

## **Georgia College & State University Judicial Board Amnesty Policy**

### **PURPOSE**

The health and safety of members of the Georgia College & State University (GC) community is the primary concern of this policy. When the health and/or safety of these members or their guests is at risk, seeking immediate medical attention is imperative. Individuals may be reluctant to seek assistance for themselves or others for fear of facing sanctions from the GC Judicial Board or Chief Student Affairs Officer. The purpose of this policy is to remove GC barriers that might prevent individuals from seeking the medical attention or supervision needed.

### **SCOPE**

This policy only provides amnesty from violations of the GC Code of Conduct; it does not have the authority to grant amnesty for criminal, civil, or legal consequences for violations of Federal, State or Local Laws.

### **DEFINITIONS**

**GC Community:** For purposes of this policy, the GC community includes individuals and/or organizations subject to the GC Code of Conduct (i.e., recognized student organizations). Hereafter the GC community is referred to as "student" or "students."

**Amnesty:** Amnesty is the protection from GC judicial sanctions for violations of specific articles (covered conditions) of the GC Code of Conduct.

**Covered Conditions:** For purposes of this policy, amnesty applies to specific violations of the GC Code of Conduct that threaten student health and/or safety. Such conditions include, but are not limited to, alcohol poisoning, unconsciousness, sexual assault or misconduct, and physical assault.

**Sexual Misconduct:** Sexual misconduct is any sexual act which violates the laws of the State of Georgia and/or includes, but is not limited to, acts of rape (stranger and acquaintance or date rape) and other forms of coerced sexual activity, including unwanted touching, fondling or other forms of sexual conduct. Any sexual activity that is entered into without consent of both or all persons involved is a violation of this policy. A person may not avoid responsibility for a sexual activity because of impairment due to the influence of alcohol or other drugs. A person is deemed incapable of giving consent when that person is a minor under the age of 18 years, is mentally disabled, mentally incapacitated, physically helpless, under the influence of alcohol or drugs to the point of being unable to make a rational decision, unconscious or asleep. A person always retains the right to revoke consent at any time during a sexual act.

## **POLICY**

Students who seek emergency medical attention for themselves for a covered condition under this policy, will be granted amnesty provided the student subsequently completes, within a reasonable time frame, recommended screening and/or treatment determined by the Chief Student Affairs Officer. Failure to complete this screening and/or treatment may void amnesty and result in charges being filed with the Office of Student Affairs.

When students seek emergency medical attention for another student for a covered condition, the student seeking medical attention and the student in need of medical attention will be granted amnesty provided the student needing assistance subsequently, within a reasonable timeframe, completes recommended screening and/or treatment determined by the Chief Student Affairs Officer. GC Public Safety Officers will weigh heavily a student's cooperation and genuinely positive intent in reporting the incident.

Recognized Student Organizations (RSOs) are required to seek immediate medical assistance for student members and/or guests when any potential health risk is observed. RSOs that seek assistance from appropriate sources will be granted amnesty provided the organization completes any educational programming required by the Chief Student Affairs Officer and/or the Office of Campus Life. However, the RSO will be held accountable for violations of the GC Code of Conduct not covered under this policy (e.g. endangering the health or safety of others, covered smoke detectors, etc.). RSOs that fail to seek immediate medical assistance for student members and/or guests in need of medical attention are in violation of the GC Code of Conduct and face dissolution or termination of RSO status.

This policy is not intended to shield or protect students or organizations that repeatedly violate the specific conditions covered by this policy. Repeated violations of this policy will result in revocation of amnesty and reinstatement of judicial sanctions under the GC Code of Conduct. Revocation of amnesty is the sole discretion of GC and is evaluated on a case-by-case basis regardless of the manner in which the incident was reported.

This policy allows for assistance in cases of sexual misconduct. Students who have experienced sexual misconduct have the right to pursue action through the GC judicial system and/or the appropriate law enforcement authorities. GC encourages students to pursue legal remedies for sexual misconduct. To encourage reporting of sexual misconduct, GC will generally waive disciplinary charges against victims for circumstances surrounding the incident. For example, the victim of sexual misconduct who is an underage drinker would not typically face charges of violating alcohol policies.

The Office of Student Affairs reserves the right to contact students to discuss an incident whether or not this policy is in effect.

## **CAMPUS RESOURCES**

GCSU provides various departments and personnel to assist students. Students seeking assistance for conditions covered under this policy may contact one or more of the following departments.

GCSU Campus Police: (478) 445-4400  
GCSU Office of Student Affairs: (478) 445-5169  
GCSU Office of Campus Life: (478) 445-4027  
GCSU Student Health Services: (478) 445-5288  
GCSU Counseling Services: (478) 445-5331  
GCSU Women's Resource Center: (478) 445-8156  
EMERGENCY: (478) 445-4400

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