



University Policy: Student Amnesty Policy
Policy Category: Student Policies
Subject: Application of Amnesty to Students for Specific Conduct Violations
Responsible Executive: Vice President, Student Affairs
Office(s) Responsible for Review of this Policy: Division of Student Affairs
Supplemental Documents: N/A
Related University Policies: Student Conduct Code, Alcohol and Drug Policies, Medical Transport Policy, Title IX Sexual Harassment Policy, Discrimination and Non-Title IX Sexual Misconduct Policy, Hazing Policy; Parental Notification of Incidents and Disciplinary Violations Involving the Use or Possession of Alcohol or a Controlled Substance

I. SCOPE

The Student Amnesty Policy (“Policy”) outlines the circumstances in which students may receive Amnesty. Amnesty means that students can avoid formal nonacademic disciplinary conduct charges and the creation of a formal disciplinary record under certain conditions. Students seeking assistance for themselves or others may be eligible for Amnesty from nonacademic disciplinary conduct charges based on the consumption or possession of alcohol, illegal drugs, or other controlled substances in situations that involve potential critical circumstances such as reporting medical emergencies and/or sexual harassment or sex-based harassment, as defined within University policies. Amnesty under this Policy also extends to specific circumstances when students observe and report hazing activity.

II. POLICY STATEMENT

American University (“the University”) is committed to providing a campus environment conducive to intellectual growth and personal development. The safety of each student at the University is a priority, and the University expects students to address their personal safety and demonstrate concern for others in an immediate and responsible manner in the event of a crisis and/or medical emergency. This Policy governs Amnesty applicable to specific prohibited behavior committed by individual students or student organizations.

The University recognizes that students who have consumed, used, or possessed alcohol, illegal drugs or controlled substances (“alcohol or other drugs”) in violation of University policy may be reluctant to actively seek assistance for themselves or others if there is a crisis or medical emergency due to concern for potential conduct charges and disciplinary proceedings under the Student Conduct Code. The University also recognizes that there are situations in which students may resist reporting information about significant and possibly harmful behavior related to hazing

and sexual violence (domestic violence, dating violence, stalking, or sexual assault) in accordance with University and nondiscrimination policies due to apprehension of negative potential consequences for their own behavior.

III. POLICY

A. General

1. Amnesty

- a. The University will provide students who report or are the subject of the medical emergency or serious incident, as set forth in this Policy, with Amnesty from University conduct-related action under the specific circumstances delineated in this Policy; when Amnesty is granted, the University will not proceed with conduct charges or the imposition of disciplinary action for behavior that, if true, constitutes a violation of the Student Conduct Code or other University policies.
- b. Amnesty may not apply to repeated or egregious incidents that are otherwise covered by this Policy.
- c. Amnesty is granted at the sole discretion of the University.

2. Parental Notifications

Notwithstanding the application of Amnesty to a student under this Policy, the University may notify the parents/guardians of student incidents related to alcohol or other drugs in accordance with applicable University policy.

3. Exceptions to Amnesty

Amnesty under this Policy does not extend to:

- a. Criminal or civil actions initiated by law enforcement with respect to on-campus or off-campus conduct; or
- b. Student Conduct Code charges and disciplinary proceedings for conduct violations not otherwise subject to Amnesty under this Policy.

B. Incidents Related to Alcohol or Other Drugs and Medical Emergencies

1. Amnesty Related to Bystander Intervention Reporting

- a. Students in violation of University policy concerning the use or possession of alcohol or other drugs who take responsible actions to assist other students requiring medical attention may be eligible to receive Amnesty for their behavior if they:
 - i. did not distribute the alcohol or other drugs which resulted in the need for medical assistance for the individual who is intoxicated or under the influence of drugs;
 - ii. take immediate action to call for assistance for another individual in the event of a medical emergency by notifying University staff or first responders, which includes but is not limited to the American University Police Department at 202-885-3636;

- iii. call for help and remain with the individual in need of help until emergency responders, law enforcement, or University staff arrives;
- iv. cooperate with first responders;
- v. report the medical transport of an individual from an off-campus location to the American University Police Department, to ensure that a transported individual will receive the follow up support they need when they return to campus; and
- vi. do not place the responding emergency personnel, University staff, or law enforcement officers at risk of their health or safety.

2. **Amnesty for Students Evaluated for Medical Transport**

Students in violation of University policy concerning the use or possession of alcohol or other drugs who are evaluated for transport to a medical facility, regardless of whether a medical transport occurs, may be eligible to receive Amnesty for their behavior if they:

- a. seek assistance for themselves as soon as practicable;
- b. have not been evaluated for or received medical transport under prior circumstances related to alcohol or other drug use or consumption;
- c. do not place University staff or first responders at risk of their health or safety; and
- d. do not have significant conduct disciplinary history.

C. Incidents Related to Hazing

1. Members of the American University community are strongly encouraged to report instances of hazing by student organizations, athletic teams, groups, or individuals utilizing the Hazing Report Form on the Dean of Students webpage.
2. The University will conduct timely investigations into allegations of hazing by students or student organizations and administer appropriate discipline, in accordance with the Student Conduct Code and the Hazing Policy. In some cases, any investigation and discipline resulting from a reported hazing incident may apply to both the student organization and individual students involved.
3. Students who report information in good faith related to hazing in a timely fashion, whether personal use or consumption of alcohol or other drugs is involved, may receive Amnesty from conduct charges related to the incident if they:
 - a. were present and observed the behavior but did not directly engage in actions that constitute hazing, as defined within and are prohibited by the Hazing Policy;
 - b. did not provide or distribute tools or goods in order to facilitate the hazing of any student, including but not limited to, alcohol and other drugs, blindfolds, substances for consumption, etc.
 - c. proactively reported the hazing incident either to the Office of the Dean of

Students, Center for Student Involvement, the Office of Student Accountability and Restorative Practices, or the American University Police Department at or near the time of the incident; and

- d. cooperate fully with any investigation into the matter and do not withhold relevant information.

D. Incidents Involving the Reporting of Title IX Sexual Harassment, Harassment, and Sexual Misconduct

1. Students who file or assist in the filing of a report or complaint of Title IX sexual harassment, harassment, or sexual misconduct in accordance with the Title IX Sexual Harassment Policy and the Discrimination and Non-Title IX Sexual Misconduct Policy, or participate in the investigation and/or other resolution of such allegations, may receive Amnesty if in violation of University policy concerning the use or possession of alcohol or other drugs when the alleged incident occurred.
2. Amnesty may not be afforded to students when there is an allegation that the students reporting the incident of Title IX sexual harassment, harassment, or sexual misconduct pursuant to Section D.1. of this policy are accused of the alleged conduct or provided alcohol or other drugs to the subject of the report and consent and/or incapacitation is at issue.

E. Educational Intervention

1. Students who have received Amnesty because of an alcohol or other drug-related medical emergency may be directed by the Dean of Students to complete a minimum of one educational intervention meeting with a staff member from the Center for Well-being Programs and Psychological Services. The purpose of this meeting is to offer the student support, help the student gain insight into their experience, become aware of any patterns of behavior, identify risks associated with alcohol and other drug use, and receive referrals for appropriate services as necessary. The requirements for any future meetings will be established and communicated to the student in writing.
2. Students who fail to complete required educational intervention meetings with the Center for Well-being Programs and Psychological Services staff will be referred to the Office of Student Accountability and Restorative Practices and are subject to loss of the Amnesty and formal disciplinary action.
3. The University may determine that a student who receives Amnesty for their conduct requires mandatory educational intervention in addition to or different than meeting with the Center for Well-Being Programs and Psychological Services and issue a directive for the student to complete the intervention activity or program by a date specific. Failure to complete the mandated intervention activity or program may result in loss of the Amnesty and formal disciplinary action.

IV. EFFECTIVE DATE AND REVISIONS:

This Policy is effective as of February 3, 2025