



Policy #SA-020: Medical Amnesty

Recommended for Approval by:

A handwritten signature in black ink that reads "Susanne Fenske".

Susanne Fenske, Ph.D., Senior Vice President
Institutional Effectiveness & Student Affairs

Approved by:

President Dale-Elizabeth Pehrsson, PennWest Executive Cabinet

Effective Date: 07/01/2022

A. Intent

To identify the ways an individual may be provided amnesty from adjudication under the Student Code of Conduct when a student seeks medical assistance in situations that are possibly life-threatening due to alcohol or drug use, without fear of conduct violations for alcohol and/or drug use.

Additionally, this policy seeks to provide opportunities for limited immunity for those providing information related to serious student conduct matters.

B. Definition(s)

Medical Amnesty- a policy allowing an individual, acting in good faith, to not fear conduct violations associated with contacting authorities to obtain assistance for themselves or others who have over-consumed alcohol and/or is experiencing a drug overdose when the person seeking the assistance has used alcohol and/or drugs.

C. Policy

PennWest provides Medical Amnesty to students seeking assistance for themselves or others when overconsumption of alcohol and/or drug overdose are perceived to be possibly life-threatening.

In order for a student to receive medical amnesty, the student seeking assistance must:

1. Call 911, Police, Emergency Services, or another University Authority based on reasonable belief that someone, including themselves, needs immediate medical assistance;

2. Reasonably believe that they were the first person to make the 911 call or call to Police, Emergency Services, or another University Authority and reported that a person needed immediate medical assistance;
3. Provide their own name; and,
4. Remain with the person needing medical assistance until emergency personnel have arrived to treat the person needing medical assistance.

The Dean of Students Office reserves the right to extend amnesty to not just the caller and/or person needing medical assistance due to the overconsumption of alcohol and/or a drug overdose but also to others staying with the individual to assist until the time when emergency personnel begin working with the person needing medical assistance.

Limited Immunity

In addition to instances involving medical amnesty related to the overconsumption or alcohol and/or drug overdose, students may qualify for limited immunity when reporting serious incidents and/or serving as witnesses related to alleged misconduct of a serious nature. This policy does not confer immunity related to a criminal investigation. In criminal cases immunity will be determined by the investigating agency or district attorney's office.

A student who admits to the code violations of Alcohol, Drugs, or Hazing in the course of reporting the occurrence of, or seeking assistance for hazing, physical harm, safety, sexual assault, dating violence, domestic violence, stalking or threat of harm may be entitled to immunity for those code violations whether reporting as a victim, witness or samaritan. Limited immunity may be given to students admitting to other violations in these circumstances at the sole discretion of the Dean of Students or Designee. The university may follow up on such admissions in an informal manner.

D. Procedure(s)

Each of the four steps for medical amnesty must be met for granting of medical amnesty. Limited immunity is reviewed on a case by case basis and related to the level of cooperation by the student(s).

E. Related policies

Student Code of Conduct

F. Contact Information

Matthew G. Shaffer, Dean of Students

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G. Policy Review Schedule

All policies will be reviewed every two years or on an as needed basis if a change in BOG, PASSHE or Pennsylvania law would create the need for an immediate change.