

Alcohol and Other Drug Amnesty Policy (Good Samaritan Policy)

Introduction

The purpose of the Georgia College Alcohol and Other Drugs Amnesty Policy is to prevent students from being reluctant to seek assistance for themselves or someone else for fear of facing campus judicial action. It is an attempt to remove barriers that prevent students from seeking the medical attention that they need.

The policy does not necessarily grant amnesty for criminal, civil, or legal consequences for violations of Federal, State, or Local laws. Georgia College Public Safety Officers are sworn police officers with full arrest authority, and they have the autonomy to use that authority as circumstances dictate according to their professional experience. In general, unlike police from many other settings, Georgia College Public Safety officers attempt to balance a concern for student educational outcomes with their powers of arrest. In circumstances in which they choose to arrest students rather than refer them to the Student Judicial Board on campus, their decision is typically a result of evidence of gross irresponsibility on the part of the student, the presence of an apparent safety risk, or complications due to the student's non-compliance or belligerence.

Philosophy

The health and safety of members of the Georgia College community is a primary concern. Students need to seek immediate medical attention for themselves or others when someone's health and/or safety is at risk (examples include: alcohol poisoning, unconsciousness, sexual assault or physical assault). Students may be reluctant to seek assistance for themselves or someone else for fear of facing action from the Office of Student Affairs. Georgia College seeks to remove barriers that prevent students from seeking the medical attention they need.

Policy

Note: This Policy only provides amnesty from violations of the Georgia College Code of Conduct. It does not necessarily grant amnesty for criminal, civil, or legal consequences for violations of Federal, State, or Local law.

Students who seek emergency medical attention for themselves related to consumption of drugs or alcohol will not be charged with violations of the Georgia College Code of Conduct related to that consumption, provided that the student subsequently completes a screening from University Counseling Services and any recommended treatment within a reasonable time frame to be determined by the Office of Student Affairs. Failure to complete this screening/treatment may result in charges being filed with the Office of Student Affairs.

Students who seek emergency medical attention for someone else will not be charged with violations of the Georgia College Code of Conduct related to consumption of alcohol or drugs, or intoxication, provided that the student subsequently completes a screening from University Counseling Services and any recommended treatment within a reasonable time frame to be determined by the Office of Student Affairs. "Georgia College Public Safety officers will weigh heavily a student's cooperation and genuinely positive intent in determining whether a substance abuse situation allows them to provide the student amnesty from arrest."

Student Organizations are required to seek immediate medical assistance for their members or guests when any potential health risk is observed, including medical emergencies related to the use of alcohol and/or drugs. A Student Organization that seeks immediate assistance from appropriate sources will not be charged with violations of the Georgia College Code of Conduct related to providing alcohol, providing that the organization completes any educational programming required by the Office of Student Affairs and the Office of Campus Life. However, the organization can and will be held accountable for any other violations of the Code of Conduct related to the incident (e.g. endangering the health or safety of others, covered smoke detectors, etc.). Student Organizations that fail to seek immediate medical assistance for members or guests in need of attention will likely be charged with violations of the Code of Conduct and face dissolution or termination as the outcome of such charges. It is

imperative that student organizations seek medical assistance for their members or guests in an emergency situation.

This Policy applies only to those students or organizations who seek **emergency medical assistance** in connection with an alcohol or drug-related medical emergency and **does not apply to individuals experiencing an alcohol or drug-related medical emergency who are found by University employees (i.e. University Police, Faculty, administrative staff, residence hall staff, etc.)**.

The Georgia College Amnesty Policy is not intended to shield or protect those students or organizations that repeatedly violate the Code of Conduct. In cases where repeated violations of the Georgia College Code of Conduct occur, the University reserves the right to take judicial action on a case by case basis regardless of the manner in which the incident was reported. Additionally, the University reserves the right to adjudicate any case in which the violations are egregious.

Additionally, the Georgia College Amnesty Policy allows for assistance in cases of sexual misconduct. If you believe you have been involved in an incident of sexual misconduct, you have the right to pursue action through the University judicial system and/or the appropriate law enforcement authorities, and/or the courts. Georgia College further encourages anyone who has been involved in such an incident to pursue action through appropriate law enforcement authorities and/or the courts. The University wishes to encourage victims to report incidents of sexual misconduct and therefore reserves the right to waive disciplinary charges against victims for circumstances surrounding the incident. For example, a victim who had been an underage drinker would not typically face charges of violating alcohol policies.

Sexual Misconduct is any sexual act which violates the laws of the State of Georgia; and/or includes, but is not limited to: acts of rape (stranger and acquaintance or date rape) and other forms of coerced sexual activity, including unwanted touching, fondling or other forms of sexual conduct. Any sexual activity which is entered into without consent of both or all persons involved is a violation of this policy. A person may not avoid responsibility for a sexual activity because of impairment due to the influence of alcohol or other drugs. A person is deemed incapable of giving consent when that person is a minor under the age of 18 years, is mentally disabled, mentally incapacitated, physically helpless, under the influence of alcohol or drugs to the point of being unable to make a rational decision, unconscious or asleep. A person always retains the right to revoke consent at any time during a sexual act.

The Office of Student Affairs reserves the right to contact any student to discuss an incident whether or not the Georgia College Amnesty Policy is in effect.

Georgia College Campus Resources for Assistance:
Georgia College Police Department - (478) 445-4400
Office of Student Affairs - (478) 445-5169
Office of Campus Life - (478) 445-4027
Student Health Services - (478) 445-5288
Counseling Services - (478) 445-5331
Women's Resource Center - (478) 445-8156
EMERGENCY - 911 or on campus 4400
