



UNIVERSITY ALCOHOL AND DRUG POLICIES

UNIVERSITY OF MASSACHUSETTS AMHERST

Effective September, 2008





Substance abuse and its related consequences undermine the University of Massachusetts Amherst's goals of academic success and civility. For this reason, the university has established policies and regulations pertaining to the possession and consumption of alcoholic beverages and the possession, use, distribution and sale of controlled substances and paraphernalia. These standards conform to state and federal laws, and enhance the health, safety, property and educational interests of all members of the university community.

Health risks associated with alcohol and other drug consumption include impaired judgment, vision, speech, coordination, memory, sensation and perception. Long-term use of alcohol and other drugs can negatively impact many of the body's systems, and cause physical and psychological dependence.

In accordance with the Drug-Free Schools and Communities Act, Amendments of 1989 (PL101-226 20 U.S.C. sec. 1145g), university regulations and laws pertaining to alcoholic beverages and the possession, use, distribution and sale of controlled substances shall be strictly and consistently enforced. Any violation of the university's Code of Student Conduct or violation of federal, state or local laws shall subject the offender to the university disciplinary process and/or criminal prosecution.

This policy pertains to alcohol and other drug use behaviors in residence halls, university apartments and university-approved housing. All members of the university community, including students not residing on campus, are responsible for obtaining and adhering to this policy while in university-approved housing.

Code of Student Conduct

Section II. D.10:

Alcohol Policy for Residence Halls and University-approved Housing

- No person under 21 years of age may possess, use or be under the influence of alcohol.
- Providing alcoholic beverages to a person under age 21, whether gratuitously or for sale, is prohibited.
- Intoxication, defined as being under the influence of alcohol or any other psychoactive drug to any extent that requires the attention of university staff, causes a disturbance, or is a danger to persons (self and others) or property, is prohibited.
- A resident of legal age living in a university residence hall or floor where alcohol is permitted may possess or store a maximum of twelve (12 oz.) bottles/cans of beer, or two (750 ml.) bottles of wine, or one (750 ml.) bottle of hard liquor.
- Quantity-dispensing containers, including but not limited to kegs, punch bowls and beer balls, are prohibited.
- Drinking funnels, taps, ice luges or similar devices are prohibited.
- Drinking games or other activities involving rapid and/or excessive consumption are prohibited. Creating, offering, and playing drinking games such as beer pong are considered endangering behaviors and are prohibited.

- A group of more than 10 people in a residence hall room or suite in which alcohol is present is prohibited. In the North Apartments, this applies when there are more than 14 people in an apartment.
 - Open alcoholic beverage containers (including cups containing alcohol) are prohibited in any public space, including public corridors, stairwells, bathrooms, kitchens, balconies and lounges.
 - Alcohol is not allowed in alcohol-free halls or floors, regardless of one's age. Housing and Residence Life will determine areas designated as alcohol-free.
 - Possession of alcohol containers, whether empty or full, is prohibited for persons under age 21.
-

Consequences of violations

MINIMUM SANCTIONS AND EDUCATIONAL REQUIREMENTS	
First Offense	Housing probation for two semesters BASICS I; \$100 program fee
Second Offense	Housing removal deferred* for two semesters BASICS II; \$175 program fee Parental notification
Third Offense	Permanent housing removal Restriction from current residence hall Parental notification

*Note: all sanctions are cumulative. Students with a judicial history may receive more severe sanctions. Sanctions may also be enhanced based on the severity of the behavior and the impact on the community.

DRUG POLICY

Violators of university drug policies are subject to severe sanctions *including, but not limited to, removal from residence halls, suspension or expulsion.*

Unlawful possession of a controlled substance is prohibited, *as defined by Massachusetts General Law (MGL) Chapter 94C, Section 32, which states “no person knowingly or intentionally shall possess a controlled substance, unless such substance was obtained directly, or pursuant to a valid prescription or order, from a practitioner while acting in the course of his professional practice, or except as otherwise authorized by the provisions of this chapter.” Penalties include imprisonment for up to five years or a fine of not more than \$5,000, or both a fine and imprisonment depending on the class of drug and offense.*

Drug paraphernalia used with controlled substances is prohibited, *as defined by MGL Chapter 94C, Section 32, which states “no person shall sell, possess with intent to sell, or manufacture with intent to sell drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, package, repackage, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance.”*

Determination of whether an item is drug paraphernalia will be made considering all relevant facts, including, but not limited to, the proximity of the item to the controlled substances. Penalties include imprisonment and/or fines.

Unauthorized possession of a hypodermic syringe or needle, or any instrument adapted for the administration of controlled substances by injection is prohibited, *as defined by MGL 94C, Section 27.*

Unlawful sale/distribution/manufacture of controlled substances is prohibited, *as defined by MGL 94C, Section 32, which states, “any person who knowingly or intentionally manufactures, distributes, dispenses or possesses with intent to manufacture, distribute or dispense a controlled substance in Class A of section thirty-one shall be punished by imprisonment in the state prison for not more than ten years or in a jail or house of correction for not more than two and one-half years or by a fine of not less than one thousand nor more than ten thousand dollars, or by both such fine and imprisonment.”*





Definitions of Sanctions

Housing Probation: A specified period of time during which any further violations may result in housing removal or housing relocation.

Housing Removal & Restriction*: The individual will not be allowed to live on campus for a specified period of time, and will be prohibited from entering residence halls from which they are restricted.

Deferred Housing Removal: A specified period of time during which any further violations will result in housing removal.

Permanent Housing Removal and Restriction*: The individual will never again be allowed to live on campus or enter any residence hall.

University Probation: A specified period of time during which any further violations may result in suspension.

Suspension*: A specified period of time during which the individual is separated from the university and cannot participate in any university-sponsored activity. The individual may be barred from all university premises and loses academic credit for a suspension that takes effect during a semester. Suspension may be recorded on the student's transcript.

Deferred Suspension: A specified period of time during which any further violation will result in suspension.

Expulsion*: A permanent separation from the university system. The individual is barred from university premises and the sanction recorded on their transcript.

Parental Notification: If any student violates university alcohol policies for a second time, or violates any drug policies, including distribution of controlled substances, the parents or legal guardians of dependent students under 21 will be notified. The university may waive parental notification in unusual circumstances, if a student can make a bona fide showing that notification will create significant hardship

** Any monetary losses are the individual's responsibility.*



BASICS

BASICS (Brief Alcohol Screening and Intervention for College Students) helps students explore their alcohol and drug use in a non-judgmental environment. The program works to reduce risky behavior and the harmful consequences of substance abuse.

BASICS is required for those violating university alcohol and drug policies; program fees apply. Students may also be referred by a healthcare provider, or can choose to take part in the program on their own, at no charge. Students who complete BASICS under the Good Samaritan Protocol do not pay the program fee, unless they fail to comply with the mandated referral to the program, or have other judicial charges related to the incident. BASICS is located in the Center for Alcohol and other Drug Abuse Prevention at University Health Services.

Good Samaritan Protocol

Severe intoxication or serious injuries after consuming alcohol or drugs are potentially life-threatening emergencies. Although individuals may be reluctant to report these situations, obtaining medical help is imperative. The university's Good Samaritan Protocol can mitigate potential judicial consequences, ensuring that health and safety remain our community's top priority. An individual who requires medical attention due to excessive alcohol or drug intoxication does not face judicial consequences or have to pay the BASICS program fee.



Resources

University Health Services

577-5000

Online: www.umass.edu/uhs

- *Health Education & the Center for Alcohol and other Drug Abuse Prevention* 577-5181
www.umass.edu/uhs/cadap
- *BASICS* 577-5071
- *Athletic Health Enhancement Program* 545-4588
- *Fresh & Sober* 577-5188
- *Mental Health Services* 545-2337

Dean of Students Office

545-2684

Online: www.umass.edu/dean_students

