



St. Albert's College

The University of New England, Armidale NSW 2351, Australia
Ph: 02 6773 6004 - Fax: 02 6773 6399 - Email: stalberts@une.edu.au



RESIDENT CONDUCT POLICY

Disciplinary Committees and Procedures

1. THE ROLE OF THE MASTER

1.1 The Master is responsible for the overall Resident conduct within the College. To fulfil this responsibility the Master has the power impose penalties as specified in the Student Conduct Policy.

1.2 At St Albert's College:

- The Master retains the right to use this responsibility and powers with or without the advice of the College Disciplinary Committee.
- The Master has delegated authority in this area to the Dean, Resident Advisors and to the College Disciplinary Committees.

2. COLLEGE DISCIPLINARY COMMITTEES

2.1 At St. Albert's College there are two areas that deal with Resident conduct matters within the College. These are:

A. The Resident Support Team (Leadership)

Apart from their pastoral care role; the RST also deals with minor breaches of College rules and behavioural problems:

- i. In this context the RST is established to deal with:
 - o Upholding College rules & policies
 - o Damage caused to College property
 - o Behavioural problems of residents
 - o Car parking infringements
 - o Night duty
 - o General care of the College and its residents
- ii. The RST has authority delegated by the Master to:
 - o Reprimand
 - o Require students to carry out up to 5 hours of community service
 - o Issue fines to a value of \$100
 - o Require the student to make good the cost incurred to replace damaged items for a new item
 - o Involve the Dean where required
 - o Refer the matter to the Dean to deal with it; relating to this delegated authority; through a Disciplinary Committee
- iii. Decisions and follow up actions of the RST are to be reported to the Dean

EXCEPTION: The RST (Academic) led by the SAA takes on the delegated authority given to the RST (Leadership) during Exam curfew and Exam time – normally occurring at the end of each Semester.

B. The Disciplinary Committee

- i. The Discipline Committee is the main disciplinary body of the College and operates at one of two levels depending of the severity of the incident.
- ii. The committee shall hear and adjudicate upon any charge of Misconduct, which is referred to it by the RST, JCR or Sports Club, the Dean or the Master.
- iii. The Disciplinary Committee shall:
 - o Inquire into and investigate the alleged misconduct in such a manner as it deems appropriate;
 - o Proceed in all respects according to the justice of the case and decide the issue according to equity and good conscience;
 - o Give the Resident an opportunity to appear and be heard in person or to have another student appear on his or her behalf and put his or her case;
 - o Give the Resident an opportunity to have a support person present at the hearing;
 - o Clearly describe to the Resident the allegation that has been made against them.
- iv. A Resident, who is the subject of the inquiry, may admit or deny the allegation(s), clarify or explain presented information or evidence, address the information or evidence presented, make representations in mitigation of penalty and in general address relevant matters to the extent the Committee deems necessary and reasonable.
- v. In reaching its decision the Resident will not be regarded as having behaved in the manner alleged unless the Resident admits the behaviour or fair and proper inquiry leads the Committee to that conclusion.
 - a. A simple majority of members present voting on an issue will decide that issue in the affirmative
 - b. Any record of the student's past misbehaviour shall be taken into account:
 - o as evidence that the Resident has committed disciplinary breaches;
 - o as one factor to which the Committee might have regard when considering penalty.
- vi. Where a Resident, who is the subject of an inquiry, fails to respond to the Committee's communications or fails to attend before the Committee without reasonable explanation, the Committee may proceed in the absence of the Resident.
- vii. When a Resident is informed of the decision of the committee, they shall also be informed of their right of appeal.
- viii. Appeals will be considered solely on the following grounds:
 - o New evidence relating to the case which has arisen since the decision of the Student Disciplinary Committee; or
 - o The severity of the penalty imposed with respect to the evidence produced when the initial decision was taken.
- ix. The decision of the nominated person to receive and access an appeal is final.
- x. Depending on the level of the offence the Disciplinary Committee consists of a group that may include the Master, the Dean, the Senior Resident Advisor (SRA), the JCR President, the Sports Club President or other Resident Advisors (RAs).

Role of the Support Person

The support person is a resident or staff member of St Albert's College that may attend a disciplinary committee meeting with the resident who is the subject of an inquiry. Guidelines are as follows:

- The resident must inform the Committee if they are bringing a support person with them
- The support person can provide advice to the resident during the committee meeting either by verbal or written contact and does so in such a way that does not disrupt the proceedings
- The support person may ask for a short break during the proceedings to confer with the resident outside of the meeting room
- The Committee will allow short breaks at its discretion and where reasonable
- The support person may not:
 - Interrupt the proceedings in any way unless it is to request a short break to confer with the resident
 - Voice a personal opinion, belief or attitude to the committee
 - Address the committee in any way outside of the parameters just provided

All residents are allowed to bring one (1) support person with them if they face the committee individually.

In the event that the committee meets with a group of residents at the same time on the same issue then they will only be allowed one (1) support person for the group.

Level 1 Disciplinary Committee

- i. Consists of the Dean, the SRA and either the JCR President, the Sports Club President or the Deputy SRA)
- ii. The committee is chaired by the Dean
- iii. The committee is established to deal with serious student offences referred to the committee by the Master, Dean, RST, JCR or Sports Club after a complaint has been received
- iv. The Chairman of the committee has authority delegated by the Master to:
 - Reprimand
 - Require students to carry out up to 10 hours of community service.
 - Issue fines to a value of \$150
 - Require the student to make good the cost incurred to replace damaged items with a new item
 - Suspend the student from the College for up to two weeks
 - Refer the matter to a higher-level College Disciplinary Committee
- v. All residents shall have one (1) week from the date on the letter; unless both parties agree to an earlier date; requesting their presence at a Disciplinary Committee. This is to allow time to prepare for their hearing before the hearing commences
- vi. Decisions of the committee are to be reported to the Master
- vii. Appeals against the decision of the Disciplinary Committee must be directed in writing to the Master within seven (7) days of the Committee hearing

Level 2 Disciplinary Committee

- i. Consists of the Master, Dean and the SRA. The Deputy SRA, the JCR President or the Sports Club President may be invited to join the committee)
- ii. The Committee is chaired by the Master
- iii. The committee is established to deal with very serious student offences referred to the committee by the Master or Dean after a complaint has been received
- iv. All residents shall have one (1) week from the date the letter; unless both parties agree to an earlier date; requesting their presence at a Disciplinary Committee. This is to allow time to prepare for their hearing before the hearing commences
- v. The Chairman of the committee has all the authority of the Master to issue relevant penalties or he may decide to refer the matter to the UNE Disciplinary Committee
- vi. Appeals against the decision of the Disciplinary Committee must be directed in writing to the Chairman of the Board within fourteen (14) days of the Committee hearing

3. SUSPENSION, EXPULSION AND COLLEGE BANS

3.1 For the actions mentioned in section 3.3, a Resident may be suspended or asked to leave the College permanently. This decision is at the discretion of the Master (consultation may be sought from the Disciplinary Committee).

- i. In the event of a Resident being suspended from the College, he/she forfeits fees for the time of suspension to the College, they may be required to undergo counselling and a fine may be imposed in conjunction with this suspension.

Suspension from College means that for the duration of the suspension the resident may not:

- Enter College grounds for any reason
- Participate in any College activity or event including social, cultural, sporting, academic or otherwise whether it be conducted on College grounds or elsewhere

The Master holds the power of discretion over a Resident under suspension and may allow the suspended Resident access to certain College activities where the Master deems it fair and equitable.

- ii. In the event of expulsion from the College, the Resident will be required to leave College within 24 hours of the incident. Accommodation charges may apply.

Expulsion from College means that the Resident may not:

- Return as a Resident of the College
- Enter College grounds for any reason
- Participate in any College activity or event including social, cultural, sporting, academic or otherwise whether it be conducted on College grounds or elsewhere

- iii. In the event of receiving a ban from the College
In the case of a Resident, the Resident will be required to leave College within 24 hours of the incident.

In the case of a non-Resident, the non-Resident must leave the College grounds immediately

A ban imposed on a Resident from College and a non-Resident means that he/she may not:

- Enter College grounds for any reason
- In the event of an aggrieved party or parties, to not approach or have any contact with said party or parties for any reason
- Participate in any College activity or event including social, cultural, sporting, academic or otherwise whether it be conducted on College grounds or elsewhere

A ban is usually imposed in conjunction with either a suspension or expulsion from College, unless it is imposed upon a non-Resident.

3.2 In all cases of suspension, expulsion or ban, families or guardians may be notified of the incident. Local Police may be called onto the College grounds by the Master, if any illegal activities are deemed or suspected of taking place within the College.

3.3 Some of the actions that may lead to suspension, expulsion and/or a ban include:

- i. Disorderly conduct associated with alcohol
- ii. The use of illegal or non-prescription drugs
- iii. Interference with fire equipment or detectors
- iv. Theft, vandalism or wilful damage to property
- v. Harassment, discrimination, racial prejudice or intimidation
- vi. Possession of weapons or offensive implements
- vii. Criminal Activity
- viii. Use of keys to make an unauthorised entry into a student's room
- ix. Misuse of Power by students in positions of authority - especially with students under the influence of alcohol or students under the age of 18

4. FINES OR SUSPENSIONS

4.1 For the actions mentioned in section 4.2, a Resident may be fined and/or suspended from College. This decision is at the discretion of the Master (consultation may be sought from the Disciplinary Committee)

- i. In general, warnings will be issued prior to the implementation of fines or suspensions
- ii. Repeat offences will result in penalties being imposed and in some cases, counselling may be required to remain in College. Please note that Resident Advisors are authorised by the Master to fine Residents for breaches of these Rules and Regulations
- iii. If a Resident Advisor or Pastoral Assistant breaches these Rules and Regulations, they will be fined, suspended or have their appointment terminated

4.2 Some of the actions that may lead to fines or suspension include:

- i. Excessive noise or disruptive behaviour
- ii. Bringing the Colleges 'good' name into disrepute
- iii. Vandalism or wilful damage to property
- iv. 'Turfing' or 'trashing' of rooms
- v. Ledge crawling
- vi. Disrespect or lack of consideration for staff
- vii. Drink Driving, 'Circle Work' and 'Burn outs' in motor vehicles
- viii. Food fights, uncleanliness and removal of chairs or food from the Dining Hall
- ix. Breaches of the No-Smoking Policy
- x. Prank Phone Calls
- xi. Invasions of other Colleges
- xii. Misuse of College or RA keys
- xiii. Playing sports / games inside buildings eg. golf
- xiv. Inappropriate and unauthorised use of College facilities and resources