

# Student Behaviours Policy

## Section 1 - Background and Purpose

(1) La Trobe University aspires to provide an outstanding student experience that is conducive to scholarly activity and supportive of individual learning goals. Underpinning this experience is a safe, inclusive and respectful environment.

(2) At La Trobe University, the inherent value of each person is respected. Our behaviour must therefore afford dignity, courtesy, equality and mutual respect, which we share across cultures, religions and philosophies.

(3) This Policy specifically covers related unacceptable behaviours such as discrimination (direct/indirect and legal protections), harassment (general, sexual and racial), bullying and hazing (direct/indirect and intentional/unintentional), violence, vilification and victimisation. The aforementioned behaviours may occur in person or via remote, digital or cyber means.

## Section 2 - Scope

(4) This Policy applies to all students at all campuses (including when students are representing La Trobe across Australia and abroad).

## Section 3 - Policy Statement

### Student Entitlements

(5) Students are entitled to:

- a. An environment (including La Trobe University residences) which is free from unacceptable behaviour, including discrimination, harassment, bullying/hazing, vilification, victimisation, violence and other forms of unacceptable behaviour that impacts adversely on the wellbeing of students or staff as deemed by La Trobe University;
- b. The right to exercise academic freedom and freedom of speech in accordance with ([Protection of Freedom of Speech and Academic Freedom Policy](#)) and the [Charter of Student Rights and Responsibilities](#);
- c. The right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised; and
- d. Merit based decisions that follow procedural fairness.

### La Trobe University's Commitment

(6) Behaviour relating to discrimination, harassment, bullying/hazing, vilification, victimisation, violence and other forms of unacceptable behaviour that impacts adversely on the wellbeing of students or staff is not tolerated or accepted at La Trobe University, and in many instances, is against the law.

(7) La Trobe University is committed to:

- a. Providing an environment that is free from unacceptable behaviour that impacts adversely on the wellbeing of students or staff as deemed by La Trobe University;
- b. Providing an environment that promotes academic freedom and freedom of speech in accordance with the [Protection of Freedom of Speech and Academic Freedom Policy](#) and the [Charter of Student Rights and Responsibilities](#);
- c. Taking all reasonable steps to ensure everyone is treated in accordance with our values and our policies/procedures;
- d. Providing a complaints process to allow an opportunity to resolve behavioural issues in accordance with procedural fairness and in a timely manner;
- e. Providing training and education to promote a respectful and inclusive culture at La Trobe University; and
- f. Complying with the law.

## **Behaviour Expectations of Students**

(8) La Trobe University expects students to treat everyone with dignity, equality, mutual respect and in accordance with La Trobe University's values, policies and procedures, the La Trobe University [Charter of Student Rights and Responsibilities](#), and the law.

(9) At La Trobe University, students must:

- a. Not engage in unacceptable behaviour such as discrimination, harassment, bullying/hazing, violence, vilification and victimisation. This includes any behaviour which may be perceived as:
  - i. attacking or threatening to attack a person (physically, psychologically or sexually);
  - ii. verbally abusing a person or using offensive language;
  - iii. intimidating a person;
  - iv. causing injury to a person;
  - v. harassing an individual or group;
  - vi. bullying/hazing an individual or group;
  - vii. placing the health and safety of anyone at risk;
  - viii. adversely impacting on the wellbeing of staff or students; or
  - ix. causing damage to La Trobe University property.
- b. Not engage in any behaviour/activity which may constitute general misconduct as defined in the [General Misconduct Statute 2009](#); and
- c. Comply with relevant laws and procedures.

(10) At La Trobe University, students are also expected to:

- a. Participate in a complaints process where required;
- b. Raise a complaint when they believe they have witnessed/experienced unacceptable behaviour in accordance with the relevant procedure; and
- c. Comply with the processes established by the relevant supporting procedures, including producing their student ID card or other form of photo identification when requested to do so by an authorised officer of the University.

## **Complaints**

(11) La Trobe University believes everyone is entitled to an internal complaint process which reflects fairness, confidentiality, transparency, accessibility and efficiency.

(12) At La Trobe University, students are expected to:

- a. Make a complaint should they witness or experience unacceptable behaviour in accordance with the relevant Procedure;
- b. Participate in a complaints process where required; and
- c. Adhere to the processes of the relevant procedures.

## Section 4 - Procedures

(13) Refer to the following Policies and Procedures:

- a. [Alcohol and Drugs \(Students\) Policy](#);
- b. [Student Complaints Management Policy](#); and
- c. [Sexual Harm Prevention and Response Policy](#).

## Section 5 - Definitions

(14) For the purpose of this Policy and Procedure:

- a. Bullying is the repeated, unreasonable and less favourable treatment of a person. It includes behaviour that intimidates, offends, degrades or humiliates a person and may create a risk to their health and safety. Bullying can:
  - i. Take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people, or unfair work practices;
  - ii. Involve many different forms of unreasonable behaviour, which can be obvious (direct) or subtle (indirect);
  - iii. Be intentional, where someone's actions are intended to humiliate, offend, intimidate or distress, whether or not the behaviour resulted in that effect; and
  - iv. Be unintentional through engaging in behaviour that results in humiliation, offence, intimidation, distress and could reasonably have been expected to cause that effect.
- b. Discrimination is when distinctions are made between individuals/groups so as to disadvantage some and advantage others. It can be classified as either direct or indirect:
  - i. Direct Discrimination - when someone is treated less favourably than another person/group in a similar situation because of personal characteristics protected by law; and
  - ii. Indirect Discrimination - when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law.
- c. Harassment is when uninvited or unwelcome behaviour causes someone, or a group of people, to feel intimidated, insulted or humiliated. It can occur in a single incident or a series of incidents. Harassment may also be experienced as a result of witnessing behaviour not directed to that person e.g. overhearing an unacceptable joke. Each person perceives things differently as their values and experiences are unique to them. As such, they may react differently to how someone might expect.
- d. Hazing is when students are not permitted to engage in any action taken or any situation created intentionally that causes embarrassment, harassment or ridicule and risks emotional and/or physical harm to an individual or members of a group or team, regardless of the person's willingness to participate (often referred to as 'hazing'). The difference between hazing and bullying is subtle, which is why they are often used interchangeably. The same power dynamics are involved and the same intimidation tactics used. The only real difference between hazing and bullying is that bullying usually involves singling out an individual at any time and bullying them as a means to exclude them. Hazing, on the other hand, involves including people by having them 'earn' their way into a group or onto a team.

- e. Sexual harassment refers to an unwelcome sexual advance, an unwelcome request for sexual favours or other unwelcome conduct of a sexual nature in person or via electronic/social media. It includes:
- i. Verbal forms such as making comments about someone's appearance in a sexually suggestive way, unwelcome enquiries regarding a person's sex life, requests for sex or repeated unwelcome requests for dates, telephone calls with a sexual undertone, continuous rude or sexist jokes/remarks, sexual insults or taunts, spreading sexual rumours, threats or non-consensual disclosure of a person's sexual orientation, rating peers or colleagues with respect to sexual performance, sending sexually explicit emails or text messages;
  - ii. Non-verbal forms such as gestures with a sexual meaning, staring at someone or making obscene gestures or noises, stalking (including cyber stalking), "flashing" or exposing body parts; and
  - iii. Visual forms such as displaying objects or promotional material, reading materials, or other materials that are sexually demeaning or pornographic in nature.

## Status and Details

<b>Status</b>	Current
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