

Alcohol and Drugs

Rules, Regulations, and Laws

State of Oregon Laws:

ORS 165.805 Misrepresentation of age by a minor

When minors misrepresent their age, they purposely are not truthful about their age to prevent being in violation of the law. They are referred to juvenile court or cited into Circuit Court. The minor will be fined and must wait up to one year to obtain a driver license. (*Class C Misdemeanor*)

ORS 471.430 Minor in possession of alcohol

When minors are in possession of alcohol, they are either holding the alcohol, have consumed the alcohol, or attempted to purchase. They will be referred to juvenile court or cited into circuit court. The minor will be fined, driving privileges will be suspended for up to one year, and/or the minor will have to wait up to one year to apply for a driver license. Juveniles may be sent to an alcohol education course. (*Class B Violation*)

ORS 471.610 Confiscation of liquor and property

When any officer arrests a person for violating a liquor law, usually selling and/or serving without a license, the officer may take into possession all alcoholic liquor and other property used for the event. Other property that can be confiscated includes: bars, glasses, chairs, tables, music devices, furniture, and equipment. This property is forfeited to the state of Oregon.

ORS 471.620 Property or places subject to confiscation

Any room, house, building, boat, structure or place of any kind where alcohol beverages are sold or given away in violation of the law shall be subject to confiscation. Anyone who maintains or assists in maintaining such a place, violates of the Liquor Control Act.

ORS 471.410(2) Furnishing alcohol to a minor

No person shall sell, give or make alcohol available to a minor. A parent or legal guardian may provide alcohol to their child in a private residence. If you provide alcohol to a minor, you will be cited to appear in circuit court. (*Class A Misdemeanor*)

ORS 471.410(3) Controlling an area where minors are permitted to consume alcohol

It is illegal for someone exercising control over private real property to allow any person under 21 to consume alcohol on the property. It is also illegal to allow any person under age 21 to remain on the property if they have consumed alcohol. Private real property may include a hotel room, campsite, or any rented/leased location. If you control an area where minors consume alcohol, you will be cited into circuit court. (*Class B Violation*)

ORS 471.565 Licensee, permittee and social host liability

As a social host, if you serve visibly intoxicated patrons or guests, you are liable for damages incurred or caused by the patrons or guests away from your home.

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ORS 471.567 Liability for serving minors; liability of a minor for misrepresentation of age

As a licensee, permittee or social host, you are liable for injuries caused by a minor who obtained alcohol beverages from you when you did not properly check for identification. Minors who misrepresent their age and cause a licensee to be fined or have a license suspended or revoked, are civilly liable for damages sustained by the licensee.

UO Student Conduct Code:

Article II: Definitions-

(12) “Drug” means a controlled substance or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C.811 to 812 or as defined in ORS 475.005 or modified in ORS 475.035.

Article III: Violations of Community Standards by Individual Students- Section 3

(j) Prohibited alcohol use, which includes:

(A) Possession or consumption of alcohol by those under 21 years of age on University Premises or at a University Sponsored Activity;

(B) Furnishing of alcohol to a person under 21 years of age; or

(C) Consumption of an alcoholic beverage by a person at least 21 years of age or furnishing of an alcoholic beverage by or to a person at least 21 years of age, except in such areas and at such times as the University authorizes.

(k) Prohibited drug use, which includes:

(A) Manufacture, processing, distribution, or cultivation of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity, except as expressly permitted by law;

(B) Sale of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity; or

(C) Possession of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity except as expressly permitted by law.

Article IV: Violations of Community Standards by Student Organizations

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When members of a Student Organization act together in a way that violates University Student Conduct Code, the Student Organization is expected to hold its members responsible for those violations.

(1) When a potential violation of the Student Conduct Code by a Student Organization comes to the University's attention, the Office of Student Conduct and Community Standards may review the incident to determine the appropriate process for resolution. Generally, the University will expect a Student Organization to hold itself accountable for the acts of its members when those acts are related to the Student Organization's activities.

(b) The University, through the Office of Student Conduct and Community Standards, reserves the right to take immediate jurisdiction at its discretion. The student organization or governing body may still hold its members accountable in the situation, but must do so in conjunction with the Office of Student Conduct and Community Standards.

(4) In deciding whether the group is responsible for the violation, the University will consider whether the following factors are present:

(a) The violation arises out of a group-sponsored, organized, financed, or endorsed event;

(b) The organization provides the impetus for the violation;

(c) The violation occurs on the premises owned or operated by the group;

(d) A group leader has knowledge of the violation being likely to occur before it occurs and fails to take corrective action; or

(e) A pattern of individual violations is found to have existed without proper and appropriate group control, remedy, or sanction.

IFC Constitution:

Article VIII (General Expectations and Responsibilities) Section 1 (Member Fraternity and Colony Responsibility) Subsection A

#6- Chapters will not condone nor tolerate the use of illegal drugs or the misuse of alcohol.

#8- Chapters will not consume alcohol on official chapter or university property.

Fraternal Information and Programming Group (FIPG) Guidelines

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(47 Greek Letter organizations are members and base risk management policies on FIPG):

1. The possession, sale, use or consumption of ALCOHOLIC BEVERAGES, while on chapter premises or during a fraternity event, in any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the fraternity, must be in compliance with any and all applicable laws of the state, province, county, city and institution of higher education, and must comply with either the BYOB or Third Party Vendor Guidelines.
2. No alcoholic beverages may be purchased through or with chapter funds nor may the purchase of same for members or guests be undertaken or coordinated by any member in the name of or on behalf of the chapter. The purchase or use of a bulk quantity or common source(s) of alcoholic beverage, for example, kegs or cases, is prohibited.
3. OPEN PARTIES, meaning those with unrestricted access by non-members of the fraternity, without specific invitation, where alcohol is present, are prohibited.
4. No members, collectively or individually, shall purchase for, serve to, or sell alcoholic beverages to any minor (i.e., those under legal drinking age).
5. The possession, sale or use of any ILLEGAL DRUGS or CONTROLLED SUBSTANCES while on chapter premises or during a fraternity event or at any event that an observer would associate with the fraternity is strictly prohibited.
6. No chapter may co-sponsor an event with an alcohol distributor or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) at which alcohol is given away, sold or otherwise provided to those present. This includes any event held in, at or on the property of a tavern as defined above for purposes of fundraising. However, a chapter may rent or use a room or area in a tavern as defined above for a closed event held within the provisions of this policy, including the use of a third party vendor and guest list. An event at which alcohol is present may be conducted or co-sponsored with a charitable organization if the event is held within the provisions of this policy.
7. No chapter may co-sponsor, co-finance or attend or participate in a function at which alcohol is purchased by any of the host chapters, groups or organizations.
8. All recruitment or rush activities associated with any chapter will be non-alcoholic. No recruitment or rush activities associated with any chapter may be held at or in conjunction with a tavern or alcohol distributor as defined in this policy.
9. No member or pledge, associate/new member or novice shall permit, tolerate, encourage or participate in "drinking games." The definition of drinking games includes but is not limited to the consumption of shots of alcohol, liquor or alcoholic beverages,

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the practice of consuming shots equating to one's age, "beer pong," "century club," "dares" or any other activity involving the consumption of alcohol which involves duress or encouragement related to the consumption of alcohol.

10. No alcohol shall be present at any pledge/associate member/new member/novice program, activity or ritual of the chapter. This includes but is not limited to activities associated with "bid night," "big brother – little brother" events or activities, / "big sister - little sister" events or activities, "family" events or activities and initiation.