



### Technical Revisions to the University of Maryland Policy on Promoting Responsible Action in Medical Emergencies (V-1.00[J])

PRESENTED BY	Reka S. Montfort, Executive Secretary & Director
REVIEW DATES	SEC – October 22, 2019   SENATE – November 5, 2019
VOTING METHOD	For information only
RELEVANT POLICY/DOCUMENT	<a href="#">V-1.00(J) – University of Maryland Policy on Promoting Responsible Action in Medical Emergencies</a>
NECESSARY APPROVALS	N/A

#### ISSUE

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In December 2017, the University Senate and the President approved revisions to the *Code of Student Conduct* (see [Senate Document #16-17-08](#) for more information). At the time, the Student Conduct Committee made a recommendation to ensure that other University policies and procedures that refer to or summarize the provisions of the *Code* would be updated to include accurate information. In order to implement this recommendation, in fall 2019, the University Senate Office worked with the Office of Student Conduct to make the necessary revisions to the University of Maryland Policy on Promoting Responsible Action in Medical Emergencies (V-1.00[J]) to align the Policy with the *Code*. The President reviewed the revisions as technical amendments and approved the revised Policy on October 1, 2019.

#### RECOMMENDATION(S)

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The technical revisions are provided for informational purposes.

#### COMMITTEE WORK

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N/A

#### ALTERNATIVES

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N/A

#### RISKS

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N/A

#### FINANCIAL IMPLICATIONS

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N/A



**V-1.00(J) UNIVERSITY OF MARYLAND POLICY ON PROMOTING RESPONSIBLE ACTION IN MEDICAL EMERGENCIES**  
(Approved by the President March 10, 2011; **Amended Revised** February 20, 2013; **Technical Amendments Change** June 26, 2013; **Technical Amendments October 1, 2019**)

**I. Purpose**

The health and safety of University students is of paramount concern. All members of the University community are encouraged to act in a responsible manner when an individual may require medical assistance by dialing 911 or 301.405.3333 or seeking a University or Department of Resident Life (DRL) official. It is recognized that in situations in which either a student summoning or requiring help is under the influence of alcohol and/or drugs, the threat of disciplinary sanctions for violating the University's alcohol and/or drug policy is a barrier to seeking help. As such, the University of Maryland will do all that it can to promote student health, safety, and well-being. *Promoting Responsible Action in Medical Emergencies* is a policy administered by the Office of Student Conduct (OSC) that will reduce barriers to seeking help in cases of alcohol- and/or drug-related emergencies by providing relief from administrative or disciplinary action on the part of the University if either a University official or other authority is contacted in a timely fashion.

**II. Policy**

- A. 1.** A student in possession or under the influence of alcohol and/or drugs who summons medical emergency assistance for him/herself or on behalf of a fellow student experiencing a medical emergency will not face disciplinary charges under the *Code of Student Conduct* or *Residence Hall Rules* for the possession or use of alcohol and/or drugs, with the exception of the exclusions noted below. In lieu of disciplinary charges and as a condition of such relief, students handled under this policy will usually be required to be evaluated by the University Health Center (UHC) staff and successfully complete an approved alcohol and/or drug intervention program.
- B. 2.** This policy also extends to the student for whom medical emergency assistance has been summoned.
- C. 3.** A "summons" for medical emergency assistance is deemed to be contacting police, University staff or other officials designated emergency medical providers.

**III. Procedures**

- A.** Students referred to the OSC or the DRL for alcohol and/or drug use or possession will be interviewed by a representative of the OSC or DRL. If the student is eligible for conditional relief under this policy, the initiation of disciplinary charges will be

“deferred” **in accordance with** ~~under Part 30 of~~ the *Code of Student Conduct* pending successful completion of an approved alcohol and/or drug intervention program, as deemed necessary by UHC staff. If the student successfully completes the program to the satisfaction of the UHC staff and the OSC or DRL, the pending charges will be withdrawn, leaving the student with no disciplinary record. If the student fails to successfully complete the program, disciplinary charges will be processed and, if proven, may result in more severe sanctions and a disciplinary record.

#### **IV. Exclusions**

- A. 1.** The conditional relief from disciplinary charges described in this policy does not extend to charges other than possession or use of alcohol and/or drugs. In addition, it shall not provide relief from disciplinary charges pertaining to the alleged possession or use of alcohol and/or drugs which, if proven, would constitute an “Aggravated Violation” as defined **in** ~~under Part 2(a) of~~ the *Code of Student Conduct* or would involve the distribution of drugs or the provision of alcohol to a person under the legal drinking age.
- B. 2.** Students with a prior disciplinary record of alcohol- and/or drug-related violations and students previously granted relief under this policy as the person for whom the emergency services were being summoned, shall only be eligible for relief on a case-by-case basis following an assessment by the OSC or DRL.
- C. 3.** This policy does not and cannot offer persons conditional relief, immunity, or protection from criminal complaint, arrest, or prosecution by University police or other person or official for illegal activity, including the illegal use or possession of alcohol and/or drugs in violation of County, State, or Federal law. However, State law provides that the “act of seeking medical assistance for another person who is experiencing a medical emergency after ingesting alcohol or drugs may be used as a mitigating factor in a criminal prosecution.” See Anno. Code of Maryland, Criminal Procedure Article, Section 1-210. This policy also does not provide relief from any civil suit, fine, or financial obligation to any party (including the University), for loss, damage, or injury associated with alcohol and/or drug use or possession.
- D. 4.** This policy does not offer conditional relief to student organizations, which remain subject to University-instituted organizational charges for alcohol- and/or drug-related violations, including possession and use. The nature of such charges and any resulting disciplinary sanctions, however, will take into account and may be mitigated by the action taken by organizational representatives. A representative of a student organization who summons medical emergency assistance may be eligible for conditional relief from charges for his or her personal use or possession of alcohol and/or drugs under this policy.