Winona State University

Medical Amnesty Policy

PURPOSE:

The health and safety of all members of our Winona State University community is a primary concern for everyone. Students should seek immediate medical attention for others when anyone’s health or safety is at risk due to the consumption of drugs or alcohol. Students may be reluctant to seek assistance for others for fear of facing disciplinary action from the WSU Office of Student Conduct & Citizenship. The purpose of this Medical Amnesty policy is to encourage students to take responsibility for themselves, their friends and other students around them and to call emergency medical personnel for help when there is reason to believe that someone needs medical assistance due to the consumption of alcohol or drugs.

Winona State University does not condone underage or binge drinking and/or illegal drug use and remains dedicated to eliminating alcohol and drug abuse within our own campus community. Unfortunately, we recognize that alcohol and drug abuse continues to occur despite our best efforts to address this serious health issue. This Medical Amnesty Policy is intended to support responsible behavior towards others by encouraging students to seek medical assistance for others in an alcohol or drug-related medical emergency. A student who seeks emergency medical assistance for someone else will not be charged with violations of our student conduct code, provided that the student complies with the procedures described below. In addition, a student who receives emergency medical assistance as a result of alcohol or drug use may apply for medical amnesty once during the time that they are enrolled at Winona State University.

Medical amnesty applies only to alcohol and/or other drug-related medical emergencies and does not apply to other prohibited conduct such as assault, property damage or distribution of illicit substances. This policy is not intended to supersede the provisions of MnSCU Policies 1B.1 or 1B.3. In cases where an individual or organization fails to seek emergency medical assistance when it is clearly needed, formal disciplinary action will be taken against the individual(s) or organization.
Procedure for Qualifying for Medical Amnesty:

Medical amnesty may be extended both to persons who receive emergency medical attention and to the individuals present who seek medical assistance on behalf of someone else, whether the incident takes place on-campus or off-campus.

I. Persons who receive Emergency Medical Attention:

Students who receive emergency medical attention and are hospitalized as a direct result of the use of alcohol and/or drugs may be eligible to receive medical amnesty. The recipients of emergency medical attention will avoid formal conduct action through the student conduct process if they participate in an intervention meeting with the Dean of Students and/or designee within five (5) days of the incident and comply with any recommendations prescribed by that office. Students who have received emergency medical attention may also be required to participate in an appropriate educational program or referred to additional resources on campus in order to receive amnesty. If the student qualifies for medical amnesty, no disciplinary action will be issued from the Office of Student Conduct & Citizenship.

WSU has the option under Title 34 Part 99.36 of the Family Educational Right & Privacy Act (FERPA) to notify the parent(s) or legal guardian(s) of the situation which has triggered the use of the medical amnesty policy. Students who receive emergency medical attention may be granted medical amnesty only once while enrolled at Winona State University. Any subsequent violation will result in a referral to the Office of Student Conduct & Citizenship.

II. Other Individuals Present:

Students who seek emergency assistance on behalf of persons experiencing alcohol and/or drug related emergencies or who assist with the emergency situation are eligible to receive amnesty. Additionally, student(s) or a student organization seeking medical assistance for another person during an alcohol and/or drug-related emergency will not face formal conduct action by the Office of Student Conduct & Citizenship for the mere possession or use of alcohol and/or drugs. In order to obtain medical amnesty, these individuals or representatives from organizations must meet with the Dean of Students and/or designee within five (5) days of the incident and comply with any recommendations prescribed by that office.

Students who have sought assistance for others may also be required to participate in an appropriate educational program or referred to additional resources on campus 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 amnesty while assisting others during an alcohol and/or drug related emergency.
Limitations of Medical Amnesty:

Medical amnesty applies only to incidents that require emergency medical attention and when the student is taken to the hospital as a result of the use of alcohol and/or drugs. The policy does not apply to other prohibited conduct, such as, but not limited to assault, theft, driving while impaired, property damage etc. If other prohibited conduct occurs, the student(s) will be charged for those violations under the Student Code of Conduct.

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

AUTHENTICATED BY:

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Judith A. Ramaley
President

April 9, 2012
Date of Adoption

Authoritative References:
President

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