

Responsible Official (Title):	Vice President for Administration
Responsible Office:	Office of the Vice President for Administration
Responsible Division:	Administrative Services

Alcohol Policy

1. Policy Statement

California State University, Fresno is committed to creating a safe and healthy learning environment for all members of the campus community. The University disapproves of alcohol abuse, intoxication, and any resulting unacceptable conduct.

While the moderate consumption of alcohol may be an acceptable part of certain social activities, alcohol abuse conflicts with the mission and values of the University. All students, faculty, staff, administrators, community guests and visitors are expected to respect, promote and support these values.

2. Authority

The University President has delegated authority and responsibility for this policy to the Vice President for Administration.

3. Scope/Applicability

This policy applies to all members of the campus community and shall govern all activities involving the sale and service of alcoholic beverages on CSU/University property and at University-sponsored events.

4. Exclusions – None.

5. Definitions

- 5.1. **Alcoholic beverage:** includes alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.
- 5.2. **Public Area:** includes any exterior locations on University property, such as, lawns, landscaping, paths, walkways, roads, parking lots, and garages. It also includes any interior location with general access for the public, such as, classrooms, hallways, restrooms, labs, and any other room not specifically occupied as an office or residence on property owned, operated, or leased by the University or its auxiliaries.

6. Policy Requirements

The sale and service of alcoholic beverages must be conducted in accordance with all federal, state and local laws and regulations; including the California Alcoholic Beverage Control Act and any regulations under the auspices of the California Department of Alcoholic Beverage Control (ABC); as well as California State University (CSU) and University policies and procedures. This policy shall govern all activities involving alcoholic beverages on University property and at University-sponsored events.

6.1. General

The use of alcoholic beverages is limited to the following conditions:

- 6.1.1. The California State University, Fresno Association, Inc. (Association) and the Agricultural Foundation of California State University, Fresno (Ag Foundation) are the only entities licensed by the ABC Board to sell, serve and pour alcoholic beverages on University property.
- 6.1.2. The President has designated the VPA or designee to act in all matters related to the serving of alcoholic beverages on campus. The VPA has designated the Environmental Health and Safety (EH&S) Manager as the person responsible for these actions. The EH&S Manager will consult with the Vice President for Student Affairs and Enrollment Management or designee when an event may involve students.
- 6.1.3. Applications to obtain a permit to serve alcoholic beverages must be obtained from the Office of EH&S and should be submitted at least 30 days prior to the event.
- 6.1.4. Any advertising or promotion of alcoholic beverages must be in compliance with Section 7 of this policy.
- 6.1.5. Where appropriate controls cannot be satisfactorily established, authorization shall not be given for the serving of alcohol.
- 6.1.6. Organizations must provide verification of insurance coverage or, if eligible, obtain liability insurance from the Office of EH&S for events where alcohol is served.
- 6.1.7. Employees of the University may not consume alcoholic beverages while at their workstation or while on duty unless specifically authorized (e.g., an approved University-sponsored event). Furthermore, employees are not to be under the influence of alcohol while on duty.
- 6.1.8. Students living on campus in the University Courtyard, who are 21 years of age or older may possess and consume alcoholic beverages in the privacy of their residence hall rooms, subject to the approval/permission of the Director of Housing. Consumption of alcoholic beverages is not allowed outside student rooms or in any public area of the residence halls. All alcohol brought onto the campus by residence hall students must be brought into the residence halls unopened and concealed from public view. Alcohol not transported in this manner shall be confiscated and disposed of by University Courtyard staff. (See Appendix C)

6.2. On-Campus Events (including venues operated by the Athletic Corporation)

- 6.2.1. Alcohol shall not be served at any event held on University premises, unless specifically authorized by the VPA or designee.
- 6.2.2. Organizations cannot utilize off-campus vendors to sell or serve alcohol at campus events, without the prior written approval of the VPA.
- 6.2.3. Individuals or groups sponsoring the event must meet the following procedures and requirements. University Dining Services must be contacted in advance to work out the details of service for such events.
 - 6.2.3.1. Event organizers must complete an application form to request permission for alcohol to be served at an event. The document must be submitted to the Office of EH&S at least 30 days prior to the date of the event. If neither University Dining Services nor the Director of the University Health and Counseling Center objects, an authorization may be generated by the EH&S Manager and will be forwarded to the event organizers. The authorization must be available for inspection by University Police at the event site while alcohol is being served.

- 6.2.3.2. Where alcoholic beverages have been donated for an event, there can be no charge to event participants, either direct or indirect. University Dining Services must pour the alcohol and will assess a corkage fee.
- 6.2.3.3. Non-alcoholic beverages and high-protein foods must be readily available to event participants and as prominently displayed as beverages containing alcohol.
- 6.2.3.4. Direct access to the area where alcohol is being served must be restricted to event participants.
- 6.2.3.5. Service must be limited to those 21 or over.
- 6.2.3.6. Persons who are intoxicated must not be served.
- 6.2.3.7. Servers of alcoholic beverages will be required to complete the appropriate training and other requirements of the California Department of ABC. Recognized student organizations shall not be permitted to serve or sell alcoholic beverages.
- 6.2.4. Alcoholic beverages may be served at intercollegiate athletic events. Alcoholic beverages will be limited to wine and beer with one exception. Beverages with distilled spirits (hard liquor) may be served complimentary or sold, provided the provision and consumption of such beverages is limited to VIP suites, skyboxes, or similar premium seating areas that are distinctly separate and secure from general admission seating and not predominately used by students or minors. The following procedures must be met for the sale of alcoholic beverages during intercollegiate athletic events:
 - 6.2.4.1. The sale of alcoholic beverages during athletic events may commence up to 90 minutes prior to event start time/kickoff, but no sooner.
 - 6.2.4.2. The sale of alcoholic beverages during athletic events shall end at conclusion of third quarter and patron access to areas designated for beer/wine sales shall cease.
 - 6.2.4.3. Current and valid ID must be presented for alcohol purchase and for entry into areas designed for beer/wine sales.
 - 6.2.4.4. The purchase of alcoholic beverages shall be limited to two (2) alcoholic beverages per person, per transaction.
 - 6.2.4.5. Persons who are thought to be intoxicated will not be served.
 - 6.2.4.6. Attendees are not permitted to bring alcoholic beverages into the facility and are not permitted to leave the facility with alcohol.
- 6.2.5. The University Police Department shall determine the guidelines for appropriate levels of security for any event where alcohol is being sold or served. Event sponsors may be required to pay for additional policing at events where alcohol is served or sold.
- 6.2.6. The University Police Department may terminate the serving of alcohol at any event if any of the above rules or laws are not followed.
- 6.2.7. The sale or consumption of alcoholic beverages is prohibited in all areas open to the public on University grounds, unless exempted below. Persons using a permanent or one-day ABC license must first have the approval of the University's Chief of Police. Violation of this prohibition is a misdemeanor pursuant to Education Code Section 89031.
 - 6.2.7.1. Scheduled and approved University and University-sponsored events.
 - 6.2.7.2. "Tailgating" in the University campus fields immediately preceding or immediately following a sporting event or other scheduled function at Bulldog Stadium. Tailgating is limited to the Department of Athletics controlled and supervised parking lots and grassy areas. Campus policy

prohibits consumption of alcohol in all other fields and parking lots.

- 6.2.7.3. Any University- or auxiliary-sponsored retail business or catered event in possession of a valid ABC license to sell alcoholic beverages.
- 6.2.7.4. Any other event or function approved by the President or designee.

6.3. **Off-Campus Events**

- 6.3.1. The consumption of alcohol during academic field trips, off-campus student group activities, and other student-oriented off-campus events is strongly discouraged. If alcohol is consumed during such activities, it must be done so in strict accordance with all federal, state, local laws and regulations and the terms and restrictions outlined in this policy. As a general practice, persons under the age of 21 should not be present in places where alcohol is being consumed.
- 6.3.2. Students groups must also comply with pertinent local and national organization guidelines as appropriate. (See Appendices D, E, F and G)
- 6.3.3. University employees are strongly advised not to provide or purchase alcohol for students at off campus locations. Employees choosing to provide alcohol to students do so outside the scope of their employment and assume all liability and risk.

6.4. **Policy Violations**

6.4.1. **Students or Recognized Student Organizations**

Students (or student organizations) in violation of this alcohol policy will be referred to the Office of the Vice President for Student Affairs and Enrollment Management and/or the Office of Student Activities and Leadership Development for disciplinary action.

- 6.4.1.1. In addition, alcohol related violations of the Business and Professions Code or the Penal Code will be forwarded to the appropriate State or County judicial agency by the University Police Department

6.4.2. **Employees**

Employees of the University who violate this policy may be subject to discipline pursuant California law and the terms of any applicable collective bargaining agreement or employment agreement.

6.4.3. **Non-University Employees and Guests**

The University Police Department is responsible for handling suspected violations of this policy by invitees, contracted workers, volunteers, visitors or guests on University property and at University functions.

7. **Alcohol Advertising and Promotions**

The advertising of alcoholic beverages, including at athletic events in University/auxiliary owned or operated facilities, is permissible, but must comply with the minimum policy guidelines as described in Executive Order 1109. Any alcoholic-beverage sponsorships, advertisements and/or promotions associated with the University or its auxiliary organizations should adhere to the highest standards of social responsibility. Advertising of alcoholic beverages is limited to beer and wine only. Advertisements for distilled spirits is not permitted.

7.1. **Policy Guidelines**

- 7.1.1. Alcohol advertising must not encourage quantity or frequency of alcohol consumption.
- 7.1.2. Advertising shall not portray drinking as a solution to personal or academic problems, or as conducive to personal, social, athletic or academic success.

- 7.1.3. Alcohol advertising or promotion of alcoholic beverage companies may not be displayed at a University or auxiliary organization event or facility in a location, quantity or size that, in the sole discretion of the University or its auxiliary organization, is deemed unreasonable, undesirable, or otherwise objectionable. Additionally, activities or promotional events may not be sponsored when it appears to the University, in its sole discretion, that a substantial purpose of the activity or promotional event is to benefit an alcoholic beverage company.
- 7.1.4. Advertisements from retailers or distributors that promote drink specials, refer to reduced price events, involve prizes, a giveaway of money, free items, coupons for free items, or discounts of any sort are not allowed. In no case may advertisements include drinking contest or promotions that offer uncontrolled sampling.
- 7.1.5. Advertisements may not include oral announcements referring to an alcoholic beverage company or its products.
- 7.1.6. Alcohol beverage promotions permitted by the University may not incorporate quotes from or photos or other likenesses of students, student-athletes, employees (including coaches, faculty, etc.) or campus mascots as active participants in a promotional message. Prohibited examples: a promotion stating, "Professor Doe drinks XYZ Beer." Also prohibited: a promotion in which student-athletes pass under an alcoholic beverage banner when entering the playing field. This prohibition applies to all media, including print, broadcasts, billboards, posters, point-of-sale displays and online advertising.
- 7.1.7. In all advertisements, alcoholic beverage trademarks or logos must be clearly subordinate to the University or auxiliary organization event itself.
- 7.1.8. The name of an alcoholic beverage product may not be connected to the name, logo or mascot of the University or its auxiliary organizations for a University-sponsored event or facility (e.g., XYZ wine gold tournament, XYZ Beer Concert Series, etc.)
- 7.1.9. University departments and organizations may not distribute clothing, posters or other promotional items that utilize a Fresno State symbol, name, image, logo or mascot in combination with an alcoholic beverage trademark or logo.
- 7.1.10. The University's name, a department name or any nickname, logo or mascot may not be utilized in a way that implies a product endorsement by the University. Prohibited: "XYZ Beer is the beverage of choice for Fresno State Bulldog fans".
- 7.1.11. Alcohol beverage marketers/distributors must help promote campus alcohol awareness programs that encourage and inform students about the responsible use of or non-use of beer, wine, or distilled spirits. Promotional displays or messages shall incorporate clear language that encourages only the responsible and legal use of alcoholic beverages. These educational, social-responsibility messages shall be at least as prominent as any other message content, such as product slogans or listed attributes of a particular product.

7.2. Authorization

Any alcohol promotional material connected with any University intercollegiate athletic event (e.g., media guide game programs, off-campus billboards, etc.) must receive prior written approval by the Director of Athletics and the President, or their designee.

Any alcohol promotional material or activity associated with a University event or program (other than intercollegiate athletics) must receive prior written approval by the Vice President for Student Affairs and Enrollment Management, or designee.

7.3. Broadcasts

This policy does not restrict the amount or content of alcohol advertising, purchased independently through commercial radio or TV companies, during broadcasts of Fresno State events, except for such signs, promotions or announcements that are directed to the attendees of University or auxiliary organization events. However, broadcasters under contract with Fresno State are strongly urged to follow the above provisions when accepting commercials that promote alcoholic beverages.

7.4. Student Media/Publications

Student media should also be encouraged to follow the above provisions for any advertising messages by alcoholic beverage companies/distributors/products.

8. Resources and Regulations

8.1. Programs and Services

The University provides a variety of services to encourage and promote responsible drinking and the prevention of substance abuse. Students in need of assistance due to alcohol related problems may be referred to alcohol education activities, counseling and/or community agencies. Such activities and assistance is available through existing University entities such as the University Health and Counseling Center or they may be offered in conjunction with community-based programs.

8.1.2. Employees in need of assistance due to alcohol related problems may be referred to campus services such as the Employee Assistance Program or to appropriate community services/agencies.

8.2. Laws and Regulations

In the State of California, individuals twenty-one (21) years of age or older may legally purchase, possess and consume alcoholic beverages.

8.2.1. The Business and Professions Code and related statutes control the sale, consumption, and possession of alcoholic beverages.

8.2.2. The California State Alcoholic Beverage Control (ABC) Board is responsible for interpretation and enforcement of the laws regarding the consumption, sale, or possession of alcoholic beverages.

8.2.3. The University Police Department is responsible for exercising normal police powers in enforcing laws relating to alcohol.

9. Procedures to Update or Amend This Policy

The University President may amend this policy as necessary.

10. Where to Obtain Copies of This Policy

A copy of this Policy is available on the Internet at the following address:

<http://www.fresnostate.edu/mapp/III/G/G-04.pdf>

11. Related Policies, Procedures, Information, Forms

11.1. CSU Executive Order 1109, Sales and Service of Alcoholic Beverages at or in Conjunction with University Intercollegiate Athletic Events, and Advertising of Alcoholic Beverages on Campus and at University Athletic Facilities

11.2. Exclusive Rights of University Dining Services, Use of University Buildings and Grounds Policy,

Section 16

12. Contact Information

Office of the Vice President for Administration

13. Key Search Words: Alcohol, drinking, wine, beer, sponsorship

14. History/Revision Dates:

July 27, 2000 Approved by President
October 24, 2011 Approved by President, as recommended by the Academic Senate, to change to an Administrative policy
September 21, 2017 Revision approved by President

15. Next Evaluation Date: **Five (5)** years from approval date

16. Consultation with the Academic Senate: Fall 2007 Yes No

Purpose: *This policy was revised to be in compliance with CSU Executive Order 1109.*

The official version of this information is maintained only on the University Policies Manual (UPM) website. Please make certain to review the material on the website before placing reliance on any printed version or any other online source.
