



# Housing and Residence Life

Living at UMass



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## Policies & Guidelines

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Your room on campus is a base of operations from which you are entitled to come and go as you please; a home away from home where your personal belongings are secure and respected; a sanctuary for reading and writing and preparing for classes without distractions or loud noise; a place where you can kick back and relax with your own thoughts and dreams, visit confidentially with friends, or just plain "be."

Your room is a private space and may not be entered by anyone without your consent or proper legal documentation, except for reasons of maintenance, health, and safety.

Neither you nor any other member of the residential community need justify a desire for safety, cleanliness, quiet, or privacy. These are the rights of every member of the community, which means they are both your rights and your responsibilities.

Taking responsibility for your own actions and for the well-being of your fellow residents is the spirit of the community and, when it comes right down to it, the rule of the University of Massachusetts Amherst. Residential rights are protected along with your right to redress grievances without fear of intimidation or retaliation within the community.

Infringement upon your rights or the rights of any other member of the community by you or others will not be tolerated and will be dealt with by your peers along with members of the Residence Life staff according to the University of Massachusetts Amherst disciplinary procedures. (See the Code of Student Conduct.) Resident Assistants and Apartment Living Advisors are not expected to give warnings before reporting policy violations to the Residence Directors, Assistant Residence Directors, Apartment Complex Coordinator and/or Apartment Manager.

## Alcoholic Beverages Regulations

The following regulations have been adopted by the Department of Housing and Residence Life. (See also [Alcohol & Drug Policies: What Every Student Should Know!](#) found on the Dean of Students web site.)

### Preface

Procedures established for the acquisition, possession, transportation, consumption, distribution, and sale of alcoholic beverages shall represent standards that acknowledge freedom for educational and social pursuits and protection from hazards, intrusions, harassment, and vandalism.

To provide for the responsible use of alcoholic beverages by students, staff, and guests of the residence hall community, the Executive Director of Housing and Residence Life or her/his designee is authorized to establish rules, regulations, and procedures governing residence halls alcohol use. The following policy is designed to provide for an educational environment that:

- Informs all students and staff of appropriate alcohol-related rules and regulations.

**Student Staff**

**Department Directory**

- Ensures the enforcement of state, local, federal, and University laws regulating alcohol.
- Provides for disciplinary procedures that ensure that policy violators are prosecuted.
- Makes provisions for the responsible consumption of alcohol.

### General Guidelines

- This policy sets standards of conduct that all students, staff and guests must observe.
- Any member of the University of Massachusetts Amherst community may charge a student with alleged violation of this policy under the disciplinary provisions of the Code of Student Conduct.
- If any student is found to be in violation of the University of Massachusetts Amherst alcohol and drug policies for possession of a keg or large volume, for dispensing alcohol to a minor, or for possession or distribution of controlled substances, the parents or legal guardians of dependent students under 21 will be notified. If any student violates the University policies for underage possession or open container in public space for a second time, the parents or legal guardians of dependent students under 21 will be notified. The University of Massachusetts Amherst may waive parental notification in unusual circumstances if a student submits a bona fide statement indicating that such notification will create significant hardship.
- Violations of any residence hall alcoholic beverage rule, regulation, or policy may also result in civil and/or criminal litigation.
- The adjudication of policy violations includes, but is not limited to, mediation, informal or formal hearing procedures, and initiation of civil and criminal proceedings.
- The use and association of alcohol with inappropriate behavior is not allowed as a mitigating factor in disciplinary hearings.

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### Education and Enforcement

Residence hall staff are responsible for the dissemination and enforcement of the Alcoholic Beverage Policy.

**The Residence Director, Apartment Complex Coordinator and Apartment Manager's role is to:**

- Inform all students in her/his cluster of the rules and regulations regarding alcohol consumption and transportation.
- Supervise the Resident Assistants/Apartment Living Advisors in the enforcement of the rules and regulations of the policy.
- Educate the student governance bodies about their role in informing residents about the policy and enforcing the policy at sponsored events.
- Apply the appropriate disciplinary procedures to any violator of the policy.

**The Resident Assistant and Apartment Living Advisor's role is to:**

- Inform students of the Alcoholic Beverage Policy.
- Report all violations of the policy to the appropriate University staff.

Residence hall staff and student governance groups may work together to establish alcoholic beverage regulations and procedures that take into account the needs of their specific hall community. These regulations must be consistent with all related federal, state, local, and University policies.

### Rules

**What is prohibited**

- Minors may not possess or consume alcohol within the residence halls. When all residents are under 21 years of age, they are considered to be residents of "dry rooms." No alcoholic beverages are allowed in their rooms, not even for guests.
- Residents who are 21 years or older may not provide alcohol to underage students within the halls.
- The amount of alcohol which a student may possess and/or store is limited to twelve (12 oz) bottles/cans of beer, two (750 mL) bottles of wine, or one bottle of hard liquor (1L). This applies to each resident in a room who is 21 or older. Other quantity-dispensing containers, including but not limited to kegs and beer balls, are prohibited in all areas of the residence halls.
- Possession of an open container of alcohol is never permitted in "common areas" including, but not limited to, corridors, kitchenettes, bathrooms, laundries, or stairwells.

- Possession or consumption of alcohol by any person, regardless of age, is prohibited in all areas of alcohol-free halls and floors including, but not limited to, student rooms, public corridors, stairwells, bathrooms, kitchens and lounges.
- Kegs, beerballs, and other large-volume containers that contain alcoholic beverages are not permitted anywhere in any residence area.
- Consumption of alcoholic beverages is not permitted in outdoor areas, such as parking lots or fields, that are adjacent to the residence halls and dining facilities.
- Alcohol may not be sold in residence hall rooms/suites, corridors, kitchenettes, or stairwells.
- Events may not include activities with any form of drinking contest or require a participant to drink alcohol.
- Student organizations or residential units shall not sell nor offer for sale any alcoholic beverages unless conditions established by the University Alcoholic Beverage Policy are met and a proper license is obtained from the Commonwealth of Massachusetts prior to the event.

### What is permitted

- Only residents who are at least 21 may consume alcohol within the residence halls.
- Alcohol is permitted at a registered event in a designated area of a residence hall or in a residence hall room when the student has reached the legal drinking age.
- Sponsoring individuals or groups who serve or allow alcoholic beverages to be served may be responsible for injury to the consumer and to third persons resulting from such beverage distribution and consumption.
- At events where alcoholic beverages are provided:
  1. Only designated servers may dispense the alcoholic beverage.
  2. Individuals or sponsoring organizations must take precautionary measures to ensure that alcoholic beverages are not accessible or served to persons under the legal drinking age or to persons who are intoxicated.
  3. Food and nonalcoholic beverages must be available and featured prominently.

### Pertinent Statutes

Listed below are some pertinent statutes concerning Commonwealth Law, Chapter 138, published in Annotated Laws of Massachusetts.

1. It is unlawful for a person not of legal drinking age to purchase, possess, transport, or consume alcoholic beverages.
2. It is unlawful for any person not of legal drinking age to knowingly and willfully make any misrepresentations or false statement as to his/her age in order to obtain alcoholic beverages.
3. Any purchase or arrangement with another to purchase or procure an alcoholic beverage by a person less than the legal drinking age is a crime punishable by a fine of \$300.
4. Any person less than the legal drinking age who transports or carries on his/her person an alcoholic beverage commits a crime punishable by a fine of not more than \$50 and may be arrested without a warrant (except persons who are 18, 19, or 20, who may transport or carry alcoholic beverages in the course of her/his bona fide employment in an establishment licensed to sell alcoholic beverages)

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### Resources

The following are several on-campus resources available to students regarding alcohol use, abuse and counsel.

- **Brief Alcohol Screening and Intervention for College Students (BASICS) 545-0137**  
Helps you assess your use, identify changes that could work for you and reduce your risk of future problems. Students are required to attend BASICS after a first, and second level violation of UMass Amherst's alcohol policy. If you're seen medically for an alcohol-related incident, you may be referred to BASICS. Students will be required to attend BASICS for drug policy violations as well. Or, you could take part in BASICS on your own.
- **Mental Health Services - 545-2337**  
Provides counseling, support groups and 24 hour emergency coverage. You may also consult the on-call clinician.
- **University Health Services (UHS) - 577-5229**  
Urgent Care will assist with an immediate concern, medical question or urgent medical problem.
- **Emergency -- In a medical emergency, call the UMass Police - 911**

## Code of Student Conduct Violations

If you should be found in violation of the Code of Student Conduct, you will receive a notice indicating the section number of the code that you violated and you will be subject to disciplinary action.

**The Residence Hall Regulations portion of the Code follows:**

### II. D. Residence Hall Regulations

#### II. D. 1. A. Security Regulations

The maintenance of a safe and secure residence hall environment is the responsibility of each resident. Students are responsible for adhering to the stated policies regarding residence hall security, guests, entrance/exit doors, and maximum room capacity.

#### II. D. 1. B. Guest in Violation of University Policy

Hosts are responsible for their guest(s) and should accompany them at all times. Hosts may be held responsible for any guest who violates regulations as noted in the Code of Student Conduct. If the guest is a UMass Amherst student who violates regulations, the guest may be charged for the policy violation. The host may be charged with violation of the guest policy.

#### II. D. 2. Noise Policy

Residents and guests must abide by the courtesy and quiet hours as determined by each cluster. Residents must comply with requests to reduce excessive noise. At no time should any amplified sound be directed out of residents' windows.

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#### II. D. 3. Health and Safety Standards

Any activity deemed to be a threat to the health and safety of students is strictly prohibited. Basic health standards are expected around sanitary conditions, hygiene, and appropriate use of bathrooms and common areas. It is an expectation that students will keep kitchen areas, bathrooms, hallways, and their rooms clean. This includes, but is not limited to, refrigerating perishable foods, closing containers to avoid attracting pests, cleaning sinks after washing dishes, etc.

#### II. D. 4. Furniture Policy

Each residence hall room is furnished with University furnishings, which must remain in the students' rooms at all times. Furnishings need to meet safety standards and be assembled properly. Waterbeds are not allowed in the residence halls. The University does not offer public storage for students. In addition, lounge furnishings must remain in public areas at all times. Residents may be held financially responsible for costs associated with replacing missing furniture and/or removing unauthorized furniture from their rooms.

#### II. D. 5. Window Screen Policy

Window screens must remain in windows at all times.

#### II. D. 6. Candle Policy

Candles, lit or unlit, are not permitted in student rooms. Recreational use of candles is prohibited in all areas of the residence halls. Lit candles are allowed for religious purposes only (in designated areas only) and must be registered in advance as outlined in the *Lighting Religious Candles in the Residence Halls* agreement.

#### II. D. 7. Pet Policy

The University prohibits pets in the residence halls (except fish in tanks no larger than 10 gallons). Exceptions may be granted for animals required by students with hearing or sight disabilities.

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#### II. D. 8. Bathroom Policy

Students and their guests must use bathroom facilities designated for their sex.

#### II. D. 9. Smoking Policy

Smoking is prohibited in residence halls except in the officially designated space(s) in each building.

#### II. D. 10. A. Alcohol - Underage Drinking/Possession

In accordance with Massachusetts law, you must be 21 or older to drink or possess alcoholic beverages. If residents of a room are under 21 years of age, no alcoholic beverages are allowed in their room at any time.

#### II. D. 10. B. Alcohol - Open Container in Public Space

Possession of an open container of alcohol is prohibited in all common areas of residence halls including, but not limited to, public corridors, stairwells, bathrooms, kitchen units, and lounges. Note: residents over the age of 21 may consume alcohol in their rooms, whether the door is open or

closed.

#### **II. D. 10. C. Alcohol - Possession of Alcohol in Alcohol-Free Halls and Floors**

Possession or consumption of alcohol by any person, regardless of age, is prohibited in all areas of alcohol-free halls and floors including, but not limited to, student rooms, public corridors, stairwells, bathrooms, kitchens and lounges.

#### **II. D. 10. D. Alcohol - Large Volume**

The amount of alcohol which a student may possess and/or store is limited to twelve (12 oz) bottles/cans of beer, two (750 mL) bottles of wine, or one bottle of hard liquor (1L). This applies to each resident in a room who is 21 or older. Other quantity-dispensing containers, including but not limited to kegs and beer balls, are prohibited in all areas of the residence halls.

#### **II. D. 10. E. Alcohol - Providing Alcohol to an Underage Drinker**

Providing alcohol to anyone under the legal drinking age is prohibited.

#### **II. D. 10. F. Alcohol - Possession of Alcohol Paraphernalia**

The possession and/or use of drinking paraphernalia or products that promote the abuse of alcohol and/or put the user in a position to consume alcohol irresponsibly is prohibited. This includes but is not limited to funnels, taps, and Beirut/beer pong tables.

#### **II. D. 10. G. Alcohol - Unlawful gathering serving alcohol**

Due to the potential for noise violations and illegal alcohol consumption, large gatherings are prohibited in the residence halls. A group of more than 10 people in a residence room in which alcohol is present (regardless of room size) will be considered a large gathering. Progressive large gatherings (i.e. round robins) and/or any gatherings that spill out into a common space are prohibited and may be viewed as a violation of the alcohol policy.

#### **II. D. 10. H. Alcohol - Intoxication**

Intoxication, defined as being under the influence of alcohol or any other psychoactive drug to any extent which requires the attention of University staff or which causes a disturbance or is a danger to persons or property is prohibited. You may be reluctant to seek medical help for an individual experiencing severe intoxication or a serious injury after consuming alcohol. However, it is imperative that you call for medical assistance since these emergencies are potentially life threatening. UMass Amherst has developed the Good Samaritan Protocol to ensure that the health and safety of all community members remains our first priority.

#### **II. D. 10. I. Alcohol - Possession of empty alcohol containers**

Possession of empty alcohol containers (i.e. liquor bottles, wine bottles, and/or beer cans) is prohibited in residence halls by students who are under 21 and may be viewed as evidence of possession and/or consumption of alcohol. In addition, students are not allowed to use alcohol containers, whether full or empty, as decorations within their residence hall room.

#### **II. D. 10. J. Alcohol - Engaging in drinking games**

Creating, offering, and/or engaging in drinking games or other behaviors designed for the purpose of rapid and/or excessive consumption is prohibited. At no time should activities which encourage excessive drinking and/or lead to the endangerment of the individual served take place in the residence halls.

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#### **II. D. 11. Incense Policy**

Incense, lit or unlit, is not allowed in the residence halls for fire safety reasons.

#### **II. D. 12. Community Living Standards**

All residents are expected to be respectful and responsible members of the communities within University residence halls. Students are expected to refrain from actions which prevent individuals from having a safe and respectful community living experience. Examples include, but are not limited to the following:

1. Students must cooperate with University officials acting in performance of their duties; and
2. Students must refrain from actions that would interfere with a roommate's right to occupy the room
3. Students must refrain from incivility to staff and/or other residents
4. Students must refrain from engaging in physical fights

#### **Guest Policy**

Common sense and common courtesy apply when you want friends to visit your room, whether they are UMass Amherst students or not. Before inviting guests, check with your roommate. If he or she is writing a paper or studying for an exam, the distraction of others in the room may not be

welcome.

Roommates have the right to refuse their roommate's guest(s) or to ask the guest(s) to leave for reasonable cause. Interference with a roommate's right to occupy a room violates the Residence Hall Regulations.

You may sign in a maximum of four guests for an evening. A maximum of ten persons (including residents) may be in a room or suite at any given time.

North residents may sign in a maximum of ten guests per apartment for an evening. A maximum of fourteen persons (including residents) may be in an apartment at any given time. Overnight guests are limited to two per room.

To apply for an exemption to these policies, see your Residence Life staff.

The guest policy may be adjusted in unusual circumstances for the safety and security of residents. Students will be notified of changes.

Guests can affect other residents besides your roommate. If guests violate the Code of Student Conduct, residents may ask residence hall staff or University Police to mediate with the offenders or remove unauthorized visitors from the premises. Security or hall staff also have the right to refuse entry to guests. The policies that follow apply to hosts and their guests.

#### **Hosts are responsible for:**

- Accepting responsibility and accountability for the behavior and policy violations of visitors and guests, including children.
- Presenting proper identification when you enter your building, and ensuring that your guests carry photo identification. Security monitors will not admit guests into the residence halls without photo identification. Refer to Section II, Part A in the Code of Student Conduct for a list of violations relating to Personal Identification and Representation.
- Meeting, registering, and escorting guests in and out of the residence hall; accompanying guests at all times.
- Abiding by the laws of Massachusetts and the regulations of UMass Amherst. You and your guest(s) may be subject to prosecution or the UMass Amherst disciplinary process if violations occur.
- Informing guests of all residence hall fire safety policies.

#### **Guests are responsible for:**

- Presenting photo identification to security staff each time they enter or leave the hall. guests without photo identification will not be admitted to the residence halls. The police may also be notified, and action may be taken against the resident who invited the guest to the residence hall.
- Registering with security staff each time they enter or leave the hall. Guests who enter a residence hall before security hours must register at the security desk as soon as security staff goes on duty.
- Abiding by the Code of Student Conduct. Guests who engage in endangering or destructive activities are subject to restriction or revocation of visitation privileges.
- Observing the Quiet Hours and Courtesy Hours of the residence hall and floor they are visiting.

#### **Overnight guests**

- Are limited to two per room: one roommate may have two guests, or two roommates may have one guest each.
- May stay no longer than three days and two nights.
- Must wait at least 14 days before visiting the same room or residence hall.
- Must be accommodated in your room. Public space (including apartment common living room area, or suite lounge) may not be used for guest accommodations.

### **Harassment Policy**

Harassment is a form of violence that consists of verbal and/or written invasion/violation of another person's rights. It can be racial, sexual, or personal in nature and may be expressed through graffiti, obscene telephone calls, or other means.

All students and staff members who live and work in the residence hall system deserve to remain free from harassment, including lewd or indecent behavior. This type of behavior interferes with the University's primary educational responsibility and its duty to protect the health and safety of all members of the University community.

If you experience harassment in person or over the phone, report the incident to the residential staff and **University Police at 413-545-2121**.

If you engage in harassment or physically assault another resident, you will be removed from the residence hall system. Where appropriate, you may be suspended from the University and/or you may be subjected to legal action through the courts. The influence of drugs or alcoholic beverages does not mitigate the consequences of this type of behavior or limit your responsibility. It may, in fact, increase the seriousness of the offense.

### Hazing Policy

You have the right to be free from the humiliation and danger of hazing. The University unconditionally opposes any situation intentionally created to produce mental or physical discomfort, embarrassment, harassment, or ridicule. The University fully endorses and upholds the Commonwealth law prohibiting any and all forms of hazing and supports the pursuit of legal penalties for violations.

This prohibition applies to all students within the residence halls as well as fraternity and sorority members. Every year each fraternity and sorority member must sign an acknowledgment of understanding and a pledge of conformance to the Massachusetts law against hazing. You can obtain a copy of the hazing law from the **Office of Fraternities and Sororities, 413-545-2711**.

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