



Eastern Kentucky University

Policy and Regulation Library

University Policy: 9.1.1POL

Responsible Office(s): Athletics, Conferencing and Events, and Center for the Arts

Effective: August 29, 2019

Next Review Date: February 28, 2023

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Service, Sale and Consumption of Alcoholic Beverages

Statement

The University is committed to providing a healthy and safe environment for all Internal and External Constituents. The service, sale and consumption of Alcoholic Beverages is controlled by State Laws, Ordinances, Regulations, and University Policies. All Internal and External Constituents are expected to comply with these State Laws, Ordinances, Regulations, and University Policies.

This policy establishes the University's policies and procedures for the service, sale and consumption of Alcoholic Beverages on University Property and at University Events.

The University prohibits the service, sale and consumption of Alcoholic Beverages on University Property and/or at University Events and Non-University Events except as permitted by law and specifically authorized by this policy.

The University desires to preserve an environment compatible with academic endeavors without unnecessarily restricting exercise of legal privileges, while also promoting an environment where there is zero tolerance for underage drinking and alcohol education and counseling programs are readily available.

Entities Affected

Internal and External Constituents.

Procedures

I. General Rules

- The service, sale and consumption of Alcoholic Beverages on University Property and/or at University Events and Non-University Events shall be in

compliance with all State Laws, Ordinances, Regulations, and University Policies.

- The possession and/or consumption of Alcoholic Beverages in residence halls is strictly prohibited, with the exception of Grand Campus, as outlined in Section VII of this policy.
- The University reserves the right, in its sole discretion, to terminate the service and/or sale of Alcoholic Beverages at any time during any event held on University Property.

II. General Procedures

Alcoholic Beverages may be served and/or sold at University Events and Non-University Events only at specific reserved locations and with the approval of:

- 1) A Request for Approval to Serve Alcoholic Beverages and Agreement submitted to the Director of Conferencing and Events; or
- 2) A Request for Approval to Serve Alcoholic Beverages and Agreement submitted to the Executive Director for EKU Center for the Arts (for University Events and Non-University Events held at the EKU Center for the Arts only); or
- 3) A Request for Approval to Serve Alcoholic Beverages and Agreement submitted to the Director of Athletics (for events sponsored by the Department of Athletics).
- 4) If approval is granted, Alcoholic Beverages may only be served and/or sold as outlined in Sections III, IV and V of this policy.
- 5) The University reserves the right to require additional precautions such as greater limitations on time of service and/or the use of security to assist in ensuring compliance with this policy.

III. Server Requirements

Event Type	Fee Charged	Cash Sales Per Drink Required	Server Requirement
Public Event	Yes	Yes	Licensed Caterer
Public Event	No	Yes	Licensed Caterer
Registered	Yes	Yes	Licensed Caterer
Registered	No	Yes	Licensed Caterer
Private	Yes	Optional*	Licensed Caterer or Licensed
Private	No	Optional*	Licensed Caterer or Licensed

*Cash sales per drink are optional for Private Events; however, a Licensed Caterer is required.

No person under the age of 21 shall be permitted to sell or serve alcoholic beverages.

IV. Sponsor Requirements

Any event at which Alcoholic Beverages will be served or sold must have a designated Sponsor. The Sponsor may be either an individual of at least 21 years of age or an organization or association.

If the Sponsor is an organization or association, the Sponsor must designate an individual who is at least 21 years of age to assume responsibility on behalf of the Sponsor ("Organizer/On-Site Contact").

The Sponsor and/or Organizer/On-Site Contact is responsible for:

- 1) Ensuring compliance with State Laws, Ordinances, Regulations and University Policies governing the service, sale and consumption of Alcoholic Beverages.
- 2) Executing and submitting a Request for Approval to Serve Alcoholic Beverages at least 10 working days prior to the event.
 - For University Events, the Sponsor must also receive approval from the appropriate vice president.
- 3) Indemnifying the University for any losses resulting from noncompliance with this policy.
 - For Non-University Events, the Sponsor shall sign a statement that the University, its Board of Regents, and the University's agents, officers, and employees shall be held harmless for any accident, death, or injury to life or property that might be found attributable to the event.
- 4) Providing the University with a certificate of insurance listing Eastern Kentucky University as an additional insured and specifically list having liquor liability as a covered exposure (External Constituents only).
- 5) For events where alcohol is sold, the Sponsor and/or Organizer/On-Site Contact is responsible for providing to the Office of Risk Management and Insurance a total of annual sales no later than March 1st of each year.

V. Prohibitions and Limitations

- Registered Student Organizations are prohibited from sponsoring events where Alcoholic Beverages will be served.
- No public funds may be used to purchase Alcoholic Beverages for any University-Sponsored event.

- Consumption of Alcoholic Beverages is limited to persons 21 years of age or older. No one under the age of 21 shall be served Alcoholic Beverages.
- Alternate non-Alcoholic Beverages and food must also be provided at any event at which Alcoholic Beverages are served or sold.
- Promotion and advertising of events where alcohol will be consumed should not encourage any form of alcohol abuse nor place primary emphasis on the availability of alcohol at the event.
- Alcoholic Beverages may not be carried or consumed outside rooms or areas designated and approved for a specific event.
- The service of Alcoholic Beverages will be limited to a total of not more than five (5) hours at an approved event. In addition, the service of Alcoholic Beverages will conclude one half hour prior to the scheduled conclusion of the event.

VI. Exceptions – General

- Internal Constituents may sponsor University Events involving Students when the majority of Students in attendance are 21 years or older;
- Tailgating is permitted at Eastern Kentucky University. Please refer to University Regulation 9.1.2R, Tailgating Regulation.
- The University Club at Arlington is exempt from this policy. They are licensed separately for the sale and service of Alcoholic Beverages.

VII. Exception – Grand Campus

In this residence hall only, Alcoholic Beverages may only be consumed under the following restrictions:

- Students at least 21 years of age and their guests at least 21 years of age may consume Alcoholic Beverages within the student's private apartment only.
- Alcoholic Beverages are prohibited in all public areas including the stairwells, balcony, and porches of apartments, the clubhouse, swimming pool, and all common community areas.
- Common alcohol sources (i.e., kegs, beer balls, party punches, champagne fountains, etc.) are strictly prohibited.
- Alcoholic Beverages found in the possession of anyone under the age of 21 will be confiscated and may also be found in violation of the law if so determined by a law enforcement official on the scene. Students will face judicial charges through the University's administrative processes.
- Proof of legal drinking age must be presented by a student or guest to any College Official upon request.
- Students and guests must abide by all State Laws, Ordinances, Regulations, and University Policies.

VIII. Exception – Athletic Events

Recognizing the sentiments of the customers and fans of EKU Athletics, the Director of Athletics may approve the sale of alcohol at certain athletic events. The sale,

possession, and consumption of alcohol at athletic events is subject to Kentucky statute, University regulations, and the following restrictions:

- Alcoholic beverages are to be sold and dispensed only at designated stationary locations;
- Alcoholic beverages may not be sold by vendors within the seating areas;
- Identification check is required at every point of sale to prevent sales to minors;
- Alcoholic beverage sales are limited to beer and wine only (no hard liquor or mixed drinks may be sold in public seating areas);
- Limits must be established on the number of drinks purchased at one time by an individual;
- Alcohol must be dispensed into cups;
- Safe server training is required; and
- Designated stop times for sale and/or distribution of alcohol must be enforced as follows: Football (end of 3rd quarter); Basketball (Men's-Second half 12-minute TV timeout; Women's-End of 3rd quarter); Baseball (end of the top of 7th inning); Softball (end of the top of the 5th inning); and Other Sports (At a designated time, no later than when 75% of the event's regulation length competition is scheduled to be completed).

Patrons who choose to consume alcohol at EKU athletic events are encouraged to secure safe transportation from the event prior to consuming alcohol.

Definitions

- **Alcoholic Beverages:** Alcoholic beverages shall have the same meaning and definition as provided by the laws of the Commonwealth of Kentucky in the Kentucky Revised Statutes.
- **College Official:** Any employee (students, faculty, and staff) of the University acting in their official capacity.
- **External Constituents:** Individuals, groups, or organizations not affiliated with Eastern Kentucky University and/or Internal Constituents not acting in their official capacity at the University.
- **Fee:** Refers to any admission, donation and/or any monies paid by attendees to participate in an event.
- **Internal Constituents:** University Employees, academic departments and colleges, administrative offices, and units. For the purpose of this policy, Students, Graduate Students, and Registered Student Organizations are excluded from this definition.
- **Licensed Caterer:** An individual who has received STAR or TIPS certification.
- **Non-University Event(s):** Functions, programs, or other activities that:

- Occur on University Property;
- Are Sponsored by External Constituents;
- Are not Sponsored by any Internal Constituent acting in their official capacity at the University;
- Are not promoted, advertised or recognized as a University activity;
- Are not paid for through use of any University funds.
- **Organizer/On-Site Contact:** Individual, group or organization responsible for organizing, coordinating and communicating all conference and event logistics with the Office of Conferencing and Events or the ECU Center for the Arts.
 - For University Events, the Organizer/On-Site Contact must be an Internal Constituent.
 - For Non-University Events, the Organizer/On-Site Contact must be an External Constituent or Internal Constituent not acting in their official capacity at the University.
 - Organizer/On-Site Contact must be present at the event. At times, the Organizer/On-Site Contact and Sponsor are the same individual, group or organization.
- **Private Event:** An event that may be attended by invitation only and is not advertised to the general public.
- **Public Event:** An event open to the general public. A fee may or may not be charged.
- **Registered Event:** An event for which an invitation, membership, or registration is required. A fee may or may not be charged.
- **Server Training In Alcohol Regulations (STAR):** A responsible beverage server training course developed by the Alcoholic Beverage Control of the Commonwealth of Kentucky and is specific to Kentucky regarding alcohol laws.
- **Sponsor:** Individual, group or organization (may be internal or external) who is ultimately responsible for the conference or event, including financial and legal obligations for using campus facilities and/or other services and resources. At times, the Organizer/On-Site Contact and Sponsor are the same individual, group or organization.
- **State Laws, Ordinances, Regulations, and University Policies:** Kentucky state laws, ordinances, administrative regulations, and University policies or procedures.
- **Students:** Students currently enrolled at the University.
- **Training For Intervention Procedures (TIPS):** A global educational certification program designed to educate people for the responsible service, sale, and consumption of alcohol.

- **University:** Eastern Kentucky University.
- **University Event(s):** Functions, programs, or other activities that:
 - Occur on University Property;
 - Are Sponsored by Internal Constituents;
 - Are promoted, advertised or recognized as a University activity; and
 - Are paid for through use of any University funds.
- **University Property:** Any real property, buildings, and facilities under the primary control of the University through ownership, lease, or other means.

Violations of the Policy

Internal and/or External Constituents that violate this policy may be barred by the University from the sponsorship of further events on campus.

Failure to abide by the terms of this policy or other University policies may result in charges of violations of the Student Code of Conduct, or of other University regulations in the case of Internal Constituents.

Any persons failing to comply with this policy may also be found in violation of the law if so determined by a law enforcement official on the scene.

Statutory or Regulatory References

Kentucky Revised Statutes Chapters 241-244
 Kentucky Revised Statute 243.033 (governing caterers)
 Kentucky Revised Statute 243.260 (governing special temporary licenses)
 Student Code of Conduct
 University Regulation 9.1.2R, Tailgating

Policy Adoption Review and Approval

<u>Date</u>	<u>Entity</u>	<u>Action</u>
February 28, 2020	Board of Regents	Adopted
August 29, 2019	President Benson	Approved Interim
October 19, 2015	Board of Regents	Adopted
October 6, 2015	President Michael Benson	Approved
August 12, 2015	Provost Council	Approved
May 4, 2015	Faculty Senate	Approved
March 3, 2015	Staff Council	Approved
April 30, 2012	Vice President of Administration	Approved
October 21, 2010	Executive Vice President for Administration	Approved
July 20, 2010	President Douglas Whitlock	Approved Interim

September 19, 2009	Board of Regents	Amendment to Appendix A Adopted
December 4, 2003	Board of Regents	Adopted
November 8, 2002	Board of Regents	Adopted