

Responsible Bystander Policy

Alcohol and Controlled Substance Bystander Intervention

Frequently Asked Questions

Why did UC Berkeley create this new policy?

At UC Berkeley, student safety is our paramount concern. The intent of this policy is to remove certain barriers students may face when seeking medical assistance for a peer in need of medical attention. UC Berkeley has broader policies regarding alcohol, which you can read more about here: <http://sa.berkeley.edu/code-of-conduct>

When does this policy take effect?

The policy becomes effective August 1, 2016.

To whom does this policy apply?

This policy applies to students and campus-recognized student organizations (including registered student organizations, sponsored campus organizations, and affiliated campus organizations).

What does this mean for me as an individual?

Students who seek medical assistance for a fellow student involved with alcohol or controlled substances will not be subject to a Student Code of Conduct violation process if they themselves have violated the code's sections regarding alcohol or controlled substances.

What does this mean for my RSO?

When members of an RSO report or seek medical assistance for a fellow student involved with alcohol or controlled substances, their organization will not be subject to a Student Code of Conduct violation process if members violated the code's sections regarding alcohol or controlled substances.

What happens to the students who are transported? / Are they subject to the Student Code of Conduct? / What about Residential policies?

Transported students are subject to the Student Code of Conduct (<http://sa.berkeley.edu/code-of-conduct>).

In regard to the Residential Code of Conduct, students who receive medical attention may be encouraged to have a conversation with residential staff, aimed at providing resources for the student while discouraging alcohol and substance abuse.

So, does this mean *nothing* will happen to me (or my RSO) if I get help for a fellow student?

If necessary, the reporting student or RSO may be referred to the Center for Student Conduct to discuss participation in an appropriate educational program. This is not the same as a punitive sanction, but rather an effort to reduce similar behaviors and situations in the future.

Participation in an educational program will not create a reportable conduct record for the student (or their RSO).

Those invoking the policy more than once may create a higher degree of concern and will be reviewed by the Center for Student Conduct for an appropriate follow-up. The student or RSO may be referred to the Center

for Student Conduct to discuss participation in an appropriate education program in a timely manner. Participation in the education program will not create a reportable conduct record.

How does this policy work in regards to police involvement or criminal charges?

This policy does not provide amnesty from any city, state, or federal laws that may apply. This policy does not apply to any citation, arrest, or other action taken by police or law enforcement officials, nor is this policy applicable to potential violations of the Residential Code of Conduct.

What about the policies in my residence hall?

This policy only applies to the Student Code of Conduct. This policy is not applicable to potential violations of the Residential Code of Conduct.

What is the Residential Code of Conduct?

These policies are in effect on campus residential property, such as residence halls and dining units. These policies do not affect educational status (as with the Student Code of Conduct), but apply to a student's ability to live in campus housing.

The Residential Code of Conduct covers topics on everything from alcohol use to disruptive behavior to threats to safety and verbal harassment, and even key use and posting flyers. Residents are accountable for knowing and adhering to both the UC Berkeley Student Code of Conduct and the Residential Code of Conduct, which is a subset of the Berkeley code. The Residential Code of Conduct can be read here:

<http://reslife.berkeley.edu/conduct/residential-code-conduct>.

If I invoke this policy, is something going on my permanent record?

Records that fall under this policy will be maintained by the Center for Student Conduct but will not create a reportable conduct record. The reporting student or RSO may be referred to the Center for Student Conduct to discuss participation in an appropriate educational program. This is not the same as a punitive sanction, but rather an effort to promote alcohol and substance abuse education.

Participation in an educational program will not create a reportable conduct record.

How has this policy worked at other universities/UC campuses?

Similar changes have been made at other university campuses (such as Cornell University), including UC San Diego, and these campuses have seen an increase in the number of student who seek medical assistance for fellow students.

Note that this does not mean more students are drinking or using controlled substances — the data implies that students are more likely to seek necessary help when they are given “amnesty” for their own involvement in alcohol or controlled substances.

How many times can a student invoke this policy?

Those invoking the policy more than once may create a higher degree of concern and will be reviewed by the Center for Student Conduct for an appropriate follow-up.

What about violations of the conduct policy beyond the alcohol/drug policy violations?

This policy is limited only to the provisions of the Code that apply to alcohol and drug use, specifically 102.17 and 102.18.

What specific parts of the Code of Student Conduct does this apply to?

V. GROUNDS FOR DISCIPLINE

The Chancellor may impose discipline for the commission or attempted commission (including aiding or abetting in the commission or attempted commission) of the following types of violations by students (as specified by University Policy 100.00, <http://www.ucop.edu/ucophome/coordrev/ucpolicies/>), as well as such other violations as may be specified in campus regulations:

102.17 — Controlled Substances (Unlawful manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, possession, use, or sale of controlled substances, identified in federal and state law or regulations;

and,

102.18 — Alcohol (Manufacture, distribution, dispensing, possession, use, or sale of alcohol that is unlawful or otherwise prohibited by, or not in compliance with, University policy or campus regulations).

You can read more about the entire Code of Student Conduct, here: <http://sa.berkeley.edu/code-of-conduct>

What else is happening around campus to prevent alcohol abuse?

- [Our House Campaign](#) — A student-led movement to improve party culture at Berkeley by reducing problems related to alcohol.
 - <https://www.facebook.com/CalPartyTips/?fref=ts>
 - <https://uhs.berkeley.edu/ourhouse>
- [AOD Counselors](#) at Tang
 - <https://uhs.berkeley.edu/health-topics/alcohol-and-other-drugs>
- [SoBears](#) — A supportive, affirming and substance-free environment in which students recovering from substance abuse, and those in support of recovery, can interact socially on campus while pursuing academic, personal, and professional goals.
 - <https://callink.berkeley.edu/organization/sobears>
- [Bears That Care](#) — An active bystander initiative to make our campus safer. The objective of Bears That Care (BTC) is to create a community of care wherein community members — like yourself — are able to recognize and intervene in situations that have the potential to be violent or harmful
 - <http://sa.berkeley.edu/btc>
- [LEAD Center Signatory Certification Agreement and Training](#) — A registration process that all student groups must complete in order to be recognized by the University. The online and in-person agreement and training covers best practices and policies to address alcohol abuse.

Who can I contact with any questions about this?

Please contact the Center for Student Conduct:

- <http://sa.berkeley.edu/conduct/>
- studentconduct@berkeley.edu
- 510.643.9069