

The University of Waikato

Selwyn Street Studios / Durham Mews

Halls of Residence Rules and Regulations

Pursuant to Section 5B (3) Residential Tenancy Act, 1986

Section 1 - Conduct and Discipline in the Halls of Residence

Authority

Section 13 of the Student Discipline Regulations gives the Director of Student Services and Pastoral Care, the Associate Director Student Accommodation and the Residential Life Managers authority for discipline in University of Waikato student accommodation.

The Associate Director Student Accommodation has general authority for order and discipline. The Residential Life Managers (or equivalent) have authority for day-to-day order and discipline. Repeated or serious breaches of the Rules and Regulations will be referred to the Director of Student Services and Pastoral Care, or the Associate Director Student Accommodation, for consideration in accordance with this document and the Student Discipline Regulations and/or other relevant policy.

Rules and Regulations

The Rules and Regulations in the Halls of Residences of Waikato University are in place to support the safety and wellbeing of students in student accommodation as required by the *Education (Pastoral Care of Tertiary and International learners) Code of Practice 2021* and to maintain the Halls values of partnership, respect, participation, and responsibility; and to ensure:

- Resident safety.
- A sense of community and association with fellow residents.
- Learning and personal growth.
- Residents and staff working together to ensure a positive and respectful community.

All residents are to accept full responsibility for their behaviour and be capable of living independently. Support to attain and maintain independence is available through the student support services.

Residents must adhere to any future University of Waikato policies related to management of Covid 19 as determined by its health and safety risk assessment of students and staff on its campuses and in its accommodation facilities.

Absence from the Hall

You should inform your Residential Leader if you are going to be away to avoid unnecessary worry or concern. You should complete the online Halls absence form. Enquiries will be made as to the whereabouts of any resident who is absent for more than two days and has failed to inform their Residential Leader that they are going to be absent. This may include contacting your family. Your Hall will advise you of any further procedures or forms you are expected to complete.

Alcohol

The following rules and regulations in relation to alcohol may change during the currency of the contract to reflect any applicable changes to current alcohol related legislation.

The alcohol policy for the Halls does not attempt to prevent drinking but rather to foster a responsible approach by those who choose to use alcohol. However, the excessive consumption of alcohol by some residents sometimes disrupts the communal life of the Halls. Residents whose drinking behaviour is causing concern within the Hall will be encouraged to seek assistance to deal with the problem and may face disciplinary action.

Alcohol may only be consumed in the Halls of Residence between 6.00pm and 10.00pm daily.

Residents can only consume alcohol when there are five people or less in the room. Irrespective of the number of residents in the room (five or less), residents must be quiet and consider other residents and the Hall community. Drinking is not permitted in the communal spaces unless residents receive formal approval from a Residential Leader or the Residential Life Manager to do so.

The following regulations apply to the use of alcohol in the Halls:

- Residents must be 18 years of age or older to possess or consume alcohol in the Halls.
- Residents can only consume alcohol within a resident's bedroom with no more than 5 people in the room.
- Drinking is not permitted in the communal spaces unless residents receive formal approval from a Residential Leader or the Residential Life Manager to do so.
- Drinking is never permitted in the communal space on the alcohol-free floor
- Residents can only possess or consume bottled wine (standard sized), bottled or canned beer, ciders and RTD's (Ready to drink spirits and mixers) under 500 millilitres in volume.
- All empty bottles and cans must be removed daily from each room for recycling.
- Any behaviour, games, apparatus, product, or activity that promotes unsafe drinking practices or "binge drinking" is prohibited in the Halls.
- Residents are responsible for the behaviour of their guests and need to make sure that their guests comply with the alcohol regulations.
- From time-to-time alcohol bans may be imposed on an individual, a group or the Hall as a whole. An individual will be deemed to have consumed too much alcohol and may face disciplinary action if they are:
 - Being noisy and/or abusive to any person
 - Being obstructive or non-compliant with any staff member carrying out their duties
 - Places themselves or others at risk through their actions
 - Damages, or is likely to damage the property of others including Halls property
 - Cannot respond to instructions given by staff
 - Cause a mess that needs to be cleaned by another person

Minor breaches of the Rules and Regulations regarding alcohol will be dealt with under the 'Alcohol Management Three Strikes Policy.' Serious or repeated breaches of the Rules and Regulations regarding alcohol will be dealt with by the Associate Director Student Accommodation in consultation with the Director of Student Services. This policy states:

Alcohol Management Three Strikes Policy

- a. The first report of an alcohol related incident may result in the resident being seen by the Residential Life Manager. The Residential Life Manager may issue a first strike, impose an alcohol ban, and/or impose a period of community service.
- b. The second report of an alcohol related incident may result in the resident being seen by the Residential Life Manager. The Residential Life Manager may issue a second strike, impose an alcohol ban, and/or impose a period of community service. A second strike will also be reported to the Associate Director Student Accommodation. The matter may be treated pastorally, if appropriate.
- c. A third report of an alcohol related incident will result in the resident being referred to the Associate Director Student Accommodation. The resident faces the possibility of being transferred to

another Hall, having their residency terminated, being fined, plus any other measure the University may impose. If termination of residency is being considered the decision will be made by the Director of Student Services and Pastoral Care.

All alcohol related incidents requiring additional cleaning of a room, or area of the Halls will result in the individual responsible being fined \$100.00 plus additional necessary cleaning costs. If the individual responsible cannot be identified, then the charges will be made to the floor/block/Halls

Assistance Register

Any resident who feels they may require special assistance in an emergency must provide relevant information to the Hall Office before taking up residence in the Hall. This may include any medical problems, i.e. asthma, or any disability which affects hearing, vision, or mobility. Should a resident develop any condition during the year, they must inform the Hall Office immediately to ensure that staff are aware that assistance may be required.

Bicycles (including E-Bikes and E-Scooters)

Bicycles (including E-Bikes and E-Scooters) must not be taken into the accommodation buildings of the Hall for health and safety reasons. Bicycles can be stored in the bicycle racks or bicycle sheds and should be fitted with an anti-theft device.

The charging of E-Bikes and E-scooters is not allowed in the accommodation buildings of the Hall. Residents are to use the designated charging ports available in the bicycle racks or sheds.

Residents leave the bicycles (including E-Bikes and E-scooters) in the bicycle racks or bicycle sheds at their own risk. The University does not take responsibility for any damage or theft of these items.

Candles, Incense, or any smoke/steam making device

Candles, incense, and smoke/steam making devices pose a fire risk and may set off the alarms in the rooms and are not permitted. Any resident responsible for a fire alarm being activated through unauthorised use of these items will be charged the Fire Service callout. Residents are warned that the cost could be over \$1,000 for Fire Service callouts.

Canvassing

No organisation or individual (including residents) may place leaflets under doors, put posters on notice boards, sell tickets/items or canvass inside the grounds or buildings of the Hall without the express permission of the Residential Life Manager and the Associate Director Student Accommodation.

Checking Out

Residents who fail to observe check-out procedures when departing from their Hall, will be charged according to the staffs' assessment of damages. Residents who are not ready to check out at their appointment time will be charged a late check-out charge at the discretion of the Residential Life Manager.

Cleaning

All residents are expected to maintain a reasonable level of personal hygiene.

Residents are responsible for keeping their rooms tidy and maintaining a reasonable standard of cleanliness which meets the standard of the Residential Life Manager or nominee. This includes the fridge/freezer and the bathroom in the room. Failure to maintain a reasonable standard of cleanliness will incur a cleaning fee, which will be set at the discretion of the Residential Life Manager or will be set at the actual cost incurred by the University engaging commercial cleaners

Removal of rubbish is the responsibility of the residents. Housekeepers will clean the communal areas of the Hall (corridors, bathrooms, kitchenettes, lounges, and the communal kitchen), provided they are kept tidy.

Any resident who is responsible for damage or stains beyond normal wear and tear will be required to pay the costs of any extra cleaning necessary, whether carried out by staff or outside contractors. Costs range from \$50.00 upwards.

Electrical Appliances

Residents may have televisions, videos, stereos, radios, alarm clocks, computers, and hair dryers in their rooms.

If you bring your own computer, we recommend you use a surge protector.

Electric blankets are permitted, provided they have a current safety certificate issued by a qualified electrician within the last six months.

Residents are not permitted to use or store heaters, irons, toasters, grills, sandwich makers, microwaves (with the exception of the accessible rooms), rice cookers, air fryers, cooking appliances or any other electrical appliance (apart from those listed above) in their rooms. A number of these appliances can result in the fire alarm system being activated and the Fire Service being required to attend. Failure to adhere to this rule can result in a fine of \$295, and/or the amount of any costs associated with the fire alarm being activated. Residents are warned that the cost of Fire Service fines could be over \$1,000.

Fire Evacuation

Selwyn Street Studios are safeguarded by fire extinguishers and smoke alarms, which are connected to a fire protection system, i.e., sirens, in each block.

Halls are required to hold fire drills each year. In the case of a fire or fire drill, the bells or sirens will activate continuously. Residents must comply with the directions given by the Fire Wardens (Hall staff) and proceed outside as quickly as possible. Residents must not re-enter the building until the "all clear" is given by the Fire Service and Fire Warden. Any resident who does not comply with fire regulations or fire evacuation procedures will face disciplinary procedures.

Residents must not misuse smoke alarms, fire signs, fire extinguishers, fire hose reels, fire sirens, fire "break glass" boxes or fire exit doors. If anyone is caught tampering with any of these items, they will face disciplinary action, and/or the cost of repair will be charged to them. Replacement fire signs and replacement "break glass" is charged at replacement cost. Any Resident responsible for a fire alarm being activated through negligence, or unauthorised use of an electrical equipment may face disciplinary action, and/or will be charged for any costs associated with the fire alarm being activated. Residents are warned that the cost of Fire Service fines could be over \$1,000.

Glass

Collections of glass can be a health hazard. Any accumulation of bottles (other than in the glass recycling bins) will be reported to the Residential Life Manager who will decide whether the bottles are to be removed. If bottles are required to be removed a charge of up to \$100.00 will be made against the residents/floor.

Grounds

We take pride in keeping the grounds and gardens at their best. The University ground-staff maintain the lawns, gardens, and trees (some trees have been identified as protected and residents may be asked to take care around them).

Residents can help keep the grounds tidy by placing their glassware, boxes and rubbish in the receptacles provided.

No Hall furnishings are permitted to be used outside unless permitted by the Residential Life Manager.

Keys/Cards

Residents are issued with a set of keys (metal and/or electronic). Residents are responsible for all their keys/cards and must not lend them to anyone. Should a resident misplace their keys/card, or have their keys/card stolen, a replacement set can be obtained from the Hall Office. Residents will be given a period of

time (two weeks maximum) to locate the keys and then charged for the replacement set if the keys are not found.

Replacement keys/cards will be charged at replacement cost.

Residents who request staff to open their locked door on multiple occasions will be charged a \$20 callout fee. The number of free lockouts is set by the Residential Life Manager. At Selwyn Street Studios you are allowed 2 free lockouts for the academic year and will be charged for any lockouts thereafter.

Kitchenettes

Each floor of the Selwyn Street Studios has a kitchenette equipped for residents to prepare hot drinks. Except for blenders, fire regulations prohibit the use of any other electrical equipment in these areas. Residents are not permitted to use or store toasters, grills, sandwich makers, microwaves, rice cookers, air fryers, cooking appliances or any other electrical appliance (apart from those the kitchenette is already equipped with, such as the hot water tap, and microwave) in the kitchenettes. This rule is based upon the instructions of the Fire Service.

Failure to adhere to this rule can result in a fine of \$295.

Kitchenette areas are not to be used for other purposes, such as washing or drying clothes.

Insurance

Residents are responsible for their belongings and the security of their rooms. Residents are advised to take out insurance on personal belongings they bring to the Hall and on bicycles, motorcycles, and cars, even if they are not stored on the premises. The University of Waikato takes no responsibility for any damage to, or the theft of, personal property, bicycles, motorcycles, or cars.

Internet Provision

The University of Waikato provides Halls of Residence students with a free wireless internet connection through a 'best effort' service. The service does place some limits on 'excessive' usage in accordance with the University's internet usage policy for students. This policy also places restrictions on 'inappropriate' content usage. For further information on this matter please see the University ITS policy.

Laundry Facilities

Each Hall has a laundry for residents only, equipped with washing machines, dryers, irons, and ironing boards.

Linen

A bed and mattress protector are provided in all Hall bedrooms. Students can either choose to bring their own linen (Selwyn Street Studios has king single beds in standard rooms and double beds in accessible rooms) or purchase a linen pack (includes duvet inner, pillow, sheet set, duvet cover set and towels).

Lock up

At 10.00pm each evening the Residential staff on duty go through all Hall buildings and ensure the buildings are secure for the evening, that all smoke doors are closed, all visitors have left, and all residents are quiet and settled for the night.

Maintenance

Damage to residents' rooms and around the Hall must be reported to the Hall Office or duty staff as soon as it is discovered. No charge will be made for any damage that is normal wear and tear. Any damage that is considered to have been made deliberately or negligently will be charged to the individual(s) who caused the damage. Any damage charges which remain unpaid to the Hall Office after 10 days will incur a 10% penalty charge and will become an official debt to the University. If such individual(s) cannot be identified, damages will be charged across the entire Hall/Block.

Residents are not permitted to attempt any repairs, maintenance, or renovations. Maintenance staff or contractors are permitted to access residents' rooms to make repairs during normal Office hours. In urgent situations or emergencies this could be at any time.

Missing Items

The cost of any Hall items missing from a resident's room or flat will be charged to the resident(s) concerned. The cost of any items missing from other areas of the Hall will be charged to the individual(s) responsible. If individual(s) cannot be identified, costs will be charged across the entire Hall.

Narcotics and Drugs

Residents are not permitted to sell, use, or bring any illegal drugs or drug paraphernalia into any of the University of Waikato Halls of Residence or on to the University Grounds. Any breach of this may result in a termination of residency and referral to the police.

Noise

Residents and their guests must not:

- Make any noise that disturbs other residents or neighbours at any time. Excessive noise will result in disciplinary action, which may include instant fines or community service, and/or confiscation of sound equipment for a period (see stereos and boomboxes).
- Make any noise that violates the noise ban during examinations or study breaks

Noise and Alcohol Ban

A noise and alcohol ban starts on Monday of the last week of semester lectures and continues until the end of the exam period. Noise violations or consumption of alcohol during this time will result in an instant \$10 - \$40 fine depending on the extent of any noise and the time at which it was made. No warnings will be given during the ban. Repeated or excessive noise occurrences will result in further disciplinary action.

Out of Bounds

The boiler rooms, service rooms, and all roof tops, ledges and balconies of all buildings are always out of bounds to residents and guests.

Parties

No parties are permitted in the Halls of Residence at any time.

Pets

Pets are not permitted in residents' rooms or within the Hall residential buildings.

Privacy

In accordance with the Privacy Act, 2020 s22 Principle 11(1)(f)(ii), the University may share private information, in confidence, with relevant University staff, emergency services and a resident's emergency contact when essential to prevent or lessen "serious harm" to an individual or another individual residing in any of its Halls of Residences owned by the University, or operated on its behalf. This is compliant with the University's duty of care obligations under the Pastoral Care of Tertiary and International Learners Code of Practice 2021.

Room Changes

A student may be required to change room due to maintenance or refurbishment.

A student may also request to change room / block during their stay at the discretion of the Residential Life Manager. If approval is given, then a \$100.00 room change fee will be charged.

Residents' Rooms

Residents are expected to accept full responsibility for their allocated room and its contents. Residents must not use stickers, Sellotape, adhesive or drawing pins on the walls or woodwork. The furniture in a resident's room must not be removed from the room. Bedding must not be removed from the room. Rooms must be kept tidy to a reasonable standard or left in a state not hazardous to Housekeeping staff.

The Residential Life Manager reserves the right to relocate Hall residents at any time during the year, at his/her discretion.

Rubbish

Residents are responsible for disposing of their own rubbish, including recyclables, in the respective bins provided. Any resident who has more than a rubbish bin load of waste, or glass waste, must take it to the Hall waste bin and/or recycling bins. If rubbish is required to be removed from a resident's room a charge of \$100.00 will be added to their accommodation account.

Security

Residents must:

- Provide their own insurance for belongings and record the serial number(s) of any electronic items.
- Ensure the door to their allocated room is always locked when vacant.
- Ensure the access doors to their accommodation building is always locked.
- Assist the Residential Leader by reporting anybody or anything suspicious.
- Challenge any strangers in the blocks and offer to accompany them to their destination (if they judge it is safe to do so).
- Report any theft or crime immediately to the Hall Office or duty staff.

Residents must not:

- Wedge any doors open to prevent them from being locked.
- Tamper with, or disconnect, any door closers, or fire alarm.
- Lend their keys to anyone.

Campus Security is available 24 hours a day by calling 022 013 0840 to deal with difficulties or safety issues which might arise on campus.

Smoking (including vaping)

The University of Waikato is a "Smoke and Vape Free" campus which means that no smoking and/or vaping is permitted in the buildings or on the grounds at any time, this includes smoking and/or vaping in a vehicle parked on university grounds. For the means of definition of the term "smoking" the University's Smoke Free policy defines "smoking" as "the inhalation of smoke or vapour produced by any ignited plant product, electronic nicotine delivery system, electronic cigarette (e-cigarette) or personal vaporiser (vaping), whether delivering nicotine or not".

In addition to any other action the University may take, if you smoke inside your room or in any other area in the Halls buildings you will be fined a \$300.00 penalty and cleaning charge.

Stereos and Boomboxes

Residents are permitted to bring stereos and/or boombox into the Hall but must bring a set of headphones with them. If any resident's stereo or boombox causes continual noise difficulties within the Hall, they will be dealt with under the Hall disciplinary proceedings. Under the Noise Policy, no resident should "make any noise that disturbs other residents or neighbours at any time." Any resident who's stereo or boombox is continually disrupting others or is noisy will be confiscated by the Residential Life Manager for a period pending a decision to determine whether the offending equipment should be removed from the Halls.

Visitors

No visitors under the age of 16 years will be permitted in the Halls after 5:30 pm and must be accompanied by a parent or guardian.

Visitors to the Hall includes any person who is not a resident of that Hall.

Visitors must be registered following the Halls visitor registration process. Residents are required to complete the Guest Registration google form for all their guests to the Halls.

All visitors to a Hall are at the discretion of the Residential Life Manager. Each guest must be registered with the Hall office Monday -Friday and with the Duty RL at weekends.

Between 6.00pm – 10.00pm a resident may have up to two visitors, who must be registered at the office, for whom they are fully responsible for their visitors' behaviour. Residents must not allow their visitors to invade

the privacy and security of other residents or breach the Rules and Regulations. Visitors are only permitted until 10.00pm every night.

Visitors Staying Overnight

Residents' guests are allowed to stay in the Hall at the discretion of the Residential Life Manager. A resident is only allowed 2 overnight visitor stays per Trimester. A casual-stay fee will be charged to the Hall Resident set by the Accommodation Office. Overnight guests must be registered with the Hall office Monday – Friday by 5pm and with the Duty RL at weekends by 6pm. Overstayers will be trespassed, and any fees payable will be the responsibility of the resident. During the period when the Noise and Alcohol Ban is in force no visitors will be permitted to stay overnight.

Weapons and explosives

Residents may not bring any weapons and/or explosives into the Halls. This includes replica guns, BB guns, swords, replica swords, martial arts weapons, hunting, and ceremonial knives. Residents may not bring or use explosive devices or fireworks around the Hall.

Wellbeing Checks and Room Entry

Staff members will only enter a resident's room, without permission, to carry out pastoral care responsibilities and/or to prevent serious harm and/or to ensure student wellbeing. Staff will perform wellness checks, manage health and safety and enforce house rules relating to noise or prevent any illegal act affecting the wellbeing of any individual or other(s) in the Hall community, pursuant to the purposes of Part 5:27, Process 4(1)(c) of the Pastoral Care of Tertiary and International Learners Code of Practice 2021.

Staff may also enter your room to carry out maintenance or repair work. Staff will always knock on your door several times and announce that they are Hall staff. If no answer is given, they will then enter your room to carry out the work required. Staff will always lock your bedroom door when they leave your room.

Section 2 - Disciplinary Procedures

Order and Discipline – Halls Rules and Regulations

The Associate Director Student Accommodation has delegated the authority for day-to-day order and discipline in University of Waikato Student accommodation to the Residential Life Managers (or equivalent).

More serious or repeated breaches will be referred to the Associate Director Student Accommodation or the Director of Student Services and Pastoral Care.

All Halls of Residence students are also required to adhere to all University of Waikato policies and regulations including Code of Student Conduct.

Breaches of the Rules and Regulations will result in disciplinary procedures. Breaches include, but are not limited to, if a resident:

1. Harasses or discriminates against others
2. Threatens to harm, or harms, anyone
3. Vandalises or damages or fails to respect the property of any resident or Hall property
4. Causes major disruption to other residents of the Hall

5. Misuses or tampers with signs, fire extinguishers, fire hose reels, fire “break glass,” sirens or fire doors or smoke detectors
6. Tampers with, or disconnects, any door closers
7. Makes any noise which disturbs residents or neighbours at any time
8. Makes any noise which violates the noise ban during examination and study periods.
9. Fails to take responsibility for guests or has more than two guests between 6.00 – 10.00pm
10. Has a guest staying without approval of the Residential Life Manager
11. Throws any object in the Dining Room or out a Hall window
12. Plays sport in any of the buildings of the Hall
13. Uses alcohol excessively or irresponsibly
14. Consumes alcohol outside of a bedroom in the fully catered residences, or outside of a self-catered flat
15. Possesses any alcohol that is not permitted to be consumed in the Halls
16. Supplies alcohol to any resident or visitor who is under 18 years of age
17. Conducts or is present at a party anywhere in the Halls
18. Behaves in a manner, possesses games, apparatus, or product, or engages in any activity that encourages unsafe drinking practices
19. Consumes alcohol or is in possession of an open alcohol vessel outside of 6.00pm-10.00pm
20. Possesses or uses any weapon or explosives
21. Possesses, uses, or supplies any narcotic or drug that is illegal
22. Tampers with any other resident’s mail
23. Accumulates an unacceptable amount of glass
24. Obstructs staff or repeatedly fails to comply with a reasonable request issued by staff
25. Exhibits any other behaviour that warrants intervention
26. Is in possession of any Halls or other personal, public, or private property without express permission
27. Posts inappropriate or offensive material on social media
28. Breaches the University of Waikato Code of Student Conduct
29. Breaches any University of Waikato regulations.

Disciplinary Process for breaches of the Halls Rules and Regulations

Residential Life Managers have the authority to address day-to-day breaches of the Halls Rules and Regulations. The Residential Life Manager will communicate the alleged breach to the student and provide them with the opportunity to respond to the allegation. If necessary, a meeting will be held. The Residential Life Manager will consider the evidence before them and make a decision about whether the Halls Rules and Regulations have been breached.

Where the alleged breach is more serious, or on the initiative of the Residential Life Manager, it will be escalated to the Associate Director Student Accommodation. The Associate Director Student Accommodation (or their delegate) may follow the summary jurisdiction process as outlined below.

Penalties may include suspension of residency, termination of residency, fines, behavioural contracts, being asked to make an apology, transfer between Halls, being asked to perform one or more tasks around the Halls, i.e. community service, or any other penalty appropriate to the breach.

Complaints about Student Misconduct

Misconduct is defined in s5 of the Student Discipline Regulations.

The Student Discipline Regulations authorise Halls to investigate and resolve complaints of student misconduct in University of Waikato student accommodation. The process of this is outlined in s13 of the Student Discipline Regulations. Students may make a complaint of misconduct to the Director of Student Services and Pastoral Care, the Associate Director Student Accommodation, or to the Residential Life Manager (or equivalent).

Where the Director of Student Services of Pastoral Care receives a complaint of misconduct, they may offer summary jurisdiction to the student or refer the matter to the Student Discipline Committee.

Where the Associate Director Student Accommodation receives a complaint of misconduct, they may offer summary jurisdiction, refer the matter to the Director of Student Services and Pastoral Care, or refer the matter to the Student Discipline Committee.

Where the Residential Life Manager (or equivalent) receives a complaint of misconduct, they may offer summary jurisdiction, refer the matter to the Associate Director of Student Services and Pastoral Care or to the Associate Director Student Accommodation, or refer the matter to the Student Discipline Committee.

If summary jurisdiction is offered, the student may choose to accept the offer of summary jurisdiction or have the matter referred to the Student Discipline Committee.

Where the offer of summary jurisdiction is accepted, the summary jurisdiction procedures set out under s 24 of the Student Discipline Regulations must be followed.

Summary Jurisdiction

Summary jurisdiction is a process for dealing with a complaint of misconduct, where a designated person has authority, individually, to obtain and hear evidence, arrive at a judgment and, within the terms of that authority as defined in the Student Discipline Regulations, impose a penalty.

A summary jurisdiction hearing is where the authority (in this case, either the Residential Life Manager, Associate Director Student Accommodation, or the Director of Student Services and Pastoral Care) hears and decides a case by themselves. The authority will discuss the allegations with the student and consider the evidence provided by all parties. Following the meeting, they will make a decision regarding:

- (a) Whether the student has committed misconduct as defined in the Student Discipline Regulations; and
- (b) If so, what, if any, outcomes will be applied. The available outcomes are listed in s 24(6) of the [Student Discipline Regulations](#).

A student who accepts summary jurisdiction may provide a written response to the complaint. The complainant and the student must be given the opportunity to appear and give evidence at the summary jurisdiction meeting, they may be required to attend at the authority's discretion, and they may be accompanied by any other person to act as an advisor or support person, subject to any conditions that the authority may impose.

The authority will determine whether the student has committed misconduct on the evidence provided by the complainant and the student, and any other evidence that they may seek or accept at their discretion, provided that this evidence is disclosed to the student and they are given the opportunity to comment on it.

The authority may decide at any time to take no further action on a complaint of misconduct if, in their judgement, the evidence provided by the complainant is insufficient, the subject matter of the complaint is trivial, the complaint is frivolous, vexatious, or not made in good faith, or it falls outside the scope of the Student Discipline Regulations.

Appeals

Any disciplinary outcome imposed by a Residential Life Manager, the Associate Director Student Accommodation or the Director of Student Services and Pastoral Care may be appealed.

An appeal may be made only on one or more of the following grounds:

- a. That the process used for addressing the alleged misconduct was unfair
- b. That the decision reached was manifestly at odds with the evidence
- c. That the remedy imposed was manifestly at odds with the misconduct

- d. That significant new evidence has become available that could not reasonably have been obtained and presented during the initial process and that could have a material effect on the outcome.

An appeal must be in writing and made within 14 days of the date on which the relevant decision was formally notified.

If the appeal is in relation to a decision made by a Residential Life Manager or the Associate Director Student Accommodation, then it must be submitted in writing to the Director of Student Services and Pastoral Care. See s 29 of the [Student Discipline Regulations](#).

If the appeal is in relation to a decision made by the Director of Student Services and Pastoral Care, then it must be submitted in writing to the Chairperson of the Student Discipline Committee, together with the prescribed fee. See s 30 of the [Student Discipline Regulations](#).

If a student believes that there has been a breach of the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021, then they may make a formal complaint to the University.

Please also see the 'Making a Complaint or Appealing a Decision' section in the Residential Agreement document.

Section 3 - Changes to Halls of Residence Rules and Regulations

The University of Waikato reserves the right to amend or add changes to the University of Waikato Halls of Residence Rules and Regulations at the end of each calendar year.

In exceptional circumstances, if the Director of Student Services and Pastoral Care deemed it necessary to amend or add to the University of Waikato Halls of Residence Rules and Regulations throughout the calendar year, then notification of the change(s) would be sent to all Hall residents detailing the change and explaining the rationale for the update.

Section 4 – Grounds for Terminating Residence

The Accommodation Contract **may** be terminated with the approval of the Associate Director, Student Accommodation (or the Associate Director Student Accommodation's nominee) under the following conditions:

1. Withdrawal from University

Proof of withdrawal is required.

2. Finding a suitable replacement resident

The replacement student must not already have a place in a University of Waikato Halls of Residence. The Residential Life Manager must approve the replacement resident.

3. Compassionate or discretionary grounds beyond the resident's control

Residents must apply to the Residential Life Manager to terminate their Resident's Contract. The reason for wanting to terminate will be kept strictly confidential. Compassionate or discretionary grounds must be extraordinary and not within a resident's control.

It is expected, where reasonable and practicable, that a resident will have utilised the appropriate support services prior to applying for termination of their accommodation contract on compassionate grounds. Evidence of this process may be requested as a component of the application outcome decision. By submitting a termination request under condition 3, consent is given to the Accommodation Office to liaise with support services around any additional care plans and follow up appointments. The information gathered will only be limited to ascertaining whether Accommodation Services are able to further support the resident.

Decisions and Costs

The decision to terminate the Resident's Contract is given by the Associate Director Student Accommodation (or the Associate Director Student Accommodation's nominee) with the support of the Residential Life Manager.

If approval is given to terminate the Resident's Contract, the resident must pay or make an agreement to pay with the Accommodation Services Office, the balance of their outstanding accommodation fees before vacating the Hall. In most situations four weeks' notice will be required. Any resident whose contract is terminated must return their keys to the Hall Office or they will be charged for re-keying.

In all cases the contingency deposit, the Halls' Association fee and any other optional extras **will not** be refunded.

Section 5 – Change to Term on Contract (50-week residents only)

Residents may change their contract term from 50 weeks to 37 weeks within the first 4 weeks of the contract commencement date.

Changes after this date require a resident to apply to change the contract durations by completing a 'Change of Contract' form and supply supporting document if required.

The decision to change the contract term is given by the Associate Director Student Accommodation (or the Associate Director Student Accommodation's nominee) with the support of the Residential Life Manager.