

Goucher College Medical Amnesty Policy

What is Medical Amnesty?

The fear of discipline should never interfere with the provision of proper medical assistance to students severely intoxicated by alcohol and/or drugs. In order to promote the health and safety of Goucher students, this policy provides amnesty from code of conduct charges against individuals who seek medical assistance for themselves or others. In these cases, the Office of the Vice President and Dean of Students (VP/DOS) will not pursue alcohol or drug charges against:

- An intoxicated student receiving medical assistance
- Student(s) *actively assisting* the intoxicated student

Active Assistance

Students are not medical professionals and there is no such thing as “sleeping off” severe intoxication. Trained healthcare providers are the only people who should be making determinations regarding a student’s wellbeing. For these reasons, a student who actively assists an intoxicated student will receive amnesty for alcohol and/or drug violations. Active assistance means that the student provides aid to an intoxicated student by informing the Office of Public Safety, the student’s Resident Advisor (RA), or an Office of Residential Life staff member that the student is in need of medical assistance. The assisting student must also stay on scene to monitor the intoxicated student’s condition until the arrival of Goucher staff and/or medical professionals.

Medical Amnesty Limitations

The following are not protected by the Medical Amnesty Policy:

- Students who fail to actively assist an individual as defined above. Active assistance must occur prior to the arrival of Goucher staff, police, or other authority in order to qualify the student for amnesty.
- Any actions taken against students by law enforcement personnel
- Violations of the Student Code of Conduct other than alcohol or drug violations
- Possession of any controlled substance or prescription drug with an intent to distribute or deliver, including marijuana.

Though students protected by the Medical Amnesty Policy will not be charged with alcohol or drug violations, the Office of the VP/DOS may take the following action:

- The student receiving medical attention will be required to meet with the Associate Dean of Students (or designee), who may issue educational requirements to address the circumstances surrounding the student's intoxication. This may include (but is not limited to) alcohol/drug education, a substance abuse assessment, or meeting with a staff member trained in brief intervention strategies.
- Failure to complete this requirement will result in a forfeiture of Medical Amnesty and subsequent disciplinary action.
- In some cases, students actively assisting others may be required to complete an educational program.

Disclosure of Amnesty Incidents

The Office of the VP/DOS may disclose amnesty incidents with the student's consent, or if:

- Emergency medical transport is necessary – parents/guardians of the student receiving treatment will be notified immediately
- The student is applying for a leadership or student employment position on campus that requires a Dean of Students conduct check, or, if the student currently occupies a leadership or student employment position
- The student is applying for a study abroad program within one year of the incident
- The student is a varsity athlete – the athletic training staff will be notified in order to provide proper medical care

Illustrative Examples:

1. Clark comes home to find his roommate, James, passed out on his bed. Clark finds the RA who determines that James needs medical attention. The RA calls Public Safety which sends EMS, and EMS transports James to the hospital. The RA documents the incident and notes that Clark also appeared to be intoxicated.

The Amnesty applies to both Clark and James because Clark sought assistance from an RA for James. Both students will receive amnesty and will not receive disciplinary charges as a result of this incident. James must meet with the Associate Dean of Students and may be issued educational requirements. Clark may also receive an educational requirement, depending on the circumstances.

2. Mark and Hannah are at a party when Hannah begins to show signs of severe intoxication (slurred speech, unsteady on her feet). Mark decides to walk Hannah home with a beer in his hand. While walking, a Public Safety Officer sees Hannah walking unsteadily and stops her. The Officer determines that Hannah is in need of medical assistance and calls EMS.

The Amnesty policy applies to Hannah because she received medical assistance related to severe intoxication. Mark does NOT receive amnesty because he was not actively

seeking medical attention for Hannah, and he did not seek out a qualified individual (such as an RA) to assess Hannah's condition. Hannah is required to meet with a staff member and may be issued an educational requirement to receive amnesty. Mark will be charged with an alcohol violation and may receive additional education related to his own decision-making that night.

For questions on this policy, please contact the Office of the Vice President and Dean of Students at 410-337-6150 or deanofstudents@goucher.edu.