



Kutztown University Policy STU-032

Good Samaritan Policy for Alcohol & Other Drug Incidents

A. Philosophy

1. The health and safety of members of the Kutztown University community is a primary concern.
2. Students need to seek immediate medical attention for themselves or others when someone's health and/or safety are at risk.
3. Students may be reluctant to seek assistance for themselves or others for fear of facing student conduct action from the University.
4. Kutztown University seeks to remove barriers that prevent students from seeking the medical attention they need.

B. Scope

This policy applies to all Kutztown University students.

C. Policy

The intent of this policy is to provide a general immunity from violations of the Kutztown University Student Code of Conduct if a student acts in an effort to seek assistance for themselves or another person during a medical emergency brought on as a result of alcohol or drug use. It does not and cannot grant immunity for criminal, civil, or legal consequences for violations of Federal, State, or Local law.

1. Students who seek emergency medical attention for themselves related to the consumption/use of drugs or alcohol will not be charged with violations of the Kutztown University *Student Code of Conduct* related to that violation, if that student subsequently completes an alcohol and other drug education program and/or an alcohol and other drug assessment, if deemed appropriate by the Dean of Students Office. Failure to complete this component of the program may result in student conduct charges being filed.
2. Students who seek emergency medical attention for someone else related to the consumption/use of drugs or alcohol will not be charged with violations of the Kutztown University *Student Code of Conduct* related to that violation, if the reporting student subsequently completes an alcohol and other drug education program and/or an alcohol and other drug assessment, if deemed appropriate by the Dean of Students Office. Failure to complete this component of the program may result in student conduct charges being filed.

3. 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 Kutztown University *Student Code of Conduct* related to alcohol and/or drugs, if that organization completes any educational programming required by the Dean of Students Office and/or the Office of Student Involvement. However, the organization can and will be held accountable for any other violations of the *Student Code of Conduct* related to the incident. 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 *Student Code of Conduct* and face revocation or suspension of recognition as the outcome of such charges. It is imperative that student organizations seek medical assistance for their members or guests in such an emergency situation.
4. This policy applies only to those students or student organizations that 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 Officials (i.e., Public Safety & Police Services, faculty, administrative staff, residence hall staff including student Community Assistants and Desk Receptionists, etc.).
5. This policy is not intended to shield or protect those students or organizations that repeatedly violate the *Student Code of Conduct*. In cases where repeated violations of the Kutztown University *Student Code of Conduct* occur, the University reserves the right to take disciplinary action on a case-by-case basis regardless of the manner in which the incident was reported.
6. The University reserves the right to adjudicate any incident based on its review of the incident in question. The Dean of Students Office also reserves the right to contact any student to discuss an incident whether or not this policy is in effect.

D. Effective Date

May 1, 2009

E. Recommended by

Administrative Council, April 17, 2009

F. Approved by

President F. Javier Cevallos, May 5, 2009

G. Last Review

August, 2010; February, 2013; August, 2013; August, 2014; August, 2015; January, 2017; August, 2018; August, 2020