

Medical Amnesty and Responsible Action Policy

I. WHAT IS MEDICAL AMNESTY?

Student health and safety are a primary concern of Goucher College. As such, in cases of intoxication or overdose due to consumption or use of alcohol or other drugs, the College encourages individuals to seek assistance for themselves or others. The fear of discipline should not interfere with obtaining assistance sought due to severe and immediate risk. The Office of the Dean of Students will not pursue conduct charges against a student for violations of the Alcohol, Tobacco, and Other Drugs Policy (the “Alcohol Policy”) (1) if the student actively assists an individual under the influence of alcohol or drugs; or (2) if the student is intoxicated and is the recipient of active assistance by another student. The purpose of this policy is to promote bystander prevention and improve the health and safety of Goucher students.

II. 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 well-being.

“Active assistance” requires a student to contact 911 or a College official (such as a Residential Life staff member) and advise them that a student needs medical assistance. After the assisting student makes the call for help, they must remain with and monitor the intoxicated student’s condition until a College official and/or medical assistance arrives; the student must cooperate fully during the medical and investigative process. Where there was no call for medical aid, Medical Amnesty is not granted. Students confronted for alcohol violations with no medical assistance are referred to the Office of the Vice President and Dean of Students for conduct charges.

III. HOW AMNESTY WORKS

If a student is granted Medical Amnesty, the student under the influence of alcohol or drugs (which could include any student involved in the incident) are required to meet with the Associate Dean of Student (ADOS) or designee. The ADOS or designee may issue educational requirements to address the circumstances surrounding the incident. This includes (but is not limited to) alcohol/drug education, a substance abuse assessment, or meeting with a staff member trained in brief intervention strategies.

All incidents are examined on an individual basis to determine if Medical Amnesty is applicable. Failure to complete educational interventions issued under this policy will result in the application of student conduct charges.

IV. MEDICAL AMNESTY LIMITATIONS

The Medical Amnesty Policy does not apply to:

1. Students who fail to actively assist an individual as defined above;
2. Intoxicated students who do not actively seek assistance for themselves;
3. The actions of law enforcement personnel against students;
4. Any violations of the Student Code of Conduct other than alcohol or drug violations; or
5. Possession of any controlled substance, prescription drug, other drugs, or alcohol with an intent to manufacture, sell, distribute, or deliver.

V. MEDICAL AMNESTY AND SEXUAL MISCONDUCT

Amnesty is granted to students who may have violated the Alcohol Policy at the time of a sexual misconduct incident or involved in a sexual misconduct investigation either as the reporting party, responding party, or witness, or who otherwise participates in an investigation regarding such a report. Please see more information in the Sexual Misconduct Policy.

VI. DISCLOSURE OF AMNESTY INCIDENTS

The Office of the Vice President and Dean of Students may disclose amnesty incidents with the student's consent, or if:

1. The student is transported because of a medical emergency. In such case, the student's parents/guardians are notified; or
2. The student is a varsity athlete. In such case, the athletic staff (Associate Dean and Director of Athletics and varsity coach) are notified to provide proper medical care and follow up.

Illustrative Example:

1. Clark comes home to find his roommate, James, passed out on his bed. Clark finds the Resident Assistant (RA), who determines that James needs medical attention. The RA calls Campus 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 and Clark must meet with the Associate Dean of Students and may be issued educational requirements.

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 Campus Safety Officer sees Hannah staggering and stops her. The Officer determines that Hannah needs medical assistance and calls EMS.

The Amnesty policy does not apply to Hannah because she DID NOT initiate the medical assistance related to severe intoxication. Mark DOES NOT receive Amnesty because he did not actively seek medical attention for Hannah, and he did not seek out a qualified individual (such as an RA) to assess Hannah's condition. Hannah and Mark will be charged with an alcohol violation and may receive additional education related to decision-making that night.

VII. RESPONSIBLE OFFICE

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