Policy Title: Bystander Intervention Amnesty

Purpose:
The purpose of this policy is to maintain a campus environment that promotes healthy, responsible living; affirms civility; supports the well-being of each member of the campus community, and is compliant with state and federal laws and college policies regulating behavior. Respect for college/campus/community standards and regulations is expected.

Definitions:

Policy:
The College expects all community members to take reasonable and prudent action to prevent or stop harassment, discriminations, and the violation of College policy and Student Conduct Code.

Taking action may include direct intervention, a call to campus security (Fergus Falls and Moorhead campuses have security services), or a report to a person in authority. The College also recognizes that fear of disciplinary repercussion may deter reporting or requests for help. The College has developed this policy to alleviate such concerns and encourage members of the College to respond to a potential act of sexual, emotional, or physical violence with or without the use of alcohol and/or drugs by any of the parties.

Students will be eligible for bystander amnesty when a student not acting in a staff capacity seeks professional assistance for another student(s) believed to be in danger or risk of significant harm if not assisted by emergency personnel.

Students will be eligible for bystander intervention amnesty when a student not acting in a staff capacity, but rather as a “Good Samaritan” seeks professional assistance for another student(s) believed to be in danger or risk of significant harm if not assisted by emergency personnel.

Eligibility for bystander intervention amnesty when acting as a “Good Samaritan” will be limited to:

1) The student(s) in need of assistance/intervention and
2) The student who first contacts emergency services (dialed 911) or first contacts security services (Fergus Falls and Moorhead campuses have security services) for assistance.

Assessing emergency assistance will be a mitigating factor in the student disciplinary process as noted below:

The student who placed the call for assistance may be required to complete educational programs and/or counseling related to sexual violence intervention. Disciplinary probation or suspension will be ‘deferred’ on the condition the student completes the educational sanctions as defined by the authorizing authority.
Bystander amnesty is specific to campus disciplinary action related to the Student Conduct Code.

Students granted bystander amnesty will not be immune from discipline for other concurrently occurring violations of the Student Conduct Code, such as but not limited to sexual violence, physical violence, hazing, vandalism, and weapons.

If local law enforcement assistance is required, the college cannot guarantee immunity for students from citation, arrest or criminal prosecution.

Associated Policies:
M State Student Conduct Code (http://www.minnesota.edu/handbook/)
Minnesota State Statutes (https://www.revisor.leg.state.mn.us/statutes/?id=340A.503)
Minnesota State System Board Policies 5.18 Alcoholic Beverages or Controlled Substances on Campus (http://mnschu.edu/board/policy/518.html)
Minnesota State System Board Policies 3.6 Student Conduct (http://mnschu.edu/board/policy/306.html)

Associated Procedures:
Minnesota State System Board Procedure 1C.0.1 Employee Code of Conduct (http://mnschu.edu/board/procedure/1c0p1.html)

Policy History:
Policy Owner: Chief Student Services Officer
Policy Author: Shawn Anderson
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Policy Group Assignment: Students
Procedure Written: