harassment is often unsolicited and repeated, and usually unreciprocated. Sexual harassment is included in this definition and is a particularly serious form of harassment. It involves conduct (including the use of words and remarks) of a sexual nature;

**Residence Manager** means the Residence Manager as defined in the [Charles Darwin University \(Student Residences\) By-laws](#);

**Resident** means a student of the University or other person who is residing in a University residence from time to time as defined in the [Charles Darwin University \(Student Residences\) By-laws](#);

**Student conduct** means the expected standards of student behaviour and conduct, as contained in the [Charles Darwin University \(Student Residences\) By-laws](#);

**Suspension** means preclusion from taking further part in any or all University residence activities for a specific period as a result of disciplinary action taken under the University's governing legislation;

**University activity** means resident involvement, engagement or representation of a University residence in any physical or virtual activity, game, competition, event, including a club or entity affiliated or associated with the University or residence;

**University facilities** mean any premises, physical or virtual, for the time being used for the purposes, or under the auspices, of the University;

**University residence** means any hall or residence or accommodation facility established or provided by the University from time to time; and

**University community** means any member of staff, students, contractors, authorised guests or visitors and members of the public to the University, including the University's regional campuses, centres, and Partner Provider teaching locations.

## THE CODE

### Principles

The Student Residence Code of Conduct is based on the following principles:\

- That every individual is equal in dignity and worth and should be provided with equal rights and opportunities without discrimination or harassment; and
- That each individual living in a University residence should be guaranteed the right to the peaceful use of his or her living space and shared common areas.

### Objectives

The Student Residence Code of Conduct objectives are:

- To encourage individuals to act responsibly and refrain from conduct that may be detrimental to the reputation of the University or the orderly and safe functioning of the University and its activities;
- To encourage individuals to treat other students, staff members and members of the community with respect, courtesy and without discrimination;

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- To foster personal growth of self-discipline and accountability by helping individuals to realise the consequences of his or her actions and behaviour, and to better understand how he or she can make better choices in the future;
- To encourage individuals to resolve community living issues in a mature way, which enhances Student Residence experience;
- To promote behaviour amongst residents and guests or visitors that creates an effective study and learning environment; and
- To support the physical safety and emotional well-being of the residents.

## General Conduct

At all times, residents must accompany any invited guests or visitors whilst in or about a University residence. Residents must ensure that any invited guests or visitors complies with the [Charles Darwin University \(Student Residence\) By-laws](#) and this document and be responsible for their actions.

A resident and any guest/s are expected to observe the following General Conduct at all times.

- Comply with all laws of the State and Commonwealth including the University's [Code of Conduct](#) and other relevant governing documents whilst in or about a University residence;
- Comply with all directions from authorised officers of the University Residence or the University whilst in or about a University residence;
- Maintain the highest standards of honesty, integrity and behaviour whilst in or about a University residence and in all dealings with other students, staff members and members of the community;
- Respect the privacy of other students, staff members and members of the community and act, at all times, in a manner that is courteous and respects the rights and reputations of others whilst in or about a University residence;
- Pay all residence fees fortnightly in advance and all other payments within the time specified by the Residence Manager;
- Avoid behaviour that could be perceived under the [Anti-Discrimination Act 1992](#) (NT) as harassment, intimidation, discrimination on any basis, bullying or threatening in any other way whilst in or about a University residence;
- Refrain from engaging in any scandalous behaviour whilst in or about a University residence;
- Perform academic studies conscientiously and with honesty and diligence and maintain satisfactory academic progress;
- Avoid any form of physical violence or any act which may cause serious personal injury to another whilst in or about a University residence;
- Refrain from possessing, using or distributing any form of illegal substance whilst in or about a University residence;
- Act, at all times in a safe, orderly and proper manner so as not to affect the living and study environment of others or cause injury or harm, nuisance or annoyance to any other person who is residing at, visiting or using the University Residence;
- Avoid any wilful damage, theft or improper use of the University's facilities, premises, resources or information, or the property of any other person who is residing at, visiting or using the University Residence; and

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- Discourage any other resident or visitor to act in a manner contrary to this document or the [Charles Darwin University \(Student Residence\) By-laws](#).

## Misconduct

Compliance with the *Student Residence Code of Conduct* is a condition of residing at any University residence and any breaches may constitute a breach of the [Charles Darwin University \(Student Residence\) By-laws](#) and may result in disciplinary action, in accordance with this document and the [Student Residences Misconduct Procedures](#).

Regardless of whether or not a person makes a complaint about an individual's (and/or visitor's) conduct or not, the Residence Manager has the authority to determine a penalty fine, expulsion, non-admission, conditional admission, or eviction from the University Residence.

## Penalties

The penalty amount imposed for misconduct will not exceed ten (10) penalty units. The value of a penalty unit is set by the [Penalty Units Act 2009](#) (NT).

A **Level One Breach** will not exceed two (2) penalty units and may be applied for a first offence (other than in an instance of serious misconduct), after or in addition to, a resident being issued with a formal warning.

A **Level Two Breach** will not exceed four (4) penalty units and may be applied for repetitions of the same or similar instances as in a Level One Breach. Once a resident has received a penalty for a Level Two Breach for the same or similar offence, any subsequent misconduct however minor may result in removal from the residence, or, at the discretion of the Residence Manager, a penalty consistent with a Level Three Breach.

A **Level Three Breach** will not exceed ten (10) penalty units and may be applied in circumstances where, in the opinion of the Residence Manager, the misconduct is such that the offending resident should be given a chance to redeem him or herself, rather than face immediate eviction. This may include instances that are of an extremely serious nature such as physical violence or behaviour that places the safety and wellbeing of other residents and/or staff members at risk.

The following are examples, not limited to, of misconduct and the applicable penalty level the Residence Manager may impose:

Example of Misconduct	Level 1 Breach Up to 2 penalty points	Level 2 Breach Up to 4 penalty points	Level 3 Breach Up to 10 penalty points
<b>The level to be determined by the Residence Manager</b>			
Excessive noise	X	X	Eviction from House
Excessive lockouts	X	X	X
Littering	X	X	Eviction from House
Graffiti	X	X	Eviction from House
Abusive or offensive behaviour	Possible Eviction	Eviction from House	
Harassment	Possible Eviction	Eviction from House	
Bullying	Possible Eviction	Eviction from House	

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Vandalism	X	Eviction from House	
Glass in pool area	X	X	Eviction from House
Smoking inside buildings or within 2m of a doorway	X	X	Eviction from House
Poor kitchen hygiene	X	X	Eviction from House
Leaving key in air conditioner switch when room unoccupied	X	X	Eviction from House
Failure to follow a reasonable direction given by the Residence Manager or University Staff Member	X	Eviction from House	
Vandalism of, damage to, safety equipment	Possible Eviction	Eviction from House	
Theft (when police action is not pursued)	Possible Eviction	Eviction from House	
Physical violence	Possible Eviction	Eviction from House	

## ESSENTIAL SUPPORTING INFORMATION

### Internal

[Charles Darwin University \(Student Residence\) By-laws](#)

[Code of Conduct](#)

[Student Residences Misconduct Procedures](#)

### External

[Anti-Discrimination Act 1992](#) (NT)

[Charles Darwin University Act 2003](#) (NT)

[Penalty Units Act 2009](#) (NT)

Policy Sponsor: Vice-Chancellor  
Policy Contact Officer: Deputy Chief Operating Officer

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## Document History and Version Control

Version	Date Approved	Approved by	Brief Description
1.00	26 Feb 2014	Vice-Chancellor	Creation of original document and posting to CDU Website.

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