

GENERAL STUDENT CONDUCT AND DISCIPLINE POLICY S.01

Version	1.0
File number	S. 01
Short Description	This policy outlines the expectations of positive interaction for the Sonoma Adventist College student community in social justice, principles of freedom, respect, equity and consideration. The policy encourages and supports active and positive participation in the life of the institution
Relevant to	All students enrolled at Sonoma.
Authority	Sonoma Administration Committee
Responsible Officer	Deputy Principal, Student Services Officer
Responsible Office	Student Services Department
Date introduced	August 2019
Date modified	
Next scheduled review date	August 2021
Related College documents	Grievance & Dispute Resolution Policy, Bullying, Harassment & Discrimination Policy
Related legislation	PNG Higher Education Act, 2014,
Key Words	Policy, conduct, misconduct, discipline, staff, students

1. Objectives

1.1. This policy informs students of Sonoma College:

- 1.1.1. Sonoma's guidelines for general conduct;
- 1.1.2. What constitutes misconduct;
- 1.1.3. Each person's responsibilities in relation to conduct that is prohibited by this policy;
- 1.1.4. The steps that Sonoma will take to ensure these responsibilities are understood; and
- 1.1.5. How reports and allegations of misconduct will be handled.

2. Scope

- 2.1. All students are subject to this policy and the regulations, including without limitation a student who commits an act of misconduct:
 - 2.1.1. While involved or engaged in a College activity;
 - 2.1.2. While involved, engaged or representing the College in an activity, being a game, competition or event, including through a club or entity affiliated or associated with the College;
 - 2.1.3. At another educational institution while enrolled at Sonoma and pursuing one or more units of approved cross-institutional study; and/or
 - 2.1.4. While involved in official external functions such as practicums, clinical and/or professional placements, internships or work experience.

For the purposes of this policy, misconduct does NOT include academic misconduct which is covered under the *Academic Integrity Policy [A.01]*.

3. Definition of General Misconduct

- 3.1 A student commits general misconduct if the student:
 - 3.1.1 Fails to comply with any reasonable request, order or direction by a staff member where the request, order or direction was necessary:
 - (i) to maintain an effective and respectful learning environment;
 - (ii) to ensure the health and safety of any person (including the student concerned);
 - (iii) to prevent damage to property or College premises;
 - (iv) for the proper performance of the staff duties at the College;
 - (v) to ensure compliance with College policy or procedures; or
 - (vi) to ensure compliance with Papua New Guinea Government regulations.
 - 3.1.2 Disrupts or inhibits another person's ability to participate in any College activity or use College facilities;
 - 3.1.3 Behaves in a manner which is disorderly, indecent, offensive or detrimental to the College's values, ethos, interests and reputation;
 - 3.1.4 Unlawfully discriminates against any person on any grounds, including but not limited to disability, race, age, gender, sexual preference, physical appearance or religious or political belief;
 - 3.1.5 Harasses, intimidates or bullies any person (or attempts to);
 - 3.1.6 Engages in a course of conduct which causes physical or psychological harm or arouses apprehension or fear, either directly or indirectly, either physically, verbally, electronically or by any other means;
 - 3.1.7 Wilfully, recklessly or negligently engages in conduct which may physically or psychologically cause injury to any person, including stalking a person;

- 3.1.8 Disregards the College's lifestyle values relating to the use of alcohol and other harmful substances;
- 3.1.9 Engages in inappropriate sexual activity or offensive behaviours;
- 3.1.10 Enters a part of the College premises to which entry is prohibited; or to which entry is permitted only with authority;
- 3.1.11 Remains on a part of the College's premises without authority, where the student knows, or ought reasonably to know, that entry to that area is prohibited or is permitted only with authority;
- 3.1.12 In the course of College activities, wilfully, recklessly or negligently causes damage to or, removes or wrongfully interferes with any property of:
 - i. the College;
 - ii. a staff member, student or any other person; or
 - iii. copies or attempts to copy any copyright material including computer software, without the permission of the College or in breach of the copyright law.
- 3.1.13 Improperly makes use of any College facilities, networks or equipment;
- 3.1.14 Fails to pay any fine or comply with any penalty imposed by the College for misconduct by the due date;
- 3.1.15 Engages in any other conduct, whether within or outside the College premises, that may be prejudicial to the good order and discipline of the College or is likely to bring the College into disrepute;
- 3.1.16 Incites or persuades any other person to engage in behaviour or conduct which amounts to general misconduct;
- 3.1.17 Commits a criminal or unlawful act while on College premises or in connection with College activities; or
- 3.1.18 Acts in contravention of College legislation, policy, procedure, instruction;

Appendix 1

Definition of Terms

General Misconduct means conduct contrary to accepted standards of behaviour. Examples are listed in Part 3 and focus on conduct that may harm a person, property or the College, is in breach of a direction or a policy at the College or the law, or otherwise impedes the orderly conduct of the College's activities. It covers knowing (an intentional act) and reckless (an act done without regard to its risk or disregarding a known risk) conduct. The obligation not to cause harm to a person extends to a person at or in the vicinity of a College facility or activity, and not just persons who are on the College premises. The obligation not to cause harm focuses on personal injury or harm (whether physical or mental) and not merely reputational harm. Use of the College resources in breach of the rules applicable to the use of those resources is general misconduct.

Investigating Staff Member refers to the person investigating an alleged misconduct. This could be a Residence Director or the Deputy Principala, and may make recommendations to a panel if the misconduct is deemed to be serious or high risk.

Decision Makers refer to the staff or members of a discipline panel that are responsible in administering misconduct and subsequently imposing a penalty.

Natural Justice means a fair process is used when the rights of a student may be adversely affected under the Policy.

Rules of Evidence are rules that apply in court cases to determine the material that the court can and cannot consider. Decision makers under this Policy are not a court conducting an adversarial process. Instead the decision maker is conducting an inquiry into the matters alleged and court based rules about evidence do not apply. The inquiry must be conducted according to the rules of natural justice (fair process).

Record of Misconduct is a formal statement recorded on the student's College file that she or he was found to have committed the misconduct. It remains on the student file as long as that file is retained by the College. It is also recorded on the discipline register.

No Penalty means that no penalty is imposed where misconduct has been proven and the panel considers that no penalty should be imposed because the misconduct was minor in nature and the panel is reasonably satisfied that the student is unlikely to engage in another act of misconduct.

Reprimand is a serious formal rebuke and censure for the misconduct, with likely consequence that any later repeat of this conduct will have more serious consequences.

Conditional Penalty imposes a condition intended to encourage rehabilitation and a change in behaviour to avoid further misconduct. A conditional penalty cannot be imposed without the student's consent.

Fine is a monetary sum that must be paid to the College. The amount of the fine is calculated based on the value of one penalty unit. The value of one penalty unit for 2014 is \$150. The amount is multiplied by the number of penalty units imposed as the penalty. A fine is a debt to the College and failure to pay the fine can result in an encumbrance which prevents enrolment and may be recovered as a debt in court.

Restitution is a requirement to make restitution to the College or the person who has suffered loss and should only be imposed to require a student to "make good" damage caused by their misconduct and does not extend to providing compensation. Restitution may be by making a payment or undertaking certain actions.

Exclusion from entering a College facility or area means that a student must not enter the specified area of the College for the period that the exclusion applies and is subject to any conditions imposed. An exclusion penalty is only imposed where it is considered necessary to protect any person or College property.

Suspension means to prohibit a student for a specified period from attending any

teaching or assessment session or enter the College’s premises, or represent the College, on terms and conditions imposed by the College.

Expulsion means an individual ceases to be a student at the College.

Appendix 2 – Discipline Entities

	Record of Misconduct	Reprimand	Conditional Penalty	Exclusion	Fine	Restitution	Suspension	Exclusion
Residence Directors	Y	Y	Y	Y	Y	Y	N	N
Deputy Principal	Y	Y	Y	Y	Y	Y	N	N
Discipline Committee	Y	Y	Y	Y	Y	Y	Y	Y

Appendix 3 – Possible Immediate Suspension or Withdrawal Offences

1. Alcohol

Sonoma has zero-tolerance to Alcohol. Alcohol is not to be consumed on the campus. This includes bringing alcohol onto the campus, also an offence.

2. Fighting

Fighting includes assaulting with a weapon, inciting fights, inciting people to acts of violence or threatening in an aggressive manner to staff, students and visitors on the campus.

3. Damage

Wilful damage of College property, staff/student property and unlawful use of equipment etc causing damage will be subject to disciplinary action.

4. Arson and Vandalism

Unauthorized lighting of fires, interference with firefighting equipment, and unauthorized lights such as candles etc in the buildings.

5. Attendance and Absenteeism

Repeated unauthorized absence from classes, work-line, weekend appointments, worships, Bible classes are unacceptable and discipline action may be taken depending on the severity.

6. Illicit behaviour

Offensive sexual behaviour, sexual intercourse, the possession of illicit and offensive materials such as pornographic pictures and videos.

4. Weapons

Weapons with or without the intention to endanger the lives of other students, staff or people on the campus. This includes guns, knives, axes, spears and other home-made

weapons eg catapults. The manufacture or the possession of guns and explosives is a criminal offence and will be reported to the police.

5. Stealing

Being in the possession of property belonging to other students, staff or the College is an offence.

6. Trespass

The unauthorized presence of male students in the ladies dormitories, or ladies in the men's dormitories is not allowed, unless permission has been given.

10. Off-campus Permission

Permission must be obtained from the Principal before leaving the College campus. Failure to do so, may be deemed a disciplinary matter.

7. Low Marks in Religious Studies

Unsatisfactory marks or results in religious studies may be seen as a dis-interest in spiritual things. Students may be requested to seek education in another institution.

8. Respect to Staff and SRC Members

Blatant disobedience to staff and others in authority will not be tolerated.

9. Dyeing, Dreadlocking or Knotting of Hair

These styles of hairstyles are not appropriate for the College, and students may be requested to leave if the College so deems it necessary.

10. Lack of Fees

All students are expected to keep any fees up to date, and may be requested to leave if the fees are unpaid.

11. Gambling and Magic

All forms of gambling, magic and other practices are unacceptable.

Appendix 4 - Penalty Guidelines

Offence / Circumstance	First offence not of a serious nature and student:	First offence of a serious nature (eg. Deliberate disregard for or a clear attempt to circumvent rules), or second offence not of a serious nature	Second offence of a serious nature
Inappropriate behaviour eg. Offensive language etc	Record of Misconduct and: <ul style="list-style-type: none"> Reprimand Conditional penalty focussed 	Record of Misconduct and: <ul style="list-style-type: none"> Conditional penalty focussed on the cause of 	Record of Misconduct and expulsion

	on the cause of the conduct	the conduct; and <ul style="list-style-type: none"> • Fine • Suspension 	
Stalking	Record of Misconduct and: <ul style="list-style-type: none"> • Conditional penalty aimed to stop the conduct with monitoring; and • reprimand 	Record of Misconduct and <ul style="list-style-type: none"> • exclusion from entering certain areas; and • suspension 	Record of Misconduct and Expulsion
Assault	Record of Misconduct and reprimand with conditional penalty <ul style="list-style-type: none"> • exclusion from entering certain areas; or suspension	Record of Misconduct and: <ul style="list-style-type: none"> • exclusion from entering certain areas; or • suspension 	Record of Misconduct and Expulsion
Harassment or vilification	Record of Misconduct and reprimand with conditional penalty	Record of Misconduct and <ul style="list-style-type: none"> • Exclusion from entering certain areas; or • Suspension 	Record of Misconduct and Expulsion
Damage to property	Record of Misconduct and: <ul style="list-style-type: none"> • Reprimand; and • Restitution; and • Conditional penalty focussed on the cause of the conduct 	Record of Misconduct and: <ul style="list-style-type: none"> • Restitution; and • Fine; and • suspension 	Record of Misconduct and Expulsion
Entering an area the student has been excluded (banned) from	Record of Misconduct and : <ul style="list-style-type: none"> • reprimand • exclusion from entering specified area 	Record of Misconduct and : <ul style="list-style-type: none"> • Fine; and • Exclusion from entering specified area • Conditional penalty focussed on the cause of the conduct 	Record of Misconduct and Expulsion
Lifestyle issues eg.	Record of	Record of	Record of Misconduct and

Alcohol, drugs, weapons	Misconduct and: <ul style="list-style-type: none"> • Reprimand; and • Conditional penalty focussed on the cause of the conduct • Suspension 	Misconduct and: <ul style="list-style-type: none"> • Fine; and • Conditional penalty focussed on the cause of the conduct; and • Suspension 	Expulsion
Security Breaches, Fire equipment and safety	Record of Misconduct and: <ul style="list-style-type: none"> • Reprimand; and • Fine; and • Conditional penalty focussed on the cause of conduct 	Record of Misconduct and: <ul style="list-style-type: none"> • Fine; and • Conditional penalty focussed on the cause of conduct 	Record of Misconduct and Expulsion

Details

Description:

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Sonoma College Board

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