

**GOOD SAMARITAN POLICY
(MEDICAL AMNESTY POLICY)**

1.0 SUMMARY OF POLICY

This Policy provides that any student who is in need of medical care during an alcohol-related emergency (as defined in Section 3.2), and who receives or actively seeks out such care in a timely fashion, may do so without fear of being subjected to Student Disciplinary action.

2.0 PURPOSE

Unfortunately, when alcohol related emergencies arise many students hesitate to contact Public Safety officials or healthcare professionals out of fear that disciplinary consequences may follow. The Good Samaritan/Medical Amnesty Policy will grant conditional amnesty from Student Disciplinary action for those students in need of medical attention, as well as those students who call for assistance to aid another student, because of alcohol abuse.

The purpose of the Good Samaritan/Medical Amnesty Policy is to encourage student to seek assistance when that student is need of medical attention or when that student knows of another student in need of medical care due to alcohol abuse or alcohol poisoning (an “Alcohol Related Medical Emergency”). Those who receive medical attention for their abuse of alcohol will also receive education concerning their own habits so that they may make healthy decisions in the future.

3.0 DEFINITIONS

3.1 Conditional Amnesty – Students who report an Alcohol Related Medical Emergency in accordance with this Policy will not be subjected to formal student disciplinary action. As a condition for this courtesy, however, the student or students involved will be required to undertake a series of affirmative measures to redress any damages they may have caused and to receive one or more interventions to assist them correct unacceptable behavior.

Conditional amnesty granted under this Policy does not negate the laws and ordinances enforced by local, state, and federal law enforcement authorities. Nor will it excuse violations of other College policies. If any policy or law violation beyond alcohol abuse and possession are committed, conditional amnesty will not apply. Such other violations may include, but are not limited to, threats of harm to self/others, hazing, property damage, sexual misconduct, illegal use of other drugs, and assault. Students who have been charged with such other violations in direct relation to the incidence in which they pursue amnesty will not qualify for amnesty. Moreover, any organization providing

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alcohol to students during an event or gathering at which multiple students become ill will not qualify for amnesty.

This Policy will only apply in cases under the jurisdiction of Residence Life and Housing, the Office of Student Affairs and/or the College Department of Public Safety.

3.2 Alcohol-Related Medical Emergency – Alcohol-Related Medical Emergencies include an alcohol overdose and alcohol poisoning that warrant immediate medical attention to protect the health of the student or others. Signs of alcohol overdose and poisoning may include one or more of the following:

- Unresponsiveness to shouting and vigorous shaking;
- Skin that is pale, clammy, bluish, or blotchy;
- Depressed respiration, lapses in breathing;
- Mental confusion, stupor, or coma;
- Seizures, convulsions, or rigid spasms; or
- Vomiting while asleep or unconscious coupled with failure to awake.

3.3 Medical Attention – In order for a student to qualify for conditional amnesty, he/she must receive or actively seek out medical attention. This may include a range of efforts evidencing an unequivocal intention to receive medical help such as a voluntary examination by College of Charleston First Responders/EMS, contacting local EMS, or seeking transportation to or visiting a hospital for more intensive care. It also includes asking for the assistance of Student Health Services. A student will qualify for conditional amnesty only if the student makes no effort to resist the help of the College, local emergency staff, or healthcare clinicians. Medical intervention must be sought at the time of the observed conditions that give rise to a reasonable suspicion of alcohol abuse.

3.4 Helper – A helper is any student or student organization who seeks help for a student suffering from an alcohol overdose or poisoning. Although helpers are appreciated and encouraged to take action if they see a student in need, their amnesty is also conditional. Helpers that are found to have committed other violations of law or College policies such as hazing (see Section 3.1 above) will be held accountable for their actions. They will not be eligible for amnesty and will receive disciplinary sanctioning as a result of their infractions.

4.0 PROCEDURES

4.1 Assignment of a Conduct Officer – In the event that an Alcohol-Related Medical Emergency should arise, the Office of Student Affairs (the “Office”) will be notified. Thereafter, a Conduct Officer will be assigned by the Office to the parties involved. The Conduct Officer may be a Residence Life and Housing Official or a Student Affairs official. Each student will be sent a written notice that he/she must meet with the assigned Conduct Officer for an interview.

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4.2 Decision – The assigned Conduct Officer(s) will make the decision of whether or not each concerned student qualifies for conditional amnesty under this Policy after giving full consideration to the circumstances of the case.

4.3 Assignment of Amnesty Conditions – Should the student(s) qualify for conditional amnesty the Conduct Officer(s) will evaluate the case and surrounding circumstances in order to assign appropriate conditions as alternatives to judicial sanctioning. These conditions will be educational or therapeutic in nature, designed to benefit the student and improve his/her future decision making. These conditions will most likely include mandatory sessions with a professional in the Office of Counseling and Substance Abuse Services (CASAS). All service fees for assigned substance abuse counseling will be waived if the student qualifies for conditional amnesty.

4.4 Failure to Complete Conditions – If the student fails to agree to the amnesty conditions, or fails to satisfactorily complete the assigned conditions deemed necessary by his/her Conduct Officer, conditional amnesty will not be given, and any amnesty previously given shall be revoked. Student disciplinary charges will be filed. Thereafter, the case will be turned over to the Judicial Services of the Department of Residence Life and Housing or Student Affairs where it will be subject to conduct processes. This will most likely result in the creation of a formal disciplinary record of the incident in question and, if culpability is found, may require the imposition of disciplinary sanctions..

4.5 Documentation and Record Keeping – If a student qualifies for conditional amnesty, documentation or evaluation of the case will not be placed in any disciplinary record. A record, however, will exist in Student Affairs that the incident transpired, but this record is not normally reportable to outside employers, agencies or other higher education institutions without the permission of the student. However, some background checks for local, state and/or Federal employment may require full disclosure and release of student records, in which case, the record of the incident may be reported. In addition, the College may be served with a subpoena or other legal process that requires that the College produce the record. In such cases, the College will comply with all applicable provisions of law. In addition to the foregoing, the record will exist in the Division of Student Affairs to track the student’s behavior should there be another incident of a similar nature.

4.6 Amnesty for Multiple Alcohol-Related Medical Emergencies

- (a) For those needing assistance – This policy is intended for one-time use only by any individual student. It is intended to serve as a wake-up call and a way for students to improve their decision-making skills as well as to learn healthy habits of living. Amnesty under this Policy is granted as a matter of comity and not of right. It should be viewed as an opportunity and is not to be abused by those who break rules of conduct on repeated occasions. Accordingly, any student needing medical attention for an Alcohol Related Emergency on more than one occasion may not receive amnesty even if all other terms and

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conditions of this Policy are met. The granting of any form of amnesty remains a matter of discretion with the Office of Student Affairs.

- (b) For helpers – Helpers, or those who seek help for the endangered student, are not limited to only one use of the Good Samaritan/Medical Amnesty Policy. It is expected that members of the College of Charleston community will always make an effort to help a fellow student that is in need even if they have been using alcohol themselves. Notwithstanding the foregoing, if a Conduct Officer has reasonable suspicions that the Good Samaritan/Medical Amnesty Policy is being abused in any way, he/she may hold in abeyance the amnesty to a helper until an investigation of the incident is completed.

5.0 FUTURE REVISION

This Good Samaritan/Medical Amnesty Policy can be revised at any time in accordance with the College’s *Campus Wide Policy Making Procedures*.
