Student Conduct Process Involving Medical Amnesty.

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<td>Responsible Unit</td>
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(A) Policy Statement and Purpose

Student health and safety is a substantial University interest. Abuse and overconsumption of alcohol or other legal and illegal substances is a serious and worsening national problem. The University’s interest in promoting student health and safety is furthered by encouraging students to seek and obtain prompt medical assistance for themselves or another who is in distress from the abuse of alcohol or other substances. The University’s interest is also furthered by removing obstacles to obtaining prompt medical assistance for a person in distress from alcohol or substance abuse.

(B) Policy

(1) A currently enrolled BGSU student who in good faith seeks or obtains medical assistance (e.g. by calling 911) for themselves or for another person for the overconsumption of alcohol or for a drug overdose shall not be charged with a violation of the BGSU Student Code of Conduct in connection with the possession or consumption of alcohol or drugs if all of the following apply:

(a) The information that would be the basis of the Code of Student Conduct alcohol, drug or other offense was obtained as a result of a BGSU student seeking medical assistance for themselves or another person for the overconsumption of alcohol or a drug overdose.
(b) Under the supervision of the Office of the Dean of Students, the BGSU student: accepts responsibility for the misconduct; obtains an alcohol and drug assessment at the BGSU Counseling Center; complies with a referral for treatment from a university or community alcohol or drug abuse services provider or a properly credentialed substance abuse or addiction treatment professional; and completes any educational interventions required by the Office of the Dean of Students.

(c) The BGSU student who obtains an assessment and receives a referral for treatment under the preceding sub-section of this Policy, upon the request of the Office of the Dean of Students, submits documentation to the Office of the Dean of Students that verifies that the BGSU student satisfied the requirements of that sub-section.

(d) The student has not previously asserted this Policy in defense of another alcohol or drug incident.

(e) The student is in good disciplinary standing with the university.

(2) This Policy does not prevent BGSU from notifying students’ parents/guardians about the incident because family members can provide additional support for students.

(3) This Policy applies only to disciplinary actions under the BGSU Code of Student Conduct and does not apply to limit any law enforcement agency, including the BGSU Police department, from investigating or prosecuting criminal activity in accordance with state and federal law.

(4) This Policy does not preclude any disciplinary actions regarding other university violations such as endangering, threatening, or attempting to cause physical harm to another individual; sexual misconduct; relationship violence; damage to property; theft; and hazing.
(D) Determination of Policy Application

Whether all the conditions of this Policy have been satisfied shall be in the sole sound discretion of the Office of the Dean of Students. When circumstances warrant, the Office of the Dean of Students may waive compliance with subparagraphs (B)(1)(d) and (B)(1)(e) of this policy.

A student who fails to successfully satisfy all the conditions of this Policy, including any required educational interventions, will be referred for adjudication through the Code of Student Conduct for the original incident.

(E) Appeal

A student who has been denied the defense afforded by this Policy may appeal that decision to the Dean of Students with five business days of the decision. The Dean’s decision shall be final.

Registered Date: September 12, 2018