

# Drug and Alcohol Use Amnesty Policy<sup>1</sup>

Student use, misuse and/or abuse of alcohol and other drugs are a serious concern that is addressed by the University in its Guiding Principles of Conduct<sup>2</sup>, which is enforced through the University's Student Disciplinary Procedures.<sup>3</sup> However, when students are in immediate need of medical assistance or when they are reporting or disclosing domestic violence, dating violence, stalking or sexual assault pursuant to the University's Sex-Based Misconduct Policy<sup>4</sup>, the University's paramount concern for the health and safety of its students outweighs enforcement of the Guiding Principles relating to the use, misuse and/or abuse of alcohol and other drugs. The University has adopted this Drug and Alcohol Use Amnesty Policy to address those two circumstances.

## Amnesty for Students Who Facilitate Timely Medical Assistance

Pace University takes pride in the partnership that exists between its students and those who respond to emergencies. The health and safety of Pace students as they relate to critical incidents regarding the use, misuse and/or abuse of alcohol and other drugs are of paramount concern, especially when an individual is in need of timely medical assistance. Students must never hesitate to contact University Safety and Security or residence hall staff when they suspect that they are or another student or a non-student is in need of urgent medical care stemming from intoxication because they are concerned that the incident may lead to disciplinary actions against themselves or others.

Some examples of situations when students may hesitate to summon timely and urgent medical assistance needed by an intoxicated individual are:

A student is apprehensive about calling for help for herself because she used drugs in violation of the law and the University's Guiding Principles of Conduct.

Bob, a student, is reluctant to call for help for another student who is unconscious and vomiting due to alcohol intoxication because Bob fears he will be held responsible for their excessive drinking.

Mark, a student, hosts a party at which alcohol and other drugs are available. A guest becomes very intoxicated and seems to be in need of medical attention. Mark, who smoked pot during the party, is concerned that if he calls for medical attention for the intoxicated guest he (Mark) will be subject to disciplinary charges.

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Eleanor, a student, attends a party at which alcohol and other drugs are available. Another student attending the party becomes very intoxicated and seems to be in need of medical attention. Eleanor is concerned that the intoxicated student will be subject to disciplinary charges if she (Eleanor) calls for medical attention for him.

A very intoxicated student has been "put to bed" by their roommate who fears that calling for help will result in disciplinary actions against each of them because they had been drinking together.

In order to encourage students to summon medical attention for intoxicated individuals, whether themselves or others, students who call for medical attention may be eligible for amnesty and, if it is granted, the calling student will not be disciplined for violations of the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs. Similarly, the intoxicated individual for whom medical attention was summoned may be eligible for amnesty and, if it is granted, the intoxicated student will not be disciplined for violations of the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs. Amnesty will be granted by the Dean for Students (or the Dean's designee) only if the criteria identified below have been satisfied. Such amnesty will be granted to a student only once and repeat offenders will not be granted amnesty even if they would otherwise be eligible.

The Drug and Alcohol Amnesty Policy applies to students who seek medical attention for intoxicated individuals (including themselves) and to the intoxicated individual for whom medical attention is summoned.

A student seeking amnesty under this Drug and Alcohol Amnesty Policy is required to cooperate fully in any investigation of the incident.<sup>2</sup>

In order for the calling student to be eligible for amnesty, he or she must have (i) violated the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs, (ii) summoned medical assistance for himself or herself or another individual who reasonably seemed to require medical assistance due to intoxication from alcohol or other drugs, (iii) cooperated fully in any investigation of the incident, (iv) participated in the Student Disciplinary Procedures and Hearings process and taken responsibility for his or her violations of the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs, and (v) not been granted amnesty previously.

In order for the student in need of medical assistance to be eligible for amnesty, he or she must have (i) violated the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs, (ii) been sufficiently intoxicated from alcohol or other drugs that it was reasonable for medical assistance to be summoned, (iii) cooperated fully in any investigation of the incident, (iv) participated in the Student Disciplinary Procedures and Hearings process and taken responsibility for his or her violations of the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs, and (v) not been granted amnesty previously.



encourages students to report domestic violence, dating violence, stalking, or sexual assault to University officials. Therefore, pursuant to the University's Sex-Based Misconduct Policy,<sup>7</sup> a student bystander or incident participant acting in good faith who reports or discloses any incident of domestic violence, dating violence, stalking or sexual assault to Pace University officials or law enforcement will not be summarily suspended or disciplined for violations of the Guiding Principles of Conduct as it pertains to the use, abuse and/or misuse of alcohol and other drugs occurring at or near the time of the commission of the domestic violence, dating violence, stalking or sexual assault. Amnesty will be granted by the

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In determining whether to call the emergency contact person listed for an intoxicated student, the University will follow the applicable procedure.