Information Regarding Alcohol for Off-Campus Events Involving Students

Kalamazoo College follows Michigan state laws regarding alcohol. The laws are numerous and those most relevant to events where students are present include:

1) it is illegal for persons under the age of 21 to purchase, possess, or consume alcohol
2) it is illegal to provide (purchase, furnish) alcohol to persons under 21
3) “diligent inquiry” is required in determining a person’s age
4) you can expect the state to enforce these laws

This document is intended to help faculty and staff members understand the risks and potential legal liability related to hosting off-campus events with alcohol to which students are invited. In doing so, it also provides guidance for responsible hosting.

Faculty and staff members wishing to host off-campus events that include alcohol should be aware of the following:

1. Hosts can incur personal legal and civil liability if there are problems, legal or otherwise, resulting from the hosted event. This is true even if the event is offered under the auspices of a department or the College. Owners or residents are legally and civilly responsible for what occurs on their property. If an event or gathering is sponsored (subsidized, authorized, condoned) by the College and occurs off campus, “K” may be considered a secondary liable party.

2. Hosts are responsible for ensuring that nothing illegal occurs during an event. Ensuring that those consuming alcohol are of legal age and that no one becomes intoxicated, regardless of age, are two important legal elements. Evidence of overconsumption or intoxication can result in legal charges for the intoxicated person as well as for the host(s).

3. Persons who host “bring your own [BYO]” events have the same liability as hosts who provide or furnish alcohol to guests.

Recommendations

1. The safest option is to avoid hosting events at which alcohol will be provided or permitted if students are present. A helpful question to ask while planning an event is, “Is alcohol necessary for this event to be successful?”

2. If you choose to provide alcohol at an event, responsible hosting guidelines may include:
   a. Provide substantial, non-salty food and non-alcoholic beverages.
   b. Ensure that only people over the age of 21 are consuming alcohol. Check IDs.
   c. Ensure that no one is over-consuming alcohol. Establish a guideline for the amount of alcohol available to those of legal age.
      Generally speaking, one alcoholic drink (12 ounces of beer, 5 ounces of wine) per hour is considered to be low-risk consumption.
   d. Monitor behavior. Ensure that no one who may be intoxicated drives a vehicle, walks alone, or is unattended.

The College reserves the right to take appropriate action if faculty or staff create conditions where they, or students, are breaking the law at events where students are present. A more comprehensive review of the College’s alcohol policy will follow at a later date.

Endorsed by President’s Staff
April 8, 2010