

ADMINISTRATIVE DIVISION STAF Division of Student Affairs		POLICY NUMBER STAF 3.19
POLICY TITLE Overdose Medical Treatment		
SCOPE OF POLICY Columbia Campus		DATE OF REVISION July 31, 2019
RESPONSIBLE OFFICER Vice President for Student Affairs and Academic Support		ADMINISTRATIVE OFFICE Division of Student Affairs and Academic Support

PURPOSE

This policy outlines the process by which the university will consider the forbearance of disciplinary sanctions in situations where students or student groups seek medical assistance in situations involving a drug or alcohol-related overdose; this is often referred to as amnesty in some law enforcement and higher education agencies.

DEFINITIONS

Controlled substance: a substance meeting the definition set forth in Section 44-53-110 of the South Carolina Code of Laws.

Drug or alcohol-related overdose: an acute condition, including mania, hysteria, extreme physical illness, coma, or death resulting from the consumption or use of a controlled substance, alcohol, or another substance with which a controlled substance or alcohol was combined, that a layperson would reasonably believe to be a drug or alcohol overdose that requires medical assistance.

Seeks medical assistance: seeking medical assistance by contacting university personnel, the 911 system, a law enforcement officer, or emergency services personnel.

Registered Student Organization: a student organization that is currently active on the University of South Carolina Campus, has fulfilled all responsibilities of a student organization and represents a group of students who desire to come together to support a particular view, explore common interests or accomplish identified tasks.

Student: A person who is currently enrolled at the university, or who is accepted for admission or readmission to the university, or who has been enrolled at the university in a prior semester or summer session and is eligible to continue enrollment in the semester or summer session that immediately follows, or who is attending an educational program sponsored by the university while that person is on campus, or who engaged in prohibited conduct at a time when the individual met the above criteria. Individuals who are not currently enrolled at the university remain subject to the disciplinary process for conduct that occurred while they were enrolled.

POLICY STATEMENT

The University of South Carolina values the health and safety of all students. Bystander intervention is a crucial component of the university's comprehensive approach to alcohol and other drug prevention, intervention, and education. The university encourages students and student groups to ensure the well-being of others by taking responsible steps to seek medical assistance for individuals at risk of overdose (including themselves). When such medical assistance is sought, the university honors that care by prioritizing educational and supportive measures over disciplinary sanctions. The university will not hold students or student groups who seek or receive medical assistance in perceived overdose situations accountable for violations of the university's Student Code of Conduct related to alcohol or drug related misconduct with the exception of violations related to manufacturing, selling or distribution of alcohol and/or controlled substances. This policy is separate from the state law on Drug or Alcohol-Related Overdose Medical Treatment; law enforcement agencies, including the University of South Carolina Police Department, are not influenced by this internal university policy. The university cannot grant an exemption for consequences associated with a violation of Federal, State, or local law.

PROCEDURES

A. Conditions

1. A student or student group seeking medical assistance for another individual (student or non-student) may be eligible under the overdose medical treatment policy if all of the conditions are met:
 - a. Acts in good faith when seeking medical assistance, upon a reasonable belief that the individual was the first person to call for assistance and that someone present is suffering from an apparent drug-or alcohol related overdose;
 - b. Actively seeks medical assistance by contacting university personnel, the 911 systems, a law enforcement officer, or emergency services personnel and provides the individual's own name to the responding agent;
 - c. Remains with the person(s) until help arrives and is told that assistance is no longer needed;
 - d. Cooperates with responding university and/or emergency personnel, including all requests for information or assistance; and
 - e. Did not seek medical assistance during the course of a housing inspection or execution of an arrest warrant, search warrant, or other lawful law enforcement activity.
2. In situations where a student takes responsible action (for themselves or for others) and meets the criteria outlined above, the responding party will fully document the incident.

Students will be asked to provide their name, ID number, and contact information to the responding party(ies). Students and, if applicable, student groups will receive a notice from the office of student conduct and academic integrity and are expected to attend a meeting with a staff member regarding the incident.

B. Decisions of Applicability

1. If it is determined through a meeting with a representative from student conduct that the student or student group met the overdose medical treatment policy criteria, the student or student group will not be found responsible for an alcohol or other drug policy violation. Determinations as to when this policy will apply to student groups will be made by the conduct office or delegate for recognized student organizations based on the totality of the circumstances.
2. Criteria to be considered include but are not limited to: role of group leadership in providing coordinated response and assistance during the incident; role of group leadership in providing an environment during the incident with safety and/or risk management practices already in place prior to the call for assistance; and role of leadership in cooperating with official during and following the incident.

C. Educational Interventions

1. The student who experienced the overdose may still be asked to complete an alcohol or other drug intervention and to complete educational activities (i.e., Students Taking Individual Responsibility “STIR” assessment or Carolina Awareness on Alcohol Policies and Safety Class “CAAPS” – charges associated with interventions may apply).
2. Student groups may be asked to participate in educational activities as means of reducing further risk. The overdose medical treatment policy only applies to alcohol and other drug related policies. If other policy violations are alleged to have occurred, the student, students, or student groups will participate in the student conduct process related to those policies and may be found responsible.

D. Parental Notification

1. As with any incident involving alcohol or drugs, parents of students may be notified.
2. A group that facilitates the acquisition of alcohol may also be required to notify its advisor, provide an educational program for its members, and/or change its processes for hosting events.

E. Failure to Complete/Subsequent Violations

1. In the event that a student who receives medical assistance fails to complete the required course of action or exhibits a pattern of problematic behavior with alcohol or other drugs,

that student or associated student group may be subject to formal disciplinary action under the code of conduct or student organization policy.

2. If the student who received treatment, or student group where the student who received treatment is a member, is found responsible for a subsequent violation of the overdose medical treatment policy, the office of student conduct or Carolina Judicial Council may be informed of such for the purposes of determining an appropriate outcome, which may include the first incident and any resulting charges being treated as an alleged second offense.

RELATED UNIVERSITY, STATE AND FEDERAL POLICIES

[STAF 3.02 Alcohol Policy and Guidelines for the University Community](#)

[STAF 3.10 Student Organizations](#)

[STAF 6.26 Student Code of Conduct](#)

[South Carolina Code of Laws, Chapter 53, Title 44, Article 19: South Carolina Drug or Alcohol-Related Overdose Medical Treatment](#)

HISTORY OF REVISIONS

DATE OF REVISION	REASON FOR REVISION
July 31, 2019	New policy