

University of Massachusetts Dartmouth
Student Affairs/Office of Community Standards
Alcohol Policy

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| Policy Number | STU-003 |
| Effective Date | August 25, 2021 |
| Responsible Office/Person | Student Affairs/Office of Community Standards |
| Related Policies | Medical Amnesty Policy, Drug Policy |
| Additional History | Supersedes the Drug Policy, effective 2016 |

I. Policy Statement

The University of Massachusetts Dartmouth is committed to the academic and personal success of its students. It is also committed to the health and well-being of all members of the University community. With this in mind, the University Alcohol Policy has been established to ensure that the use of alcohol does not adversely affect the effective functioning of the University nor inhibit the freedom of students to pursue their goals while attending the institution. This policy has also been established to inform students, faculty, staff, alumni, contractors, vendors, and visitors of the laws, policies, practices, and sanctions that govern the use of alcohol. The University must and will uphold local, state and federal laws governing alcohol possession, use, and distribution. Consistent with its mission, the University of Massachusetts Dartmouth is also committed to providing education about alcohol as well as intervention and support services to address alcohol abuse and its effects.

Jurisdiction: The University of Massachusetts Dartmouth Alcohol Policy applies to all students studying at any affiliated UMass Dartmouth site (including Study-Away locations) and all University owned property and buildings as well as any grounds and facilities that are rented or leased by the institution. This policy also pertains to behavior at off-campus locations that adversely impacts the University.

II. Purpose

The Alcohol Policy represents the University's commitment to the health and well-being of all members of the University community with regard to the use of alcohol. It also represents the University's adherence federal, state, and local regulations regarding the use of alcohol.

III. Definitions

Medical Amnesty - see Medical Amnesty Policy

Practices Allowed by the UMass Dartmouth Alcohol Policy:

Those of legal drinking age may possess and consume alcohol according to Massachusetts State Law. Students may not possess open alcohol containers in public areas of campus-owned properties. Additionally, students are expected to comply with all related policies and procedures as stated in the Student Handbook and the Residential Student Contract. Students possessing or consuming alcohol may be required to produce identification by an identified University official to provide proof of age.

Violations of Policy:

Students who are under the legal drinking age:

- May not be under the influence of (consume) alcohol
- May not possess alcohol
- May not be in the presence of alcohol and will be charged with a violation of the Complicity Policy if seen in the presence of alcohol

Students who are of legal drinking age:

- May not possess open containers of alcohol in any public area on campus except at an approved University event. Public areas include anywhere outdoors, classroom buildings, dining facilities, library, athletic facilities as well as hallways, stairwells, porches/balconies, public restrooms, lounges, lobbies, laundry rooms, and other public areas of the residence buildings.
- May not use alcohol in the presence of minors unless at a University sanctioned event.
- May not provide alcohol to those under the legal drinking age.
- May not possess or remain in a University-owned space where common source containers, not limited to a quarter-keg, pony keg, wine box, beer ball, Jell-O shots, or ice luges are present or where alcoholic drinking games are being played.
- May not drive while under the influence of alcohol

All students regardless of age:

- May not produce, manufacture, brew, distill, or otherwise create alcoholic beverages on campus
- Must abide by the drinking laws of the immediate locale while on an away program such as Washington Semester or Study Abroad or at any University sponsored or approved trip or program
- Must adhere to all applicable policies when hosting both student and non-students guests. (See Host Policy, Guest Policy, Quiet/Courtesy Hour Policies.)
- May not set up or participate in drinking games regardless of type of substance used in the game. Such games mimic high-risk drinking behaviors and may, in and of themselves, pose a danger to participants as with water intoxication.

Student Groups (includes student organizations, Greek organizations, athletic teams, etc.):

- Student Groups must make every effort to ensure the safety and well-being of participants in their activities and events. They must refuse entry to anyone who appears to be intoxicated and must alert University officials if a participant appears to be intoxicated to the point of being of harm to themselves or others. In the case of off-campus events, the group hosting the event must notify staff at the venue that a participant is intoxicated to the point of harming themselves or others. They must also report instances of underage drinking to the proper authority if it is observed.
- Student Groups must ensure that participants do not bring alcohol into their events or use alcohol during their events including on buses or other vehicles used for transportation to and from off-campus locations.

Guidelines for Residential Communities:

First Year Communities (Balsam, Spruce, Chestnut, Maple Ridge, Roberts, and Elmwood)

- These are alcohol-free zones. No student, including student staff, regardless of age, may possess alcohol in these buildings.

Oak Glen/Pine Dale/Elmwood Transfer Community

- Only students of legal drinking age may possess or consume alcohol in these environments. Students of legal drinking age who live in the same room with students who are under the legal drinking age must store alcohol in a location that is out of plain sight. They may only have alcohol in a private refrigerator or in a space that is clearly their portion of the room. They must make every effort to prevent access by underage students and guests to their alcohol.

Woodland Apartments/Cedar Dell Townhouses:

- When all residents of a unit are of legal age, alcohol may be stored in public areas of the unit such as the kitchen, living room, etc.
- When a portion of the residents of the unit are of legal drinking age and a portion are under the legal drinking age, alcohol may only be stored in the private bedroom(s) of those who are of legal drinking age and with the door closed.
- Only students of legal drinking age may possess or consume alcohol in these environments.

Rules and Regulations Governing the Sale and Serving of Alcohol:

The laws of Commonwealth of Massachusetts, the Town of Dartmouth, and policies of the University of Massachusetts Dartmouth and the regulations of SMUSERV, Inc. govern the service and sale of alcoholic beverages on the UMass Dartmouth campus. In recognition of these laws, rights, and responsibilities, the following rules and regulations are hereby published:

- The serving and/or sale of any alcoholic beverages by any organization other than SMUSERV, Inc. is not authorized.
- The SMUSERV, Inc. club license permits alcoholic beverages to be served or sold at UMass Dartmouth; however, the sale of alcoholic beverages is prohibited in all University buildings with the exception of the following licensed areas: Campus Center (all floors), west patio of Campus Center, Residents Dining Hall currently termed Marketplace, Woodlands Commons Community Building, Auditorium Lobby, Foster Administration Building (third floor) and Group VI currently termed CVPA.
- The advertising of the selling of spirits, including beer and wine, is forbidden by provision of the club license. Each organization must receive approval through the Conference and Events Office prior to the function being booked, indicating that they understand the above regulation; and if they advertise, the advertisement must be approved through the SAIL (Student Activities Involvement and Leadership) Office prior to printing or the event may be cancelled.
- All bar service shall be closed no later than 12:15a.m.; however, Campus Services management, or Public Safety, reserves the right to close any bar at an earlier time to preserve the health and safety of its patrons.
- Due to the special nature of a club license, all guests at any Campus Services functions serving alcoholic beverages must be registered. The organization shall be charged a nominal general registration fee to cover all guests in attendance.
- Campus Services management reserves the right to refuse to serve anyone who in its best judgment may be under the influence of alcohol, or for any reason necessary in its judgment to preserve the health and safety of its employees, customers, guests, or the community. All servers receive training mandated by the Town of Dartmouth General By-Laws.
- Any law of the Commonwealth of Massachusetts, Town of Dartmouth, and regulations of SMUSERV,

Inc. are incorporated herein. Individuals served must be members of SMUSERV, Inc. or a recognized guest.

Alcohol Advertising and Promotion:

UMass Dartmouth prohibits advertising of both internal and external events and establishments at which alcohol will be served that violate the spirit of legal, healthy, and responsible use of alcohol. This pertains to University and student publications, signs and flyers, and social media sites of recognized University departments and student organizations. Any advertisement of alcohol must be approved by the following:

Campus Center: SAIL Office

Residential Buildings: Office of Housing and Residential Education

All other Buildings and Outdoor Areas: Campus Facilities Office

IV. Procedures

Consequences for Violations of Policy:

Students who choose to violate the alcohol policy as specified above, will likely be charged with a violation of policy through the Student Conduct Process. (See **Code of Student Conduct.**) The Office of Community Standards receives and acts on reports written by Residential Education staff, University of Massachusetts Dartmouth Police, and other University community members about incidents involving alcohol. It is also important to note that the Office of Community Standards routinely receives reports from local Police Departments and from other colleges and universities at which students visit. When a student is accused of a violation of this alcohol policy, s/he will receive a Conduct Conference Notification via his/her UMass Dartmouth email account and will meet with a Conduct Conference Facilitator to review the conduct process, the report(s) related to the alleged violation(s), and the specific alleged violations resulting from the incident. The Conduct Conference Facilitator and student will then decide how to best proceed through the process and resolve the matter.

In accordance with its commitment to a safe and healthy educational community, the University of Massachusetts Board of Trustees has approved the following sanctions for students who have been found in violation of the alcohol policy. It is important to note that sanctions for violations of the alcohol policy and the drug policy are cumulative during the time that a student is enrolled at the University. In accordance with provisions allowed by FERPA (Federal Education Rights and Privacy Act), UMass Dartmouth routinely informs parents/guardians of students of violations of the alcohol policy and the drug policy regardless of the age of the student. UMass Dartmouth believes that parents/guardians play an important role in addressing concerning behaviors with their student.

Mandatory Minimum Sanctions in Student Conduct Process for Alcohol Violations:

| Violation | Disciplinary Sanction | Educational Sanctions: | Fee | Parent/Guardian Notification** |
|--|--|--|---|-------------------------------------|
| 1 st Minor | University Warning | Under the Influence- online alcohol course | \$35 paid to 3 rd Millennium Classroom | Letter |
| 2 nd Minor | University Probation 1-2 years | Alcohol Assessment with AdCare/Gosnold/Other | Health Insurance Co-Pay | Letter/Phone Call Requested |
| 3 rd Minor | -Suspension from the University 1-2 years -Banned from Campus during suspension | Alcohol Treatment with Licensed Provider | Health Insurance Co-Pay | Letter/Phone Call Requested |
| Hospitalization on Arrest Prat. Custody | University Probation 1-2 years | Alcohol Assessment with AdCare/Gosnold/Other | Health Insurance Co-Pay | Phone Call from Dean On Call/Letter |
| Distribution of Alcohol to Minors | Permanent Removal from Housing/No Visitation/ University Probation 1-2 years | Based on specifics of incident | | Letter/Phone Call Requested |

**Parent/Guardians are notified after the Community Standards Process is complete. For those hospitalized or taken into protective custody, the Office of CARE and Advocacy or Dean on Call will call the student's Emergency Contact.

NOTE: The above sanctions may prevent students from holding leadership positions, being hired for particular student positions, and participation in athletics, study abroad programs, and internships.

Legal/Criminal Action:

In addition to the Student Conduct Process and in accordance with local laws, students may be taken into Protective Custody, Arrested, or receive a Summons to Court for alcohol-related incidents.

V. Responsibility

Questions regarding the UMass Dartmouth Alcohol Policy may be directed to the Office of Student Affairs, the Office of Community Standards, the Office of Housing and Residential Education, and the University Alcohol Committee

VI. Attachments

<http://www.umassd.edu/housing/termsandconditions/>

Approved:  Date: 8/25/2022
Mark A. Fuller, Chancellor