Policy Statement for Student Organizations

Alcohol and Other Drugs

Summary of City, State, and Federal Laws and Regulations
1. The sale, delivery, or furnishing of alcohol to persons under the age of 21 is prohibited.
2. The possession or transportation of alcoholic beverages by individuals under the age of 21 is prohibited.
3. Social hosts may be held liable for injuries caused by guests who consume alcohol at the hosts’ premises and then harm themselves or third parties.
4. Willfully misrepresenting one's age or altering, defacing, or otherwise falsifying identification offered as proof of age, with the intent of purchasing alcoholic beverages is prohibited.
5. There are heavy penalties, including imprisonment, for possession or distribution of illicit drugs and for selling or delivering alcohol to, or procuring alcohol for, anyone under 21.
6. The consumption of alcohol on public property or on property open to the public is prohibited.

All students are expected to comply with all applicable city, state, and federal laws and regulations as well as with all College rules governing the use and possession of alcohol.

Student Organization Leaders
Officers of all student groups (whether or not such group is officially recognized by the College) are leaders in the Harvard community, and the College expects that they, like any other social host, will create safe social environments. To this end, student group officers are urged to participate in annual education efforts with the Office of Alcohol and Other Drug Services and OSL, which may include, training on event planning, risk reduction, and the responsible service of alcohol.

Disciplinary Action
The University requires all students to become familiar with the information on drugs and alcohol distributed at registration each year. When cases involving drugs and alcohol come to the attention of the College, the College may take disciplinary action against a student, including requirement to withdraw. However, the College has also adopted an “amnesty policy,” as set forth below.

Amnesty Policy
Any student may bring an intoxicated or drug-impaired friend to Harvard University Health Services or to a hospital, or seek assistance from College residential life staff or HUPD, and by doing this, neither they nor the friend will face disciplinary action from the College for having used or provided alcohol or drugs. Further, if the consumption of alcohol or drugs took place at an event held, sponsored, organized or supported by a student group and the person who seeks assistance for the intoxicated or drug-impaired student was a member or guest of the student group involved, the College will weigh this fact heavily as a mitigating circumstance with respect to any potential disciplinary action with respect to the other members of the group. Conversely, the College will consider the failure to seek assistance by members of the student group as a factor when determining the appropriateness of any such disciplinary action. The College also may consider as mitigating factors the student group’s participation in the College’s annual education and training about responsible social events, as well as any efforts made by the hosts or officers to prevent the harmful or potentially harmful situation and their cooperation with the College in its investigation of the situation.

Usual Responses
Officers of the College may initially respond to the use of illicit drugs, underage possession or consumption of alcohol, serving alcohol to underage individuals, or overconsumption of alcohol with a warning and/or referral to the AODS. A pattern of behavior in violation of rules governing their use or possession will lead to warning by the House Master or Dean of Freshmen, admonition by the Administrative Board, probation, or requirement to withdraw. The Administrative Board will take serious action, ordinarily probation or requirement to withdraw, in any case involving the possession in quantity or the sale or distribution of drugs, or when cases of drug and alcohol use engender danger to individuals or to the community at large. The Administrative Board will also take action in cases in which a student is involved in the falsification of identification with the intent of obtaining alcohol.
Student Groups
In addition, where serious harm, or the potential for serious harm, has come to any person as a result of consumption of alcohol or drugs at an event held, sponsored, organized or supported by a student group, whether or not such group is officially recognized by the College (either on-campus or off-campus), and the individual or individuals directly responsible are not identified, the host or hosts of the event may be held personally responsible. If the hosts cannot be identified, the officers of the organization may be held personally responsible. In considering such cases, the College will, in all circumstances, apply the amnesty policy set forth above.

At a minimum, when cases involving the consumption of alcohol or drugs at an event held, sponsored, organized or supported by a student group come to the attention of the College, the student group may be asked to come to the Office of Student Life for a conversation about their procedures for hosting responsible social events and may be asked to participate in additional education or training efforts.

Hazing
Students are advised that Massachusetts law expressly prohibits any form of hazing in connection with initiation into a student organization. The law applies to all student groups, whether or not officially recognized, and to practices conducted both on- and off-campus. All such student groups (including not only groups officially recognized by the College but also final clubs, fraternities, sororities, and the like) must provide the Office of Student Life with contact information for all undergraduate officers by September 30, and must sign and return to the Office of Student Life the College’s non-hazing attestation form by September 30.

Massachusetts General Laws
The term “hazing” as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Hazing is a crime punishable by fine and/or imprisonment. The Administrative Board of the College will consider all reports of hazing in the normal course of this oversight, taking disciplinary action in appropriate cases, and will report confirmed incidents to appropriate law enforcement officials.

Failure to Report
The failure to report hazing also is illegal, under Massachusetts law:
Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable.
Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

Student Organizations and Social Host Liability
Where serious harm, or the potential for serious harm, has come to any person as a result of hazing by members of a student group, whether or not such organization is officially recognized by the College (either on-campus or off-campus), and the individual or individuals directly responsible are not identified, the host or hosts of the event or activity will be held personally responsible. If the hosts are not identified, the officers of the organization will be held personally responsible. In considering such cases, the Administrative Board will apply the College’s amnesty policy (set forth within the section on Drugs and Alcohol, subsection “Disciplinary Action”), and also may consider as mitigating factors with respect to possible disciplinary action the efforts made by the hosts or officers to prevent the harmful or potentially harmful situation, as well as their cooperation with the College's investigation of the situation.