



## **Medical Amnesty Policy**

**1. Purpose.** The purpose of this policy is to encourage our members to act based on health and safety rather than fear of sanctions from the Fraternity.

**2. Applicability and scope.** This policy addresses the situations in which a member or new member can seek medical assistance for their reproductive health, or for other members, new members or guests in an alcohol or drug related emergency without fear of sanctions from the Fraternity.

**3. Effective date.** This policy is in effect immediately.

**4. References/Affiliations.** Refer to the Collegiate Alcohol Policy, Fraternity and Housing Policy Statements and the Delta Gamma Fraternity Constitution found in the website library.

### **5. Responsibilities.**

- a. Collegiate Chapters. Collegiate chapters will be responsible for enforcing the alcohol and/or drug related emergencies section of this policy through Honor Board.
- b. Honor Board. Honor Board will be responsible for ensuring a Statement of Obligation Review (SOR) is written as necessary on individuals in situations covered by the alcohol and/or drug related emergencies section of this policy. They will also track the use of this policy in alcohol and/or drug related emergencies to ensure members do not have a more serious issue that may need to be addressed. For reproductive health amnesty, Honor Board should not issue an SOR or track its use. Ideally, Honor Board will not be involved or informed of the use of reproductive health amnesty.
- c. Regional Collegiate Specialist/New Chapter Coordinator/Collegiate Appointed Coordinator (RCS/NCC/CAC). The RCS/NCC/CAC will ensure proper application of this policy by Honor Board and track the use of this policy in alcohol and/or drug related emergencies to ensure members do not have a more serious issue that may need to be addressed. For reproductive health amnesty, Honor Board should not issue an SOR or track its use. Ideally, the RCS/NCC/CAC will not be involved or informed on the use of reproductive health amnesty.

## 6. Policy Statements.

- I. Alcohol and/or drug-related emergencies
  - a. If medical assistance is promptly sought, the Fraternity will not pursue sanctions for violations of the Collegiate Alcohol Policy against any Member(s) actively involved in assisting an intoxicated Member or against the intoxicated Member.
  - b. In order to actively assist an intoxicated member, one must call for emergency medical assistance (such as 911 or campus police) in a timely manner.
  - c. The assisting member must also stay with the intoxicated member while waiting for help to arrive to ensure the intoxicated member gets assistance from the proper professionals.
  - d. Members waiting until the police or other authority arrive before seeking assistance or members waiting an unreasonable amount of time before seeking assistance are not covered by this policy.
  - e. The action must be initiated by a member rather than police or other law enforcement in order to qualify for amnesty.
  - f. Only violations of the Collegiate Alcohol Policy are covered by this policy. All other Fraternity policy violations arising from the incident shall be investigated.
  - g. A SOR should still be filed after each situation covered by the alcohol and/or drug related emergency section policy so an amnesty-related decision may be rendered, and the use of the amnesty policy can be documented.
  - h. In situations where medical assistance is sought for an intoxicated member or guest at a Delta Gamma event, whether registered or unregistered, the chapter may be held responsible for violations of the Collegiate Alcohol Policy. However, the chapter's willingness to seek medical assistance for the member or guest could be considered when determining sanctions.
- II. Reproductive health decisions
  - a. Delta Gamma recognizes each member's right to bodily autonomy. While Delta Gamma expects all members to abide by local, state, federal and provincial law, the United States Supreme Court decision in *Dobbs v. Jackson Women's Health Organization*, reversing the Court's recognition of a constitutional right to seek an abortion, presents a unique challenge to the Fraternity and its members.
  - b. No member shall face sanctions or negative repercussions from a chapter, any member accountability process or the Fraternity for seeking an abortion,

assisting another in obtaining an abortion from a medical professional, or being arrested for, charged with, or convicted of any abortion-related crime in any capacity.

- c. There is no reporting requirement to receive amnesty under the reproductive health section of this policy. A member need not and should not report their actions to their chapter, Honor Board or Executive Offices to receive amnesty under this policy.
- d. If a member feels their chapter is not following or granting amnesty properly under this policy, please contact Executive Offices for further assistance.

## **7. Definitions.**

- a. Delta Gamma Event: A Delta Gamma event is an event, whether registered or unregistered, that a reasonable observer or campus official may associate with the Fraternity. Events which have not obtained the required approvals or are not conducted in compliance with the policies and procedures of Delta Gamma Fraternity or any applicable campus policies or city, state, provincial or federal laws (i.e. “unregistered events”) shall not be covered by the Fraternity or the chapter’s liability insurance coverage.
- b. Member: For purposes of this policy, “member” refers to any collegiate member or new member of Delta Gamma Fraternity that is affiliated with a collegiate chapter.

**8. Policy Proponent and Exception Authority.** The proponent of this policy is the Council Trustee: Collegians.

Approved by Council \_\_\_\_\_

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## **ALCOHOL AND/OR DRUG RELATED EMERGENCY ILLUSTRATIVE EXAMPLES**

1. Sarah and her DG little sister, Jennifer (a new member), are drinking together at Sarah's house along with other Delta Gammas and some non-DG friends. After playing a few rounds of drinking games, Sarah finds Jennifer in the bathroom vomiting and largely unresponsive. Sarah decides to call 911, and Jennifer is taken to the hospital.

**The Medical Amnesty Policy applies to Sarah because Sarah sought medical attention for Jennifer in a timely manner. Sarah will receive amnesty, even though she provided alcohol to a minor in violation of the Collegiate Alcohol Policy. If the event is found to be a Delta Gamma Event, the chapter may still receive sanctions based on the nature of the event.**

2. Sarah and her DG little sister, Jennifer (a new member), are at a party when Jennifer begins to show signs of severe intoxication (slurred speech, unsteady on her feet, vomiting). Sarah decides to walk Jennifer home. While walking, a campus police officer sees Jennifer walking unsteadily and stops her. The officer cites Jennifer for underage possession/consumption of alcohol and public intoxication. Sarah is also cited for underage possession/consumption.

**The Medical Amnesty Policy would not apply because Sarah was not actively seeking medical attention for Jennifer, and she did not seek out a qualified individual to assess Jennifer's condition.**

3. Dana comes home to find her roommate, Ellen, passed out on her bed. Dana calls over a member who lives down the hall, Susan, to check on Ellen, because Susan is a nursing student. Once Susan arrives, Susan determines that Ellen does not need medical attention and recommends she "sleep it off."

Later that night, the House Director finds Ellen unconscious in the bathroom. The House Director calls 911, and they transport Ellen to the hospital. The House Director documents the incident and notes that both Dana and Susan admitted to drinking and are both underage.

**The Medical Amnesty Policy does not apply here. Although Dana sought help for Ellen, Susan was not a qualified individual capable of assessing Ellen's condition. Though Ellen did receive emergency assistance eventually, Dana will not receive amnesty because it was the House Director who called for assistance.**

4. Dana is at a party of the Alpha Alpha fraternity. Sometime during the party, Dana passes out on a couch. A few members move her to a private room in the house to “sleep it off.” The hired security guard for the event finds Dana and calls for medical assistance, and Dana is taken to the hospital. Dana’s friends later confirm that she had been consuming liquor at the party, and Dana is 19 years old. It is later revealed that the party at Alpha Alpha was actually an “unofficial” mixer with the DG chapter.

**The Medical Amnesty Policy would not apply because it was a security guard who called for medical assistance. If the event is found to be a Delta Gamma Event, the chapter may still receive sanctions based on the nature of the event. Had chapter members actively sought medical assistance for Dana, this could have been used as a mitigating factor when looking at sanctions for the chapter having an unregistered event.**