

# Limited Immunity Policy

The College is very concerned about the well-being—both physically and emotionally—of each of its students. Inappropriate consumption of alcohol with very high Blood Alcohol Content can have a very negative effect on both the individual who consumes and the friends that who may be asked to assist the very intoxicated student.

The College, also, realizes that students may hesitate to call for help in situations involving alcohol or other drugs for fear of facing judicial action. In the interest of health and safety, Gustavus provides limited immunity for those who seek assistance for themselves or others in need of medical attention. While policy violations cannot be overlooked, in situations such as these, the College will provide educational sanctions only and no disciplinary file will be maintained for this incident if the sanction is fulfilled. Should the student be found responsible for subsequent alcohol or other drug violations, notation of the educational sanction will be entered in the student's judicial file.



Questions regarding the alcohol descriptions and outcomes should be directed to the Dean of Students Office at (507) 933-7526.



---

## Know your limits Know the consequences

---

### Alcohol Information 2009-2010

## Explanation of Typical Sanctions

**ACES Workshop:** A three-hour educational workshop facilitated by the Peer Assistants.

**Level II Workshop:** A three-hour educational workshop facilitated by the Director of Alcohol and Drug Education.

**Developing Goals with a Mentor:** Over a six-week period students are asked to develop academic, co-curricular and personal goals with the support of a mentor. Students select a mentor from a list of College employees who volunteer with this program. They meet a minimum of four times over the course of six weeks, creating an action plan based on the student's goals.

**Decrease in Housing Priority:** Decrease in the computer-generated, randomly assigned priority number used for room selection. This decrease will occur during the subsequent Housing Selection process.

**Relocation:** Re-assignment from a particular on-campus space to another. The student will forfeit the living space of her/his choice for the academic year.

**Disciplinary Censure:** The serious nature of the specific violation or existence of prior violations merit deep concern by the College for a pre-determined period of time. The individual's status with the College is in jeopardy and therefore parents are notified when students are censured. Students sanctioned with Disciplinary Censure should understand that in most cases, future violations will result minimally in Disciplinary Probation.

**Disciplinary Probation:** This is the most serious form of behavior-related sanction which can be imposed short of suspension. The individual is considered to be "not in good standing with the

Institution" for a determined period of time. Students on Disciplinary Probation may be prohibited from registering for or participating in off-campus study, travel courses, internships, career explorations, off-campus independent studies, representing the College in any activity (e.g., athletic teams, choirs, bands, ensembles, debate, etc.), performance, or presentation. You should be in contact with appropriate faculty or staff members to discuss how your disciplinary status affects your ability to participate. Students who register in such programs and courses accept the financial risks associated with being barred from participating should they be on disciplinary probation or suspended when the term begins. These financial risks include, but are not limited to, unrecoverable deposits, fares, reservations, and pro-rated group travel costs. The College reserves the right to remove a student on disciplinary probation from a course or program if it deems such action to be in the best interest of the student, the College, or the program/course. Because Disciplinary Probation indicates a change of student status with the College, parents are notified.

**Suspension:** Termination of Student status for a definite period of time. The conditions of readmission shall be stated in the order of suspension.

**Expulsion:** Permanent termination of Student status. The fact of expulsion shall become part of the Student's permanent academic record at the College and remain so.

*Additional options for disciplinary sanctions include but are not limited to: educational programming, work hours, residence hall eviction and referral to off-campus resources.*

For a complete list of Gustavus policies and procedures go to  
<http://gustavus.edu/gustieguide>  
or contact the Dean of Students Office at (507) 933-7526.

The College has adopted guidelines for the adjudication of alcohol offenses. Please remember:

- ⇒ **Citations resulting from Possession Violations** are cumulative over the course of an academic year but may influence Judicial Board decisions in subsequent years.
- ⇒ **Sanctions resulting from Consumption Violations** are cumulative over the course of a student's enrollment.
- ⇒ These sanctions are imposed only at the completion of the judicial process. A letter indicating the outcome of the process will be sent to the student and others as required by the sanction.
- ⇒ Students hosting non-Gustavus guests are responsible for ensuring the latter's compliance with all College policies.

Review this information carefully.

Possession Violations: <i>The following behaviors will typically result in a citation AND a College disciplinary record at a <u>minimum</u>. A greater sanction may be assigned.</i>	Citation I Behaviors <i>Promotion of events where alcohol is the primary focus; display of alcohol-related materials in windows or areas outside of residence hall rooms; possession of “open containers” in public/non-designated areas by persons 21 years of age or older.</i>	Citation II Behaviors <i>Possession or presence of any alcohol containers in “underage” rooms; possession of alcohol by underage persons.</i>	Citation III Behaviors <i>Possession of a keg or other bulk, common source alcohol or container.</i>
First Offense	\$25 Fine Meeting with Residential Life Staff	\$100 Fine ACES Workshop	\$200 Fine Meeting with Residential Life Staff
Second Offense	\$50 Fine Meeting with Residential Life Staff	\$200 Fine Level II Workshop Developing Goals with a Mentor	\$300 Fine Housing Relocation or Eviction Referral to Director of Alcohol and Drug Education
Third Offense	Referral to College Judicial Board for further sanctioning.	Referral to College Judicial Board for further sanctioning.	Referral to College Judicial Board for further sanctioning.

Consumption Violations: <i>The following behaviors will typically result in the listed sanctions AND a College disciplinary record at a minimum. A greater sanction may be assigned.</i>	Level I Behaviors: <i>Consumption of alcohol by underage persons; failure to pass field sobriety tests including a blood alcohol measure up to .149 by underage persons as determined by Campus Safety or other law enforcement agencies; permitting others (students or guests) to use assigned rooms to violate the alcohol policy.</i>	Level II Behaviors: <i>Staggering; public intoxication, vomiting but coherent and conscious; failure to pass field sobriety tests including a blood alcohol measure between .15 and .199 by any student as determined by Campus Safety or other law enforcement agencies; students possessing and consuming from kegs or other bulk or common source containers.</i>	Level III Behaviors: <i>Vomiting and incoherence; unconsciousness; needing or receiving medical attention (including treatment by EMTs and/or transportation to hospital or “detox”); loss of bodily functions; memory loss; BAC .20 or higher by any student as determined by Campus Safety or other law enforcement agencies; supplying or assisting minors in any way in obtaining alcohol; illegal sale of alcohol; driving under the influence</i>
First Offense Sanctions	\$100 Fine ACES Workshop	\$200 Fine Level II Workshop Developing Goals with a Mentor Disciplinary Censure (Parents notified)	Alcohol Use Assessment \$250 fee for Assessment 25 work hours Decrease in housing priority/relocation Behavioral Contract Disciplinary Probation (Parents notified) <b>OR</b> Diversion Program (see *below)
Second Offense Sanctions	\$200 Fine Level II Workshop Developing Goals with a Mentor Disciplinary Censure (Parents notified)	Alcohol Use Assessment \$250 fee for Assessment 25 work hours Decrease in housing priority/relocation Behavioral Contract Disciplinary Probation (Parents notified)	Suspension/Expulsion Certified addictions counselor recommendation and approval from Director of Alcohol and Drug Education AND Dean of Students required for re-admission.
Third Offense Sanctions	Alcohol Use Assessment \$250 fee for Assessment 25 work hours Decrease in housing priority/relocation Behavioral Contract Disciplinary Probation (Parents notified)	Suspension/Expulsion (Parents notified) Certified addictions counselor evaluation and approval from Director of Alcohol and Drug Education AND Dean of Students required for re-admission.	<b>*Diversion Program:</b> Students may request to participate in this program if their first student conduct violation is a Level III alcohol violation. Diversion program components are: <ul style="list-style-type: none"><li>• Alcohol Use Assessment</li><li>• Participate in Weekly onGUARD group meetings</li><li>• Behavioral Contract</li><li>• Parents notified</li><li>• \$250 fee for Assessment</li></ul>