Residence Code of Conduct
All residents are responsible for reading and understanding both their Licence Agreement and this Residence Code of Conduct. If you have any queries about either document, please contact FedUni Living.

Background
FedUni Living adopts a common sense approach to living within our residential community and, as you would expect, there are requirements that you have signed on to as a resident that you are required to adhere to. As a member of our residential community, the Residence Code of Conduct (along with any of Federation University Australia statutes and regulations etc.) is here to protect and support us all, and to ensure that we live together safely and harmoniously.

As a member of our residential community, you should know that our Residences are first and foremost a place where people choose to live while studying.

It makes sense that we all do what we can to create an environment that is conducive to study at all times. Indeed, all members of the residential community have rights and privileges, and similarly, have obligations and responsibilities to ensure others’ rights and privileges are maintained.

You are expected to act in a manner which encourages a safe, inclusive and supportive environment for all, being respectful, sensitive and conscious of the rights of others. In general terms, if your behaviour or actions are negatively impacting on others, we expect you to acknowledge this and adjust your behaviour accordingly.

Conduct involving harassment, victimisation, intimidation, bullying or unsafe behaviour is never acceptable. Additionally, it is not acceptable for you engage in behaviour that might be considered sexist, racist, discriminatory or offensive.

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

Bullying means the repeated use of 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 (i.e. having a fight) or disliking someone, even though people might bully each other because of conflict or dislike. It can 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;

Discrimination means unfair or less favourable treatment based on the following actual or assumed personal characteristics as defined under Commonwealth and State laws: sex, gender identity, marital status, pregnancy, breastfeeding, status as a parent or carer, sexual orientation, lawful sexual activity, race, disability, age, industrial activity, physical features, religious beliefs or activities, political beliefs or activities, criminal record, medical record or personal association with a person who has, or is assumed to have, one of these personal characteristics;

Eviction or Expulsion means an immediate and permanent termination of a person’s entitlement to reside at, visit, or use FedUni Living Residences, 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.
**Exclusion** means a student is denied participation in an activity, event or access to or use of FedUni Living Residences, services or facilities for a specified period of time;

**Harassment** means any form of behaviour that is not wanted, is not asked for and that a reasonable person would consider likely to create a hostile or uncomfortable workplace by humiliating, intimidating or offending another person because of an attribute protected by the law (i.e. discrimination). Racial and religious vilification is behaviour that incites or encourages hatred, serious contempt, revulsion or severe ridicule against another person or group of people, because of their race or religion;

**Resident** means a student of the University or other person who is residing in a FedUni Living Residence from time to time as defined in the Licence Agreement;

**Resident Advisor** means the nominated FedUni Living Resident Advisor. **Residential Community** means any member of staff, students, contractors, authorised guests or visitors and members of the public to the University Residence, including the University’s campuses;

**Sexual Harassment** is where a person engages in any unwelcome conduct of a sexual nature 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. Sexual harassment can occur even if the behaviour is unintentional, and a single incident can amount to sexual harassment.

Sexual Harassment refers to a wide range of behaviours and includes behaviour which may be written, printed, verbal, non-verbal or physical (including transmission or display of inappropriate electronic communications, use of social media).

Examples of potential sexual harassment include:

- Physical intimacy or contact
- Sexual jokes, images, emails, gestures, remarks or conversations
- Intrusive personal questions
- Spreading gossip about a person, such as sexual gossip
- Display of sexually explicit images (e.g. on computers, social media, posters, or graffiti)
- Requests for sexually explicit images (e.g. on computers, social media, posters, or graffiti)
- Requests for sexual acts or favours, or unwelcome or repeated gifts or requests for ‘dates’
- Indecent assault, rape or stalking (which are also criminal offences).

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

**University or FedUni** means Federation University Australia and its related body corporate.

**Purpose**

- The Residence Code of Conduct clarifies that FedUni Living’s Residences are first and foremost places of study.

• The Residence Code of Conduct sets out what are acceptable and un-acceptable standards of behaviour for members of our residential community.
• The Residence Code of Conduct sets out your obligations as a resident. Other obligations are clearly set out in your Licence Agreement.
• Below are examples of behavioural conduct to act as a guide for residents’ behaviour. This is not an exhaustive list and FedUni Living staff reserve the right to report and/or discipline actions that FedUni Living decide may adversely impact the residential community.

Safety

• You should act in a considered and careful manner to ensure no harm or distress is caused to yourself, other residents, FedUni Living or University facilities.
• At all times, you should maintain a safe and secure environment within your room and the Halls and Residences. Please ensure your room is locked when you leave it, that the environment around your Residence is kept clean and that any dangers are reported or removed.
• Activities within, near or around the Residences which may cause injury to someone, or damage to property are not permitted. This includes inappropriate / unsafe use of vehicles, bikes and any other sporting activities.
• When not in your room, you are required to keep your unit / house / hall secure, with doors and windows locked.
• Climbing through windows, on any roof, ledges or inappropriately using the fire escape of any building is not acceptable.
• No smoking is permitted on our campuses or within buildings and facilities. This includes all outdoor areas such as gardens, sporting grounds and car parks.
• Burning candles or incense, or anything that might be considered flammable, in our residences is a serious concern and not permitted.
• You must evacuate the building when instructed to do so in person or by the alarms. You must follow specific safety and evacuation procedures and only re-enter the building when given permission by an appropriately authorised person (i.e. warden or Emergency Services).
• Glass outside of the Residences is not permitted (transporting in bags/boxes from shopping is permitted).
• Federation University Australia health and safety policies and procedures, as they relate to residents, and any direction from University wardens, safety officers and other staff regarding health and safety, must be observed at all times.

Guests & Visitors

For the purpose of this Residence Code of Conduct:

- A ‘guest’ is classified as any non-resident staying overnight at the Residences at the express or implied invitation of a Resident; and
- A ‘visitor’ is classified as any non-resident visiting the Residences at the express or implied invitation of a Resident, but does not stay overnight.

• All guests must be at least 18 years of age unless they are the immediate family member of the Resident.
• You are responsible for your visitor or guest and their actions at all times. This includes being financially responsible for any costs relating to damage caused by your guest or visitor.
• FedUni Living may refuse entry to any guest or visitor into the Residences, or evict any guest or visitor from the Residences at their discretion.
• Guests should obtain a Guest Pass before 10:30 pm.
• Guests must stay within the Residents room and not in common spaces. Residents should be present with their guest or visitor on Residence at all times. See also the Licence Agreement (Clause 16) as it relates to visitors and guests.
• Events or parties not sanctioned by FedUni Living are not permitted, with open invitations to events not appropriate.

Behaviour in Residence

• You and your guests and visitors must adhere to all University policies and procedures relating to harassment, sexual harassment and discrimination.
• You must adhere to the request of any University Staff member (including security staff) concerning behaviour or the behaviour of your guest / visitors.
• The use of offensive language is not acceptable at any time in any situation.
• Behaviour that is considered bullying, harassing, intimidating or generally socially unacceptable and likely to cause offence or distress to others is not acceptable.
• You and your guests and visitors must adhere to the University Child Safe Policy at all times.

Alcohol

• If you are over 18 years, then responsible consumption of alcohol on Residence is permitted. Both you and your guests shall at all times observe socially acceptable hygiene practices in all areas of the residential community (see also License Agreement clause 28).
• You are not permitted to supply alcohol to any person under 18 years of age.
• You must adhere to the Federation University Australia Alcohol Policy at all times.
• Any activity that promotes or encourages excessive or accelerated consumption of alcohol is not permitted on Residence. This includes ‘group’ drinks (punch, etc.), drinking games and beer bongs/funnels.
• Inappropriate or offensive drunken behaviour by you or your guests and visitors is never acceptable.
• At times, the consumption of alcohol within Residences is not permitted. Typically SWOT Vac and exam periods (but others as required). During this time, alcohol is not to be consumed anywhere within or around Residences.
• Please note that Federation University makes special consideration for the consumption of alcohol on Residence. Please respect this exception to policy by not taking alcohol to other areas of the University (bus stops and sporting venues included).

Noise

• Quiet Time should be observed between 10.30 pm and 7.00 am, 7 days per week.
• During Quiet Time, noise should not be audible beyond individual rooms.
• The kitchen facilities during Quiet Time should only be used for the preparation of light snacks for individuals.
• Noise that is audible beyond an individual unit/building is not acceptable at any time unless approved through the FedUni Living Office for specific events.
• NOTE: At any time of day if someone requires a quiet environment, noise must be reduced immediately to assist. A quiet environment will take precedence at all times (sanctioned events may be exceptions).

Illegal Drugs

• Possession, use, manufacture, distribution, consumption or selling of illegal or dangerous drugs (including prescription drug misuse), and equipment associated with drug use or drug paraphernalia within the FedUni Living Residential Community is NOT allowed. Any resident found to be in breach of this requirement may face disciplinary action.
Protecting Hygiene Standards

- Due decorum is to be observed at Residence meals and Hall/unit functions at all times.
- Bare feet, athletic singlets and running shorts are not acceptable forms of attire at Residence meals.
- Sitting on tables, feet on chairs, food throwing and drunken or lewd behaviour are never acceptable at Residence meals.
- For reasons of hygiene and safety, the preparation of food and drinks is restricted to kitchen and outdoor barbecue areas (not bedrooms).
- You must clean, dry and put away your own dishes as soon as possible after using them.
- You are expected to maintain your room to a tidy and hygienic standard.

Respect for Property

- You must report all damage to FedUni Living as soon as possible.
- Items of equipment and furniture should remain in common areas or rooms and should not be removed from units or buildings.
- Any games involving 'missiles', such as footballs, cricket, tennis, Frisbees, etc. are not to occur near windows and Residence buildings.
- Objects are not to be thrown or kicked indoors. Indoor games impact other residents and fire safety equipment and are therefore prohibited.
- Only approved FedUni Living information is to be posted or distributed across our residential community (a JUNK MAIL free zone). You are not permitted to distribute invitations or sell tickets to commercial events or establishments without permission from FedUni Living. (this includes FedUni Living electronic media)
- You are not permitted to drive cars or motorbikes off designated roads. This extends to footpaths or Residence grounds (during shift in and shift out periods, areas may be specified by FedUni Living). Motorcycles and bicycles are not permitted to be parked near building entries/exits.

Pets and animals

- You and your guests and visitors are not permitted to keep pets or allow any animals to enter the Residences, or feed or otherwise encourage any animal to approach you or the Residences.
- Approved service animals and FedUni Living programs are exempt from this rule.

Residence Network and Internet Access

- All network and internet activity associated with your university login and / or Ethernet computer point in your room will be your responsibility and you will be held responsible for its use. Your network and internet activates must adhere to the University Use of Computing and Communications Facilities policy and Information Security Policy.
- Where possible, please keep personal internet use, including media steaming and gaming etc, to after 5:00pm & before 9:00am so as to not cause disruption to student and business related internet access and activities.
- University supplied Internet access is NOT unlimited or un-restricted and all University policy and related government legislation must be adhered to at all times.
- You are not authorised to arrange your own Internet Service Provider under any circumstances.

Conducting a Business

- You are not to operate any business from or within or around FedUni Living Residences.
**Disciplinary Process**

Breaches of the Residence Code of Conduct or Licence Agreement may result in disciplinary action as outlined below. There are three (3) levels of consequence that reflect the seriousness of the breach:

<table>
<thead>
<tr>
<th>Degree of Breach</th>
<th>Typical Consequences</th>
<th>Some examples of breach (not limited)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Introductory Breach</strong></td>
<td>Discussion with RST (Residential Support Team) Staff member as appropriate.</td>
<td>• Poor hygiene standards (dishes and general mess not cleaned up).</td>
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<tr>
<td><strong>Leading to possible:</strong></td>
<td>- Letter outlining breach and expectations.</td>
<td>• Taking or using glass containers outside.</td>
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<td></td>
<td>- Written or active response as required (e.g. apology, community service).</td>
<td>• Excessive noise (particularly after 10.30pm).</td>
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<tr>
<td></td>
<td>Leading to possible:</td>
<td>• Public drunkenness and/or unreasonable behaviour.</td>
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<tr>
<td></td>
<td>- Poor hygiene standards (dishes and general mess not cleaned up).</td>
<td>• Driving and/or parking inappropriately.</td>
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<td>- Taking or using glass containers outside.</td>
<td>• Concerning behaviours that are impacting others.</td>
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<tr>
<td><strong>Intermediate Breach</strong></td>
<td>Discussion of behaviour with RST including the Manager Residential Communities or Residential Support Officer.</td>
<td>• Drinking games, punch parties and binge drinking activities.</td>
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<td><strong>Leading to possible:</strong></td>
<td>- Penalties as for Introductory Breaches as appropriate.</td>
<td>• Alcohol related mess or vomiting requiring cleaning.</td>
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<td>- Shift to another residence or suspension in accordance with the Licence Agreement.</td>
<td>• Breach of hygiene standards requiring professional cleaning to rectify.</td>
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<td>Referral to disciplinary action under University Statute 6.1 and Regulation 6.1 (consequences may include suspension or exclusion from Residences and/or campus, monetary fines, etc.)</td>
<td>• Verbal abuse.</td>
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<td>Leading to possible:</td>
<td>• Distributing/selling unauthorised material.</td>
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<td>- Penalties as for Introductory or Intermediate breaches as appropriate.</td>
<td>• Repeat of any introductory breach.</td>
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<td></td>
<td>- Referral to disciplinary action under University Statute 6.1 and Regulation 6.1 (consequences may include suspension or exclusion from Residences and/or campus, monetary fines, etc.); and/or</td>
<td>• Deliberately ignoring staff requests or instructions.</td>
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<td></td>
<td>- Exclusion from Residences and/or campus or move to another room within Residences by Vice-Chancellor in accordance with Statute 5.4 or Regulation 6.1.</td>
<td>• Concerning behaviours that are impacting others.</td>
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<tr>
<td></td>
<td>- Exclusion pending medical assessment.</td>
<td>• Possession, use, manufacture, distribution, consumption or selling of illegal or dangerous drugs (including prescription drug misuse), and equipment associated with drug use or drug paraphernalia.</td>
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</table>

**NOTE:**
- In addition to the above, in particular circumstances, the License Agreement may be terminated by the University.
The steps in the resident code of conduct process:

1. When a resident’s behaviour is considered inconsistent with the License Agreement or Residence Code of Conduct, an incident report should be completed by a FedUni Living staff member documenting the concerns/allegations.

2. The incident report will be discussed with relevant participants and FedUni Living staff will determine the appropriate course of action depending on severity of concerns raised (this may include directly involving the police, further investigations or interviews with suspected participants or witnesses).

3. All residents whose behaviour has been considered inconsistent with the License Agreement or Residence Code of Conduct will be invited to discuss the incident, at the earliest convenience, with appropriate FedUni Living staff to discuss and respond to concerns raised within the Incident Report.

4. FedUni Living staff will then decide on the appropriate course of action based on discussions, and as appropriate, follow the disciplinary process or Discriminatory and Sexual Harassment Complaint Procedure if it is deemed that alleged behaviour is inconsistent with the License Agreement or Residence Code of Conduct.

This might include:

- Returning an outcome to the resident directly in writing outlining the findings, expectations and outcomes.
- Or if deemed to be of a serious nature with serious consequence, defer the matter to the Director Campus Life or the Student Disciplinary Committee for further action as per University Statute 6.1 and Regulation 6.1.
- A letter outlining the results of the discussion and the consequences will be provided to the resident in a timely manner and discussed as deemed appropriate by staff.