REG - 40.01.4 - MEDICAL AMNESTY REGULATION

Authority: Chancellor
Responsible Office: Student Conduct and Community Standards

Number: REG - 40.01.4 - MEDICAL AMNESTY REGULATION

History: Effective: June 9, 2016; Last revised July 27, 2017

Related Policies/Sources: NCCU POL 40.13.1 - Student Code of Conduct

Contact Info: Office of Student Rights andResponsibilities, 919-530-6311, studentrights@nccu.edu

1. Purpose
1.1 The purpose of this regulation is to remove barriers and increase the likelihood that students who require emergency medical assistance as a result of alcohol or drug consumption will receive such assistance. This regulation will provide students with an opportunity to ask for and receive a caring medical intervention that will not result in disciplinary action from the Office of Student Conduct and Community Standards (“SCCS”).

1.2 The Medical Amnesty regulation provides the University with a mechanism for reducing the harmful consequences caused by the abuse of alcohol or drugs by allowing students to receive medical assistance without worrying about NCCU judicial consequences. This regulation is designed to promote responsible decisions when students are faced with medical emergencies. This regulation is in place to encourage students to not fear seeking the help of others when faced with an alcohol or drug intervention. Students who qualify for medical amnesty will not receive any sanctions from SCCS, and no documentation will be made in the student’s disciplinary record of the medical intervention.

1.3 North Carolina Central University does not condone underage drinking or the use of illegal drugs, but recognizes that it is occurring and has implemented this regulation in hopes that it will encourage more students to make the appropriate decision to call for help when emergency medical attention is needed.

2. Qualifying for Medical Amnesty

There are three situations wherein medical amnesty may apply. Medical amnesty applies to both on-campus and off-campus alleged violation(s) of the Student Code of Conduct. For the regulation to apply, the individual in need of emergency medical attention, other individuals present, or an organization must request assistance. The three situations where medical amnesty may apply are described below:

2.1 Individuals in Need of Emergency Medical Attention

Students who receive emergency medical attention directly related to the consumption or use of alcohol or drugs may be eligible to receive medical amnesty. Students will be referred to SCCS, who will not issue any disciplinary action. Students may be referred to additional on-campus resources
and be required to follow through with the additional requirements in order to receive amnesty, such as meeting with the University’s Alcohol and Other Drug Specialist. SCCS has the authority to notify the parent(s) or legal guardian(s) of students under the age of 21 (who are claimed as dependents for income tax purposes) who receive medical amnesty of the situation that has triggered the use of the medical amnesty regulation. Students who receive emergency medical attention may be granted medical amnesty only once while enrolled at North Carolina Central University. Any subsequent violation(s) will result in a referral to the SCCS.

2.2 Other Individuals Present

Students, even when consuming alcohol or drugs themselves, who seek emergency assistance on behalf of individuals experiencing alcohol or drug-related emergencies or who provide assistance to another student who is experiencing an alcohol or drug-related emergency, are eligible to receive amnesty, as long as they remain with the individual needing assistance until emergency medical attention is provided. Students who provide assistance to a student in need may or may not be referred to the SCCS. However, if students are referred, they will be granted amnesty and will not receive any disciplinary action from the SCCS. Students may be required to participate in an appropriate educational program or referred to additional on-campus resources in order to receive amnesty. In order to encourage students to be proactive in helping others, the University does not limit the number of times a student can seek medical amnesty on behalf of others during an alcohol or drug-related emergency.

2.3 Clubs/Organizations

A representative of a University-recognized club or organization hosting an event is required to seek medical assistance in a medical emergency to be eligible for medical amnesty as it applies to clubs/organizations. Representatives from the organization may be required to meet with a staff member in the SCCS or Student Engagement and Leadership. Clubs/organizations that seek emergency assistance on behalf of individuals experiencing alcohol or drug-related emergencies or provide assistance in an emergency situation at an event sponsored by the club/organization, are eligible to receive amnesty, as long as they remain with the individual needing assistance until emergency medical attention is provided. Clubs/organizations that seek emergency assistance on behalf of individuals experiencing alcohol or drug-related emergencies or provide assistance in an emergency situation at an event sponsored by the club/organization, are eligible to receive amnesty, as long as they remain with the individual needing assistance until emergency medical attention is provided. Clubs/organizations that qualify for medical amnesty will not be held responsible or sanctioned for violations of the University’s alcohol or drug-related policies, and the incident will not be noted on the club/organization’s record. Clubs/organizations may be required to participate in or organize an appropriate educational program for the club/organization and its members. Medical amnesty for a club/organization is granted to the club/organization only. Members of the organization must qualify for medical amnesty as described in Sections 2.1 and 2.2 of this regulation. Clubs/organizations may only be granted medical amnesty once per academic school year and only for appropriately recognized events of their club/organization.

3. Limitations of Medical Amnesty

3.1 The regulation does not apply to the possession or distribution of drugs. Additionally, the regulation does not apply to other prohibited conduct, such as, but not limited to, assault, theft, driving while impaired, and property damage. If other prohibited conduct occurs, the University and/or the SCCS may hold the student(s) responsible for those violations.

3.2 Nothing in this regulation shall prevent an individual who has enforcement obligations under state or federal law to report an alleged violation, file a charge, or take other action related to the possible criminal prosecution of any student.