



5.24 – SSCC Amnesty for Emergency Reporting v080319



arp.nmsu.edu/5-24

PART 1: PURPOSE

The purpose of this rule is to protect the health, safety and welfare of Students by empowering Student bystanders to seek emergency medical assistance in a potentially dangerous situation, and to report incidents of sexual misconduct or other violence, without fear of disciplinary action for their own alcohol or drug violations. This rule encourages Students to seek help or emergency medical assistance for individuals suffering from alcohol or drug induced medical emergencies and for those victimized by sexual misconduct or other violence. Grants of amnesty as provided by this rule support Students who act responsibly to care for the welfare of others.

PART 2: REPORTING RESPONSIBILITIES

- A. When a Student observes that a person's health or safety is in jeopardy or appears to be at risk from alcohol or drug consumption, the Student should immediately seek medical assistance by calling 911 or notify a responsible NMSU employee who commits to take immediate action.
- B. When a Student witnesses or is a victim of sexual misconduct or other violence, the witness or victim should immediately seek assistance by calling 911. In cases of rape or other injury, a victim should also obtain immediate medical attention from a qualified provider.

PART 3: SITUATIONS JUSTIFYING GRANT OF AMNESTY

To encourage the reporting of potential medical emergencies resulting from alcohol or drug use, as well as the reporting of sexual misconduct or other violence that often occurs in connection with alcohol or drug use, NMSU grants amnesty from alcohol or drug related student disciplinary Charges to the following individuals:

- A. Students who seek emergency medical assistance for a potential drug or alcohol medical emergency in accordance with Part 2, provided that the reporting Student stays with the person at risk until medical assistance arrives and cooperates with all emergency personnel;

- B. Students who are witnesses or victims of sexual misconduct or other violence, and report such conduct in accordance with Part 2 above; and
- C. Students receiving assistance based on the emergency reporting.

PART 4: AMNESTY CONDITIONED UPON COMPLIANCE

A grant of amnesty is conditional; the Student must participate in a subsequent educational program deemed appropriate for the circumstances by the dean of students. In the event the Student fails to complete the educational requirements or other more extensive conditions imposed in the event of a second or subsequent grant of amnesty, such non-compliance will void the grant of amnesty, and subject the Student to action under the SSCC.

PART 5: LIMITATIONS ON GRANT OF AMNESTY

Any amnesty granted pursuant to this rule applies only to Student Social Code of Conduct prohibitions on the use of drugs and alcohol. This rule does not preclude nor prevent other appropriate police or legal action. Additionally, the amnesty protection is not applicable to violations of other NMSU policies that warrant disciplinary action (e.g. possession of false ID, disruptive or combative behavior, sexual harassment and sexual misconduct, sale of controlled substance, or property damage).

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- C. Students receiving assistance ~~as a result of a report as described above~~ based on the emergency reporting.

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