



Resident Behaviour Procedure & Guidelines

Version: 1st

Responsible To: Head of College & CEO – John XXIII College

Pertains To: Residents (Accommodation Agreement Holder) – John XXIII College

Supported By: Deputy Head of College – John XXIII College
Staff – John XXIII College
Collegiate Team – John XXIII College

Monitored By: Head of College & CEO – John XXIII College

Procedure

1. When there is a case of misconduct or inappropriate behaviour that contravenes a College Policy, whether at College or off-site, the College will intervene at one of 3 levels.
2. A Resident may seek a review of any decisions made by the Deputy Head of College under this policy by writing to the Head of College – this is Level 4 of this policy.
3. The Head of College has also delegated authority to:
 - a. The Business Manager to issue fines relating to problems relating to the Resident's Accommodation Agreement, room issues and with collecting fees.
 - b. The Operations Manager to issue fines, reprimand or allocate community service to Residents misbehaving in their area of responsibility.
 - c. Dean of Residents: Student Life & Academics (Dean) / Night Porter / Senior Residents (SRs) and Academic Advisors (AAs) to assist them to maintain discipline in the College during the absence of the Head of College and Deputy Head of College at night, on weekends or at College organised events.
 - i) The Dean may impose the following penalties:
 - a reprimand;
 - a fine of \$50 or less;
 - recommend a fine to a maximum value of \$100;
 - recommend a restitution payment for damages to Resident property;
 - up to 1 hour of community service;
 - tasks relevant to the misconduct – e.g. cleaning up.
 - ii) The Night Porter and SR may impose the following penalties:
 - a reprimand;
 - a fine of \$20 or less.
 - iii) The AAs take on the delegated authority given to the SRs during Exam curfew and Exam time.

Level 1 Intervention

1. Any Resident may request any other Resident/s to stop or modify behaviour that is intrusive, offensive or in breach of the College's Policies and Guidelines.
2. Thereafter, the Dean of Residents: Student Life & Academics (Dean) and the Duty Officer should be advised of the outcome of the request, who will report it to the Deputy Head of College.

Level 2 Intervention

1. When a Level 1 request has not been successful, or when the matter is sensitive or complex, a Resident may approach a Dean of Residents: Student Life & Academics (Dean) or Senior Resident (SR), or where appropriate the Night Porter to assist in finding a solution.



Resident Behaviour Procedure & Guidelines

Version: 1st

2. Dean and SRs have been delegated authority by the Head of College to monitor and enforce policies regarding Resident behaviours, subject to the four points noted below:
 - a. Within 24 hours of a significant incident, an Incident Report written by the Dean or the Duty Officer/SR will be lodged with the Deputy Head of College;
 - b. These incidents may also be resolved through the SR's guidance and negotiation with the Resident without Deans' input;
 - c. Residents who are the subject of Level 2 interventions that require a Sanction, will receive written notification from the Dean or Deputy Head of College or delegate of the incident and the Sanction the Dean regards as appropriate;
NB.
 - The Deputy Head of College is to be advised in writing by the Dean of the Level 2 Intervention, the Resident involved and the Sanction.
 - The Deputy Head of College will make a note of the sanction and reason for it, on the Resident's file.
 - d. Serious and/or repeat behaviour will result in the matter being processed at Level 3.
3. The Operations Manager has been delegated authority by the Head of College to monitor and enforce policies regarding Resident behaviours, subject to the four points noted below:
 - a. Within 24 hours of a significant incident, an Incident Report written by the Operations Manager will be lodged with the Deputy Head of College;
 - b. These incidents may be resolved through the Operations Manager's guidance and negotiation;
 - c. Residents who are the subject of Level 2 interventions that require a Sanction, will receive written notification from the Operations Manager of the incident and the sanction the Operations Manager regards as appropriate;
NB.
 - The Deputy Head of College is to be advised in writing by the Operations Manager of the Level 2 Intervention, the Resident involved and the sanction.
 - The Deputy Head of College will make a note of the sanction and reason for it on the Resident's file.
 - d. Serious and/or repeat behaviour will result in the matter being processed at Level 3.

Level 3 Intervention

1. When a Resident's conduct is referred to the Deputy Head of College, whether after Level 1 and/or 2 or otherwise:
 - a. The Resident will be required to reconcile their conduct with the College's Policies and Guidelines.
 - b. The Deputy Head of College will consider the facts presented by the Dean of Residents: Student Life & Academics (Dean) or the Senior Residents (SRs), and the facts as presented by the Resident.
 - c. The Deputy Head of College may interview witnesses and will make their decision upon the supplied evidence.
2. Where the Deputy Head of College forms the view that the Resident's conduct is irreconcilable with the College's Policies and Guidelines, the Deputy Head of College may impose one of or some of the Financial and Non-Financial Sanctions, listed in Appendix 2 and 3.



Resident Behaviour Procedure & Guidelines

Version: 1st

Level 4 Appeal

1. Any Resident who has received a Sanction after intervention at Level 1 and 2 may appeal in writing to the Deputy Head of College within 72 hours of being notified in writing of the Sanction.
NB.
However, the Resident must serve the Sanction from the time of receiving the Sanction until they learn the result of the appeal.
2. Any Resident who has received a Sanction after intervention at Level 3 may appeal in writing to the Head of College within 72 hours of being notified in writing of the Sanction.
NB.
The Resident must either:
 - a. Serve the Sanction from the time of receiving the Sanction until they learn the result of the appeal, or
 - b. Appeal to the Head of College for the sanction to be deferred until they learn the result of the appeal.
3. The result of the appeal will determine whether:
 - a. The Resident resumes serving the Sanction, or
 - b. Receives no Sanction, or
 - c. Receives a different Sanction.
4. Appeals will be entertained on the grounds of lack of due process or severity. The Resident must indicate and explain the reasons for their appeal.
 - a. Which part of the process was not correctly carried out, and / or
 - b. The grounds on which the Resident believes that the penalty was too severe.
5. After dealing with the appeal, the Appeal's Officer (Head of College or Deputy Head of College) will notify the Resident of one of the following results, within 72 hours:
 - a. Successful appeals will result in Residents being relieved of some or all of a Sanction;
 - b. Unsuccessful appeals will result in the Sanction being upheld or increased;
 - c. Sanctions that are increased at appeal or which remain unchanged cannot be appealed again.
6. After an appeal reaches the Deputy Head of College or Head of College level there is no further avenue of appeal.

Reporting to ANU

1. The Head of College is responsible for reporting misconduct / behavioural issues to ANU. These reports are to be sent to the DVC (A) in writing. In these cases, the following process will occur:
 - a. When an incident occurs that could lead to a Resident being suspended, the College is to report the incident and the College's anticipated response to ANU.
 - b. After the incident is resolved the College is to report the outcome to ANU and inform the University of the names of any Residents excluded from the College.
2. The Head of College is responsible for reporting misconduct / behavioural issues to ANU. These reports are to be sent to the Deputy Vice Chancellor (DVC (A)) in writing. In these cases, the following process will occur:
 - a. The College will provide reports to the Deputy Vice Chancellor regarding standards of Resident Behaviour as, may be required by the Deputy Vice Chancellor from time to time.



Resident Behaviour Procedure & Guidelines

Version: 1st

- b. When an incident occurs or an allegation is made that could lead to a Resident being suspended or otherwise removed from the College, the College will report the incident in confidence to the DVC(A) and include a statement of the College's anticipated response.
- c. After the allegation is resolved the College will report the outcome to the DVC (A).
- d. The College will inform the University of the names of any Residents excluded from the College for a breach of the Resident Behavioural Policy.

Appendix 1: Noise Policy The College Requirements

1. During the day noise from conversations, computers, sound systems, radios, TV sets and musical instruments should be kept at an acceptable level.
2. The Residential area is not the appropriate place for parties. The Junior Common Room (JCR) is where students can meet in groups.
3. The Quiet Time starts at 10.30pm each evening and goes through to 7.00am, and noise infringements during this period will be viewed seriously.
 - a. What is expected
When standing outside a Resident's door after 10:30pm, no noise emanating inside that room should be audible in the corridors, and no noise emanating in the corridors should be audible in that room.
 - b. What is not Acceptable
Amplified music, loud televisions, shouting, conversations outside other Residents' rooms, musical instruments, returning to College late at night and speaking loudly in the corridors are all examples of behaviours that could impact upon the quiet enjoyment of other Residents.
 - c. To achieve this Residents need to:
 - i) Be considerate to the needs of others,
 - ii) Residents who wish to listen to music and movies in their rooms should use headphones,
 - iii) The use of washing machines after 10pm and before 8am is prohibited,
 - iv) Keep noise to a minimum when windows are open,
 - v) Group conversations in corridors or courtyards should be restricted,
 - vi) Any gatherings, parties should be in the JCR at this time,
 - vii) Residents returning to College late at night need to avoid disturbing other Residents who are trying to sleep.

Procedure – Dealing with Noise Issues

Step 1

The initial response to a noise issue is a Level 1 request. This is where the Residents affected by the noise of another Resident, approaches the Resident causing the noise and ask that Resident to stop making noise, lower the noise or move to the JCR.

- Do not be confrontational, politely request that they curb their noise.

Step 2

If Step 1 is unsuccessful because

- a. the person/s are not a Resident,
- b. you are unable to talk to them,



Resident Behaviour Procedure & Guidelines

Version: 1st

- c. it is an ongoing issue, or
- d. they ignore your request,

then the Resident should call the Senior Resident (SR) on duty or speak to their corridor SR. It is the SR's role to deal with the issue and note the noise complaint.

Step 3

When the problem continues the Resident should take the complaint to the Deputy Head of College.

Procedure – Absolute Quiet Time

1. Absolute Quiet Time (AQT) is the period of quiet time in the whole College when there are exams happening at the university. This is a time when the College requires all Residents to be particularly sensitive to the need for quiet and for productive study time throughout the College. All Residents need to be quieter around the College than usual, so that the other Residents can study for their exams.
2. There are two AQTs each semester:
 - a. For the mid semester exams – this period starts the day before the first exam and finishes when the last exam is completed.
 - b. For the end of semester exams – this period starts a week before the exams start and continues throughout the entire exam period.
3. AQT is non-negotiable and any Resident who makes noise at this time will be processed at Level 3.

Consequences

1. Residents who breach Quiet Time or Absolute Quiet Time will be dealt with under the Resident Behaviour Policy.
2. If an ongoing pattern of disruption is identified by the Deputy Head of College (DHOC), then the DHOC will act and upgrade the level of the offence.

Appendix 2: Non-Financial Sanctions

Introduction

1. For the actions that are either misconduct or inappropriate behaviour, a Resident may receive a sanction.
 - a. In general, warnings will be issued prior to the implementation of one or more sanctions.
 - b. Repeat offences will result in more severe penalties being imposed and in some cases, counselling for the Resident may be required to remain in College.
 - c. If an SR or AA breaches these Rules and Regulations, they will receive a sanction and / or have their appointment terminated.
 - d. The severity of an incident and the individual circumstances will be taken into account when considering a sanction, in which case the suggested sanction may be increased or decreased.
2. If the behaviour caused damage to the College, its property or the property of another Resident or their guest, then in addition to one or more sanctions, the Resident will be required to pay for the damages. When paying damages, the total cost that will be charged will include:
 - a. The costs associated with any false alarms.
 - b. Cleaning costs which will be charged to the Resident on a cost recovery basis.
 - c. The cost of all labour involved in doing the repairs or replacement of the damaged property, and
 - d. The cost of returning the damaged property to a "as new" state. In many cases this will involve replacing the damaged items.



Resident Behaviour Procedure & Guidelines

Version: 1st

NB.

It is not sufficient for the Resident to pay for the repairs that simply restore College property and Residents' property to a workable but damaged state – they must pay for a new replacement.

The Non-Financial Sanctions

The College may apply one or more of the following Non-Financial Sanctions in response to misbehaviour by a Resident. These sanctions may be imposed with or without any Financial Sanctions or payments for damages.

1. Meetings

Meetings with individual Residents may be done either formally or informally.

- a. A Formal Meeting is a discussion followed by written advice about what behaviour was unacceptable, what behaviour is expected and the consequences of repeating the unacceptable behaviour,
- b. An Informal Meeting is a discussion, similar to (a) above but it is not followed by a detailed written advice.

NB.

A written record of the informal meeting may still be recorded on the Resident's record.

General advice can also be given to all of the College Residents through the All College meetings, College-wide emails, posting on PelicanNet, at formal dinners or as advice provided verbally from Dean of Residents: Student Life & Academics (Dean) and SRs.

NB.

The content of these briefings will be deemed to have been communicated to all College members.

2. College Functions

This is where a Resident loses the privilege of enjoying one or more upcoming College Functions. A College Function is defined as an approved College / RA / SR organised event.

The loss of privilege may involve:

- a. The Resident being banned from attendance at the College Function(s), or
- b. Requiring a Resident to withdraw from the College Function at a specified time(s) to meet with the Head of College or Deputy Head of College or their delegate to demonstrate appropriate conduct and condition.

3. Community Service

Community service involves the Resident doing tasks:

- a. Around the College, or
- b. At a site away from the College.

like general cleaning, gardening, sweeping outdoor areas, assisting in the re-setting of the dining room/alfresco area for the next meal service or cleaning up after a meal time.

Community service is performed in instalments of individual hours.

This is often used when a Resident has conducted themselves in a way that causes inconvenience to other Residents or the operation of the College.

4. Suspension from Facilities and Common Rooms



Resident Behaviour Procedure & Guidelines

Version: 1st

Suspension from Facilities and Common Rooms is the banning of a Resident from attending some of or all of these College Facilities and Common Rooms for a specified period.

NB.

- This may include those days that a College, SR or RA event is scheduled for those rooms or re-scheduled to those rooms from elsewhere.
- The Resident will receive no refund of that portion of their fees that are allocated to their use of those facilities / common rooms for the period of their suspension from those rooms.

This is often used when a Resident conducts themselves inappropriately in any of the College's rooms or at the Tavern.

5. Suspension from Dining Room & Alfresco Dining Area / Loss of Take-Away Meal Service

This type of suspension involves losing:

- a. The privilege of being able to attend the Dining Room and Alfresco Dining Area for nominated meals or specified times within the normal meal times, and / or
- b. The privilege to order take-away meals from the kitchen for a specified time.

NB.

There is no refund given for those meals that the Resident is required to miss, due to this sanction.

This is often used when a Resident conducts themselves in the Dining Room or Alfresco Dining Area in a way that is offensive to the norms and conventions of dining or when a Resident repeatedly fails to pick up a pre-ordered take away meal.

NB.

Residents are entitled to eat their meals and share all of the College's dining facilities with people who are conducting themselves appropriately.

6. Behavioural Probation

Behavioural Probation is a Formal Warning with a consequence for a further breach of the College's Policies and Guidelines. It specifically advises a Resident that subsequent Interventions will lead to suspension or exclusion from College.

- a. The period of Probation may vary from a minimum of one term to a maximum of 1 year at the discretion of the Head of College.
- b. Subsequent issues requiring an intervention do not need to be the same or similar to the original incident.

A Resident on Behavioural Probation at the end of a year will have their record reviewed and will either have:

- a. The Behavioural Probation removed, or
- b. The Behavioural Probation continued. In these cases, they will:
 - i) Be placed on reduced priority for return to the College in the coming year, or
 - ii) Not invited back in the coming year.

7. Suspension from College

Suspension involves the Resident being asked to leave the College for a specified period of time.

During this time, the suspended Resident may:

- Not enter the College grounds,
Exception:



Resident Behaviour Procedure & Guidelines

Version: 1st

They may only go to the College Office for the purpose of collecting mail.

- Not participate in College / RA / SR events being held at the College,
- Only participate in the College's off-site activities, including sporting, religious, cultural and social activities at the invitation of the Head of College,
- Only return to College subject to those conditions imposed by the Head or Deputy Head of College.

The suspended Resident:

- a. Must hand in their room keys before departing for their suspension.
- b. Must inform the Head of College where they will be staying during their period of suspension
- c. Will still be charged for their room during the period of suspension because their room is still reserved for the Resident and all fees associated with the room will continue to accrue on the Resident's account.

8. Exclusion from College

Exclusion means the Resident must pack up all of their belongings and depart from the College permanently. NB.

Contractual forfeitures attach to excluded Residents' fee statements, as do charges that accrue for rooms that remain unfilled after the excluded Resident has departed.

Excluded Residents may NOT:

- a. Return to College without the specific approval of the Head of College.
- b. Return to the College as a guest without the specific approval of the Head of College.
- c. Participate in the College's on-site and off-site activities, including sporting, religious, cultural and social activities without the specific approval of the Head of College.

9. Any other appropriate sanction deemed suitable by the Deputy Head of College

10. Additional Notes

a. When deciding on the appropriate sanction the College will consider:

- i) The actual offence,
- ii) The impact of the offence,
- iii) The circumstances around the offence.

b. Examples of Actual Offences that may lead to Suspension or Expulsion

NB.

These lists are not a comprehensive list of offences and they are to be used as a guide.

i) WHS Breaches

- Tampering with fire or security equipment or detectors,
- Deliberately triggering a false alarm or misbehaviour that triggers a false alarm,
- Cooking, lighting fires, smoking or burning substances or candles anywhere in the residences,
- Standing on/walking on/being on exterior window ledges or College roof,
- Other serious breaches.

ii) Unacceptable Conduct

- Criminal Activity;
- Sexual Assault or Sexual Harassment;
- Physical assault;



Resident Behaviour Procedure & Guidelines

Version: 1st

- Harassment, bullying, hazing, discrimination, racial prejudice or intimidation;
 - Selling, supplying or using illegal or non-prescription drugs;
 - Theft, wilful damage or vandalism of College property or the property of a Resident;
 - Using electronic media, social media or phones to harass Residents or staff;
 - Disobeying specific instructions from the Head of College, Deputy Head of College, Operations Manager and Business Manager;
 - Misuse of Power by Residents in positions of authority – especially with Residents under the influence of alcohol or Residents under the age of 18;
 - Use of keys to make an unauthorised entry into a Resident's room or College room;
 - Use of force to make an unauthorised entry into a Resident's room or College room;
 - Turfing or trashing a Resident's room;
 - Possession of weapons or offensive implements;
 - Invasions of and misbehaviour at other Halls or Colleges;
 - Organising an unauthorised Resident event;
 - Running a Resident event in contradiction to the approved conditions for the event;
 - Organising drinking games;
 - Accessing another Resident's computer account, data files or social media account;
 - Supplying alcohol to a minor at College or at a College/RA event
 - Disorderly conduct associated with alcohol;
 - Providing false information to the College, including on enrolment or during a disciplinary investigation.
- iii) Academic Misconduct
- Stealing and copying work from an assignment of another student
- iv) Other Misconduct
- Repeated offences
 - Infringements of Serious Offences that may lead to a fine.

Appendix 3: Financial Sanctions

Introduction

Financial Sanctions are deterrents that assist the College in the elimination of specific individual behaviours. Financial Sanctions are punitive and are payable in addition to the costs involved that relate to cleaning as well as to all the damages they create.

NB.

Please note that certain misconduct behaviours will attract both a Financial Sanction and a Non-Financial Sanction, up to and including exclusion from College.

Financial Sanctions fall into three categories:

- a. Serious - \$105 to \$200
- b. Intermediate - \$55 to \$104
- c. Minor – up to \$54

The actual fine is decided or approved by the Deputy Head of College or other designated authority and depends on the circumstances associated with the misconduct and its impact. Based on the misconduct, impact and circumstances the Deputy Head of College may decide to:

- a. Issue one sanction or a combination of sanctions.
- b. Issue a fine within the range for a given offence.



Resident Behaviour Procedure & Guidelines

Version: 1st

- c. Upgrade or down grade the suggested sanction to suit the circumstances.
E.g.
 - Downgrade a suspension to a fine.
 - Upgrade a fine to a higher category of fine or to a suspension.

Financial Sanctions are to be paid through the Front Office within seven business days of the Resident receiving written advice of the Sanction. A receipt will be issued at the point of payment. Where payments are not received within seven days, may result in a non-refundable late payment fees and other additional fees may accrue on the Residents' accounts.

Residents who have outstanding fines or damage bills on their accounts:

- a. Are not permitted to attend any College Functions or Formal Dinners.
- b. At the end of the Residential Contract will have their ANU results withheld and risk their profiles being forwarded to debt collecting agencies.

Examples of the Level of Different Offences and their Suggested Financial Sanctions

NB.

These lists are not a comprehensive list of offences and they are to be used as a guide.

Serious Offences

- a. Unacceptable conduct
 - Offensive verbal or written comments or postings;
 - Physical fights;
 - Participating in drinking games;
 - Inappropriate/unhygienic pranks;
 - Disturbing/altering the usual order of another Resident's room;
 - Tampering with or misusing College property;
 - Bringing alcohol or a keg into a College or into to third party event's supply-controlled area;
 - Disguising/obscuring one's identity to carry out any misconduct;
 - Misuse or non-return of College, master or SR keys;
 - Unauthorised access of another Resident's room;
 - Inappropriate and unauthorised use of College facilities and resources;
 - Inappropriate and unauthorised use of another student's property or computer resources;
 - Inappropriate behaviour and / or actions towards a staff member.
- b. Reckless/negligent conduct
 - Endangering or threatening the wellbeing of a Resident or others;
 - Causing property damage/loss;
 - Causing pest infestations.
- c. WH&S Breaches
 - Not evacuating during a Fire Drill;
 - Creating a Fire Risk in the College by using untagged electrical equipment;
 - Using a banned electrical item in their room such as double adaptors, electric blankets or radiators;
 - Other WH&S offences.
- d. Academic Misconduct
 - Obtaining a copy of an assignment of another student and using information from it.



Resident Behaviour Procedure & Guidelines

Version: 1st

e. Other Misconduct

- Bringing the College and / or its staff into disrepute;
- Unauthorised use of College name, logo or other branding materials;
- Inappropriate or unauthorised advertising.

Intermediate Offences

a. Unacceptable conduct

- Disrespect or lack of consideration for staff, Dean, SRs and AAs;
- Failure to comply with College staff/contractor's directive (a 'directive' is an instruction from College staff/contractor that is concerned with Residents' safety and Residents' compliance with College regulatory policies);
- Failure to be a good role model, by being involved and leading an activity that is in breach of College Policy, Ethos or Values;
- Arriving at a College or third party event's supply-controlled area in a state of intoxication;
- At College events/RA Events or regular meals;
- In a Resident's room and / or College common area, that causes additional cleaning/maintenance;
- Creating excessive noise or disruptive behaviour;
- Using electronic media or phone or social media to make inappropriate comments towards Residents or staff (e.g. pranking).

b. Reckless/negligent conduct

- That causes unreasonable noise between 10:30pm and 7:00am;
- Playing sports / games inside buildings e.g. Golf, cricket;
- Throwing water at or wetting anyone at/in or going to or from College;
- Not complying with Absolute Quiet Time requirements;
- Incorrect parking on College grounds;
- Smoking in non-designated smoking area;
- Consuming alcohol in the Smokers' Area.

c. Uncooperative Behaviour

- Remaining in room beyond period of Contract or returning early and/or staying as a guest without permission
- Hosting a casual overnight guest without registration and/or payment for meal tickets and mattress

Minor Offences

a. Unacceptable conduct

- Repeated/ongoing or unacceptable noise that disturbs the community;
- Conduct that facilitates any act that breaches the College's Policies and Guidelines.

b. Reckless/negligent conduct

- Where after two warnings, a Resident's room floor is covered by belongings and/or detritus and so can't be serviced;
- Repeated or preventable inconveniencing of Duty Officer / SRs / College staff / contractors in the dining areas, college grounds or in buildings;
- Food fights, uncleanliness and removal of chairs from the Dining Room.

c. WH&S Breaches

- Storing a bike or bike parts in Resident's room / corridor.



Resident Behaviour Procedure & Guidelines

Version: 1st

d. Uncooperative Behaviour

- Parking a bike in the wrong place at College;
- Failure to sign-in a guest for casual meal;
- Failure to return assigned keys, including Music Room keys at completion of Contract Period;
- Removing crockery and cutlery from Dining Room and having it in room/failure to return used crockery to scullery;
- Failure to wear appropriate footwear in dining room/alfresco area (bare feet, socks or football shoes are not appropriate footwear);
- Littering anywhere within College grounds or buildings;
- When a Resident disturbs the Duty Officer, SR or College staff or contractors after 10:30pm – 7:00am to be let back into his/her room (except in emergencies);
- Removing excessive food from the Dining Room.

Inappropriate Behaviour Not Listed

Where a particular conduct is not noted and / or accommodated for in the section on Financial Sanctions or elsewhere, but is a breach of the College's Policies and Guidelines – then at the Deputy Head of College's discretion, a Financial Sanction as well as a Non-Financial Sanction may still be imposed. The Deputy Head of College will determine the appropriate Sanction in consultation with relevant staff.

By accepting a John XXIII College Accommodation Agreement, Resident accepts and agrees to abide by all of the terms and conditions of John XXIII College's Policies and Procedures. Residents should contact the College for further clarification if required.

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