

# Student Behaviours Policy

## Section 1 - Key Information

<b>Policy Type and Approval Body</b>	Administrative - Vice-Chancellor
<b>Accountable Executive - Policy</b>	Deputy Vice-Chancellor (Students)
<b>Responsible Manager - Policy</b>	Director, Student Life
<b>Review Date</b>	8 December 2024

## Section 2 - Purpose

(1) This Policy sets out the standards of behaviour expected of all La Trobe Students. It also describes behaviour which is considered unacceptable and will not be tolerated, for example unlawful discrimination, harassment(both general and sexual), bullying and hazing, violence or intimidation/threats of violence, vilification, and victimisation.

## Section 3 - Scope

(2) This Policy applies to:

- a. all students, and
- b. includes online behaviour

## Section 4 - Key Decisions

<b>Key decisions/Responsibilities</b>	<b>Role</b>
Not applicable	

## Section 5 - Policy Statement

(3) 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.

(4) The University expects each person to be treated respectfully. Our behaviour must therefore afford dignity, courtesy, equality, and mutual respect, which we share across cultures, religions, and philosophies.

(5) While studying at the University, students are entitled to:

- a. an environment free from unacceptable behaviour, including unlawful discrimination, harassment, bullying/hazing, violence or threats of violence, vilification or victimisation;

- 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. raise issues, make enquires or lodge complaints in a reasonable and respectful manner and without being victimised; and
- d. merit-based decisions that afford procedural fairness.

## La Trobe's Commitment to Students

(6) La Trobe is committed to:

- a. providing and promoting an environment that is free from unacceptable behaviour that adversely impacts on the wellbeing of other members of the University community;
- 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 a timely manner, in accordance with procedural fairness and with information only shared on a need to know basis. See the [Student Complaints Management Policy](#) for more information about the University's Student Complaint Process;
- e. managing alleged sexual harm (which includes sexual harassment and assault) in accordance with the [Sexual Harm Prevention and Response Policy](#) ;
- f. providing training and education to promote a respectful and inclusive culture at La Trobe University; and
- g. complying with the law.

## La Trobe's Expectations of Students

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

(8) Students must not, whether in person or online, engage in:

- a. unacceptable behaviour such as discrimination, harassment, sexual harassment, bullying/hazing, violence, vilification and victimisation. Unacceptable behaviour includes behaviour which constitutes or may reasonably be perceived as:
  - i. an attack or threat to attack a person (physically, psychologically or sexually)
  - ii. verbal abuse or using offensive language
  - iii. intimidation
  - iv. causing injury
  - v. the harassment of an individual or group
  - vi. bullying/hazing
- b. behaviour which:
  - i. places the health and safety of anyone at risk;
  - ii. adversely impacts on the wellbeing of staff or students; or
  - iii. causes damage to or is likely to cause damage to La Trobe University property;
  - iv. may constitute general misconduct as defined in the [General Misconduct Statute 2009](#); or
  - v. is otherwise against the law (e.g. the purchase, consumption, selling, distribution or other engagement with illegal drugs on campus or in any La Trobe work or study environment.

## Alcohol and Drugs

(9) Students are expected to demonstrate an understanding that as individuals they are responsible for their own behaviour, have an obligation to act responsibly and not be impaired by alcohol or drugs. The University will not tolerate unsafe, unwelcome or offensive behaviour caused by the irresponsible consumption of alcohol or drugs by students.

(10) In order to protect the health and safety of themselves and other members of the University community, students must not:

- a. attend campus or present for any work or study (including online) impaired by alcohol or drugs, including prescription or over the counter medication;
- b. become impaired by the use of any substance while on campus or in any work or study environment (including online);
- c. consume, purchase, manufacture, sell, distribute or otherwise engage with illegal drugs on campus or in any La Trobe work or study environment;
- d. if taking prescription or over the counter medication that may have an impairing effect, students should discuss any adjustments that may be needed to your work or study with AccessAbility or teaching staff to ensure everyone's safety.

## Engagement in University Processes

(11) Students are expected to:

- a. Participate in internal complaint, preliminary inquiry or investigation processes, where required. Such processes will be conducted by authorised areas of the University (e.g. Student Conduct and Complaints);
- b. Contact Safer Community 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.

## Consequences of a Breach

(12) A breach of this Policy may result in disciplinary action in accordance with the [General Misconduct Statute 2009](#), referral to other University processes or, in serious cases, referral to other agencies.

## Section 6 - Procedures

(13) Please refer to the following policies and procedures:

- a. [Student Complaints Management Policy](#)
- b. [Sexual Harm Prevention and Response Policy](#)

## Section 7 - Definitions

(14) For the purpose of this policy and procedure, the below terms have the following meaning:

- 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 creates a risk to 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 reasonably 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.

## Section 8 - Authority and Associated Information

(15) This Policy is made under the [La Trobe University Act 2009](#).

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	14th December 2022
<b>Review Date</b>	14th December 2024
<b>Approval Authority</b>	Vice-Chancellor
<b>Approval Date</b>	14th December 2022
<b>Expiry Date</b>	Not Applicable
<b>Responsible Policy Officer</b>	Jessica Vanderlelie Deputy Vice-Chancellor (Students)
<b>Author</b>	Adam Boyce Deputy Director, Student Conduct & Investigations +61 3 9479 5308
<b>Enquiries Contact</b>	AccessAbility