

University Good Samaritan Regulation (GSR)

Version 1

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Policy	REG11.30.02
Title	University Good Samaritan Regulation (GSR)
Category	Student Affairs
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Contact	Associate Vice Chancellor for Student Affairs, 328-2092; Director, Office of Student Rights and Responsibilities, 328-6824; Assistant Director, Center for Counseling and Student Development, 328-6661.
Related Policies	Student Conduct Process (https://policy.ecu.edu/11/30/01)
Additional References	N.C.G.S. 18B-302 - Sale to or purchase by underage persons (http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_18B/GS_18B-302.html)

1. Purpose

1.1. The purpose of the Good Samaritan Regulation (“Regulation” or “GSR”) is to remove a potential barrier and facilitate access to emergency medical care in cases of alcohol related medical emergencies. The goal is to increase the likelihood that a person needing medical assistance will receive this assistance by reducing the reluctance of students to seek out appropriate help due to fear of potential University consequences assigned by the Office of Student Rights and Responsibilities (“OSRR”) to themselves or another person in need of assistance.

1.2. The GSR is part of East Carolina University’s comprehensive approach to reduce the harmful consequences caused by the misuse of alcohol. It is designed to promote responsible decision making when students are faced with a potentially harmful, or deadly, alcohol related medical situation. This regulation finds support in the ECU Creed which states: “I will be thoughtful and responsible in my words and actions” and “I will engage in purposeful citizenship by serving as a positive role model,” and aligns well with the University’s mission to help prepare future leaders by encouraging healthy, pro-active, civically responsible actions by our students in a time of a crisis.

1.3. The minimum legal drinking age (MLDA) in the state of North Carolina is 21 years old. Nothing in this procedure should indicate that the University condones underage drinking. We are also cognizant, however, that many underage college students will choose to consume alcohol regardless of the MLDA. With this choice

comes the risk of very harmful consequences; research has long demonstrated that the misuse of alcohol is the number one health risk on U.S. college campuses. This GSR regulation is designed to address this reality by reducing the risk of alcohol-related harm for students via an increased likelihood of medical intervention. The regulation stipulates that individuals who are involved in an emergency situation are provided education related to alcohol risk-reduction in order to reduce the likelihood of future occurrences.

2. Students Qualifying for Good Samaritan Amnesty

2.1. Subject to the provisions of this regulation, the ECU GSR may apply in the following situations:

2.1.1. When a student, acting in good faith and upon reasonable belief that he or she was the first to call for assistance, contacts ECU personnel or emergency services (“EMS”) for medical assistance related to his or her own alcohol use or intoxication, and EMS responds and makes a medical assessment at the locale.

2.1.2. When a student calls for emergency assistance on behalf of another person experiencing an alcohol-related medical emergency and EMS responds and makes a medical assessment at the locale. The student shall use his or her own name when contacting authorities and shall remain with the person needing medical attention until help arrives.

2.1.3. When a student is named in an ECU Police Report or Campus Appearance Ticket as having been present and lending a helping hand during an alcohol-related medical emergency and it is documented that emergency assistance was requested. Likewise, failure to call for medical assistance in an alcohol related emergency may be considered an aggravating circumstance that may affect a conduct case resolution and/or result in increased sanctions.

2.2 Gathering Information and Documents

2.2.1 In a preliminary meeting with the student or organization, OSRR will gather information pertinent to the facts for determining the appropriateness of granting GSR amnesty. This meeting will consider the available facts and documentation, including, but not limited to, the following: Documentation verifying that EMS was called, responded, and rendered medical attention; Documentation of a visit to a hospital Emergency Department; A written report from a police department, other law enforcement entity, or Campus Living; Any record of the Blood Alcohol Level as determined by medical personnel.

2.3 Procedures for case management

2.3.1 Students who receive or request on behalf of another person emergency medical attention related to the consumption of alcohol may be eligible to receive GSR amnesty. Such students should be referred to OSRR. OSRR will track each GSR amnesty request in order to maintain appropriate data and documentation. OSRR will document that the office has discussed the potential for GSR amnesty with potentially qualified students or organizations referred to it, explaining the GSR regulation, its usage, and GSR onetime per academic school year applicability. Additionally, OSRR will provide such students with an informational Good Samaritan letter detailing the GSR regulation specifics.

3. Effect of GSR Amnesty

3.1. In the discretion of OSRR, if the student qualifies for medical amnesty under this regulation, OSRR may refrain from charging or sanctioning the student for one or more violations of the Student Code of Conduct related to alcohol. As a condition of receiving amnesty, students may be required to successfully complete a substance abuse assessment through the Center for Counseling and Student Development (“CCSD”) or undergo such other educational activity or medical course of treatment as deemed appropriate by OSRR.

3.2. In compliance with the Family Educational Rights and Privacy Act (“FERPA”) and University policies and regulations, OSRR will notify the parent(s) or legal guardian(s) of students under the age of 21 who receive GSR amnesty under this regulation. A student that does not want his or her parents to be notified may appeal to OSRR. Pursuant to the Parental Notification Policy, OSRR will, in turn, refer the student to CCSD. CCSD will

make a recommendation that will be given back to OSRR for consideration in determining parental notification disposition.

3.3. A student may be granted GSR amnesty no more than once per academic school year. Records of all known requests for assistance in medical emergencies shall be maintained by OSRR, as outlined in section 2.3, above. In the event a student who previously received amnesty is involved in a subsequent conduct-related incident, the existence of a previous receipt of amnesty, and the circumstances involved in the previous incident, may be taken into account by OSRR when considering sanctions in subsequent conduct-related incidents.

4. Clubs/Organizations

4.1. Good Samaritan amnesty for a recognized club/organization may be granted to the club/organization only.

4.2. If a student representative of a university recognized club or organization hosting an event seeks medical assistance in a medical emergency as described in section 2 above, then the club/organization may be eligible for GSR amnesty as it applies to clubs/organizations.

4.3. Representatives from the organization may be required to meet with OSRR. Clubs/organizations qualifying for GSR amnesty under this regulation will not be charged or sanctioned for violations of the University's alcohol-related policies.

4.4. As a condition of receiving amnesty, such organizations/clubs may be required to participate in or organize an appropriate educational program to be presented to the club/organization members or others and/or complete such other educational activity as deemed appropriate by OSRR.

4.5. Clubs/organizations may be granted GSR amnesty no more than once per academic school year and only for appropriately recognized events of their organization.

4.6. While the act of responsibly calling for prompt medical attention in compliance with this regulation may mitigate OSRR sanctions against the club/organization resulting from Code violations that may have occurred at the time of the incident, failure to call for medical assistance in an alcohol-related emergency may be considered an aggravating circumstance that may affect a conduct case resolution, and/or result in increased sanctions

5. Limitations

5.1. The GSR applies to alcohol related incidents that require emergency medical attention as described in this regulation. This regulation does not apply to any other type of drug related behavior including use, possession, or distribution.

5.2. The GSR applies only to alcohol Student Code of Conduct violations. If other prohibited conduct occurs, including, but not limited to, assault, theft, driving while impaired, property damage etc., the student(s)/clubs/organizations will be held responsible by the University and OSRR for those violations.

5.3. Nothing in this regulation 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 for his/her conduct.

