

Cal Poly's Alcohol and Other Drug (AOD) Amnesty Protocol

What is it?

The Cal Poly AOD amnesty protocol removes barriers when seeking help for community members in potentially life-threatening situations involving alcohol and other drugs or substances. This is both a Good Samaritan and Medical Amnesty protocol, encouraging a shared responsibility among all Cal Poly students to call for help without fear of consequences. This protocol removes punitive sanctions for first-time infractions involving alcohol and/or other drugs and substances for both the person making the call for help as well as the person experiencing the medical emergency.

This amnesty protocol also removes punitive sanctions as well as failure to comply with COVID-19 safety protocols and related public health guidelines. While the top priority for Cal Poly is students' safety, we expect students to comply with COVID-19 safety protocols. However, if someone is experiencing a medical emergency, the priority should be getting that person help, not worrying about personal responsibilities for violating COVID-19 safety protocols.

Here in California, California Assembly Bill 1999 protects persons under 21 from legal repercussions when calling 911 in cases of alcohol poisoning. The Bill “gives a safe and scientifically proven way for young people in trouble to reach out for help. It also sends a message that if you do the right thing by helping a friend in distress you will not be punished ([CA-AB 1999 Bill Analysis](#)).” Likewise, the purpose of the Cal Poly AOD protocol aligns with the intention of CA-AB 1999. The distinction between California law and the Cal Poly AOD protocol is CA-AB 1999, which concerns our state’s legal system whereas the Cal Poly AOD protocol concerns the campus-wide judicial process.

Why the AOD amnesty protocol?

The Cal Poly AOD amnesty protocol promotes safety and responsibility throughout the university community. It sends a message that health and safety is a priority and students should feel safe doing the right thing. The protocol also provides a natural mechanism to educate students on the signs of alcohol poisoning. Education, paired with a Medical Amnesty protocol, has been shown to increase help seeking behavior ([article here](#)). Also, protocols such as these have been shown to increase appropriate medical attention and follow-up for at-risk students ([article here](#)).

Cal Poly strives to foster a caring community in order to prevent alcohol poisoning and drug overdose deaths.

When Should I Call?

Use the acronym '[MUST HELP](#)' to help remember the signs of alcohol poisoning:

Mental Confusion

Unresponsive
Snoring/Gasping for Air
Throwing Up

Hypothermia
Erratic Breathing
Loss of Consciousness
Paleness/Blueness of Skin

Call 911 or seek help from a Resident Advisor (RA) if you see any one of these signs.

What will happen when I use the protocol?

1. The Office of Student Rights & Responsibilities (OSRR) or University Housing will review the incident to confirm it falls within the parameters of the Cal Poly AOD Protocol. The Protocol addresses incidents where:

A student experiencing an alcohol or drug related overdose seeks medical assistance; or any other person who, in good faith, seeks medical assistance on behalf of the person experiencing the overdose. The individual who seeks medical assistance on behalf of another must remain with the individual experiencing the alcohol or drug related overdose until help arrives.

2. Once the incident is reviewed and qualified for the CP AOD protocol, the student who experienced the medical emergency may be assigned a follow-up consultation with staff from OSRR and Campus Health & Wellbeing. The student who called for help may or may not be assigned an educational program; this is determined based on the circumstances of the incident.
3. Records are kept to track students who have qualified for the AOD amnesty protocol, but the incident will NOT result with:
 - Charges or a violation of the Code of Conduct;
 - Incurred punitive sanctions or outcomes;
 - Go on the student's conduct record.

Will my recognized campus club or organization also receive amnesty?

If the consumption of alcohol or other drugs occurred during an event sponsored, organized, or supported by a student club or organization, Cal Poly will consider the reporting of the incident as a mitigating factor when determining any disciplinary action imposed on the student club or organization. Other mitigating circumstances could include the efforts made by hosts or officers to prevent the situation, participation in Cal Poly educational programs designed to prevent such incidents, and cooperation with any Cal Poly investigation of the incident. Conversely,

failure to report such an occurrence would be considered an aggravating factor when imposing any disciplinary sanctions.

What are other important factors to consider?

- With the exception of use and/or possession of alcohol or other substances, no other major [Student Conduct Code](#) violation can occur during the time of an incident. For example, if a sexual assault occurs or university property is damaged a student will not be covered under the Cal Poly AOD amnesty protocol.
- Resources that students can contact for assistance include emergency services (911) as well as university personnel (e.g., resident advisors).
- Follow-up evaluation and education are fundamental components of any Good Samaritan/Medical Amnesty Policy such as the Cal Poly AOD amnesty protocol. If a student is assigned education or follow-up, they must complete it by the given date, otherwise eligibility for use of this protocol will be revoked and Code of Conduct charges may result.
- This Cal Poly AOD amnesty protocol covers alcohol as well as other drugs and substances.

Resources:

[Campus Health & Wellbeing](#)

Campus Health & Wellbeing helps students achieve and maintain academic success and lifelong health and well-being by providing health care, disease and injury prevention education, professional mental health services and supports. Students interested in connecting with a professional Health Educator or Counselor regarding their substance use can make individual appointments to discuss their needs. Students interested in connecting with a community of support are encouraged to connect with [Mustangs for Recovery](#).

[Aware Awake Alive](#)

Aware Awake Alive is a non-profit organization that offers resources with the mission of preventing the loss of young adult lives from alcohol poisoning.

[The Office of Student Rights & Responsibilities](#)

The Office of Student Rights & Responsibilities (OSRR) provides an overview regarding all system and institutional-wide judicial policies and processes.

[University Housing](#)

University Housing offers a safe, inclusive and welcoming community to support each students academic goals as well as personal development.

[CA-AB 1999](#)

"This bill would grant limited immunity from criminal prosecution for any person under the age of 21 years who is subject to prosecution ... where the person under the age of 21 years called

911 and reported that either himself or herself or another person was in need of medical assistance due to alcohol consumption and conformed to other specified requirements."

[CA-AB 472](#)

"This bill would provide that it shall not be a crime for any person who experiences a drug-related overdose, as defined, who, in good faith, seeks medical assistance, or any other person who, in good faith, seeks medical assistance for the person experiencing a drug-related overdose, to be under the influence of, or to possess for personal use, a controlled substance, controlled substance analog, or drug paraphernalia, under certain circumstances related to a drug-related overdose that prompted seeking medical assistance if that person does not obstruct medical or law enforcement personnel."