



## 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 – August 26, 2021 | SENATE – September 8, 2021

**VOTING METHOD** For information only

**RELEVANT POLICY/DOCUMENT** [V-1.00\(J\) – University of Maryland Policy on Promoting Responsible Action in Medical Emergencies](#)

**NECESSARY APPROVALS** N/A

### ISSUE

---

The University of Maryland Policy on Promoting Responsible Action in Medical Emergencies (V-1.00[J]) was last reviewed and approved by the President on February 20, 2013 (see Senate Document [#11-12-22](#)), with subsequent technical amendments approved by the President in June 2013 and October 2019 to align the policy with revisions made to the Code of Student Conduct (see Senate Document [#19-20-22](#)). In more recent revisions to other conduct-related codes and policies, effort has been made to remove gender-inclusive language, in alignment with current University standards and with the principles and spirit behind the University of Maryland Policy on Inclusive Communication (VI-1.00[C]), which was approved in October 2019.

In June 2021, the Office of Student Conduct requested that a technical amendment be made to the Responsible Action Policy to remove gendered language to bring the policy into alignment as well. The University Senate Office worked with the Office of Student Conduct to suggest the necessary revisions. The Senate Leadership reviewed and approved the technical amendments, and they were subsequently reviewed by the Office of General Counsel. The President reviewed the revisions as technical amendments and approved the revised Policy effective August 12, 2021.

### RECOMMENDATION(S)

---

The technical revisions are provided for informational purposes.

### COMMITTEE WORK

---

N/A

### ALTERNATIVES

---

N/A

### RISKS

---

There are no risks to the University posed by these technical revisions.

## **FINANCIAL IMPLICATIONS**

---

There are no financial implications involved in these technical revisions.



## **V-1.00(J) UNIVERSITY OF MARYLAND POLICY ON PROMOTING RESPONSIBLE ACTION IN MEDICAL EMERGENCIES**

(Approved by the President March 10, 2011; Amended February 20, 2013; Technical Amendments June 26, 2013; Technical Amendments October 1, 2019; **Technical Amendments August 12, 2021**)

### **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. A student in possession or under the influence of alcohol and/or drugs who summons medical emergency assistance for **him/herself themselves** 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. This policy also extends to the student for whom medical emergency assistance has been summoned.
- C. 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 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. 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 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. 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. 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. 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~~ **their** personal use or possession of alcohol and/or drugs under this policy.