



UC San Diego

Policy & Procedure Manual

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USE OF UNIVERSITY PROPERTIES – DRAFT 3/20/2020

Section: 510-1 XIII

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ALCOHOL POLICY

SCOPE

This *Policy* applies to all alcoholic beverages purchased, sold, served, consumed, distributed, or possessed on or off University Grounds and Facilities or at University-supported events. It applies to all students, staff, and faculty, campus and student organizations, departments and units, other campus affiliates, and non-affiliates.

POLICY SUMMARY

This *Policy* describes the regulations, procedures, and expectations for the purchase, sale, service, consumption, distribution, and possession of alcoholic beverages on UC San Diego Grounds and Facilities.

DEFINITIONS

- A. **Alcoholic Beverage Volume** means the standard measure of alcohol contained in a given volume of an alcoholic beverage.
- B. **Alcoholic Beverages** means alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer in any form, and which contains one-half of 1 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.
- C. **Educational Tasting** means an event conducted by a beer-and-wine industry professional with expertise on the production, characteristics, and origins of beer or wine.
- D. **Event** means any University Sponsored Activity where alcoholic beverages will be served on University Grounds and Facilities, use the UC San Diego name or trademarks, and/or be supported by University funds.
- E. **Event Sponsor** means the individual, registered campus organization, department, or unit organizing a campus event with alcoholic beverages on University property. The sponsor is responsible for ensuring required approvals are obtained and documented prior to the event. For co-sponsored events, the event sponsor will be the group primarily responsible for providing the funding for the event.
- F. **Event Sponsor Representative** means a University Official at least 21 years of age designated by the Event Sponsor to act as primary contact and be present for the duration of the event to ensure policy compliance.

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- G. **Licensed Professional Server** means a person at least 21 years of age certified to have completed a required Responsible Beverage Service program and who serves alcoholic beverages for consumption, or a person who manages or supervises that person, on University Grounds and Facilities or at University Supported Activities licensed to serve alcoholic beverages.
- H. **Principal Members** means the members of a Registered Student Organization who are authorized by the organization to conduct official business with the University.
- I. **Public Space** means all areas that are generally open to the public. This does not include:
1. Personal living space or areas that have access limited to only those in authorized possession of keys;
 2. Space is assigned to academic, research, or administrative units; or
 3. Areas dedicated for academic, research, or administrative activities, functions, or events conducted by the University.
 4. University Grounds and Facilities licensed by the State of California Department of Alcoholic Beverage Control.
- J. **University Grounds and Facilities** means any University-owned, -operated or -maintained property, including all University grounds and structures or such other property as will be designated by a campus as property subject to University Policy.
- K. **University Official** includes any person employed by the University to perform administrative, faculty, or professional responsibilities.

POLICY STATEMENT

California state law, the San Diego Municipal Code, and this *Policy* govern the purchase, sale, service, consumption, distribution, and possession of alcoholic beverages on all UC San Diego Grounds and Facilities and at University-supported events. See Appendix A for a summary of applicable state and local laws.

A. ALCOHOLIC BEVERAGES AT CAMPUS PROPERTIES AND EVENTS

1. The purchase, sale, service, consumption, distribution, and possession of alcoholic beverages on all UC San Diego Grounds and Facilities and University-supported events is permitted at:
 - a. University Grounds and Facilities specifically designated by the Chancellor or their designee.
 - b. University Grounds and Facilities licensed by the State of California Department of Alcoholic Beverage Control (ABC).
 - c. Campus events with alcoholic beverages approved for a one-day ABC permit by the UC San Diego Police Department (Police Department).
 - d. Private, controllable offices/spaces of administrative units or departments conducting a small meeting or function (30 persons or less) among employees with the approval of and in the presence of an appropriate University Official or faculty member predesignated by the administrative unit or department. All persons in attendance must be 21 years of age or older. It is highly recommended that units and departments engage Licensed Professional Servers as described in Section 4(B)(5) below.
 - e. Off-campus locations used by campus organizations or units sponsoring activities subject to the regulations of the properties being used and guidelines set forth by the ABC. If the

event is open to the general public, liability insurance coverage may be required, subject to review by the Risk Management Office.

2. The Executive Director of Housing Dining Hospitality or their designee may approve the use of alcoholic beverages for Conference Services events consistent with this *Policy*.
3. The Scripps Institution of Oceanography (SIO) Director or their designee is responsible for issuing and administering policies and procedures regulating alcoholic beverages on SIO vessels.
4. The *UC San Diego Residential Life Community Standards* describe the applicable requirements for possession, use, consumption, distribution, and manufacturing of alcoholic beverages in campus residential areas.
5. The Chancellor or their designee may approve UC San Diego Intercollegiate Athletics to hold pre-game events with alcoholic beverages in secure, designated areas immediately preceding any home UC San Diego NCAA-sponsored athletic contest. The Police Department must be consulted prior to the Chancellor or their designee granting approval for these events. All pre-game events provided for by this subsection must be held in accordance with the requirements described in this *Policy*.
6. Applications submitted by retail tenants requesting permission to apply for an ABC licenses will follow the process described in the UC San Diego *Procedures for New ABC Licenses*.
7. Per UC San Diego lease agreements, the University may impose limits on retail tenant operating hours, facility occupancy, the amount of alcohol served per patron and other reasonable restrictions for up to five days per year (e.g. the annual Sun God Festival).
8. State appropriations general funds, specific and special state appropriations, contract and grant funds may not be used to purchase alcoholic beverages for consumption at University Grounds and Facilities and University-supported events. Endowments, gifts, and all other funds administered by UC San Diego may have restrictions on the purchase of alcoholic beverages. Event Sponsors must follow established procurement and payment procedures in order to be reimbursed for allowable purchases of alcoholic beverages.
9. Failure to comply with this *Policy* may result in personal and organizational liability. Event Sponsors should understand their exposure to legal risk for violations of applicable laws that may occur as a result of sponsoring campus events with alcoholic beverages.

B. EVENT REQUIREMENTS

1. Campus events with alcoholic beverages should be organized and promoted to foster safe and responsible consumption. The primary focus of the events should not be about drinking alcohol nor should they include contests involving alcohol consumption.
2. In order to sell alcoholic beverages on University Grounds and Facilities or at a University-supported event, the Event Sponsor must apply for an appropriate license and obtain a valid permit from the ABC, via the UC San Diego Police Department.
3. Event Sponsors may not collect cover charges or other donations for campus events with alcoholic beverages unless they have applied for and received an approved permit by the UC San Diego Police Department.
4. If an event is held in a licensed facility, only the facility's Licensed Professional Servers may serve alcoholic beverages. In all other circumstances, Event Sponsors must hire Licensed Professional Servers who are at least 21 years of age and licensed to serve alcoholic beverages through an ABC-sponsored Responsible Beverage Service Training program.
5. Alcoholic beverages not served directly by Licensed Professional Servers at the event are prohibited. Individuals may not bring their own alcoholic beverages to any event.

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6. An approved identification system must be used at any University-supported event with alcoholic beverages where under-aged persons may be present. This system, subject to UC San Diego Police Department approval, must include, but is not limited to: checking attendee identification cards, providing colored wrist bands to persons 21 years of age or older, and/or placement of physical barriers (e.g., fencing, barricades, tape) to separate those at least 21 years of age from those who are under-aged.
7. Alcoholic beverages may only be consumed in the location(s) stated on the approved *Campus Events with Alcohol Form*. For events held in Public Space where alcoholic beverages are being served, the Event Sponsor must have adequate security present, as recommended by the UC San Diego Police Department, and restrict access to areas where alcoholic beverages are being served (e.g. barricades, fencing, tape). The Event Sponsor must also clearly mark entrances, exits, and locations where alcoholic beverages are permitted.
8. The amount of alcoholic beverages available at an event will be reasonably limited by the number of attendees who may legally consume alcoholic beverages.
9. The Event Sponsor must provide a list of the Alcohol Beverage Volumes for all alcoholic beverages served at the event near where service is provided and in plain sight of attendees,
10. A variety of non-alcoholic beverages, as well as an appropriate amount of food, must be made available by the Event Sponsor at all events where alcoholic beverages are served. Non-alcoholic beverages must be featured as prominently as the alcoholic beverages.
11. For Educational Tasting events, individual tastings of wine must be no more than one ounce and beer must be no more than two ounces. The total number of tastings per person at Educational Tastings must not exceed five.
12. Event Sponsors are responsible for any associated costs associated with their event, including, but not limited to: hiring of Licensed Professional Servers, facility rental fees, liability insurance coverage, and security costs.
13. Event Sponsors must have proof of liability insurance for each planned event with alcoholic beverages. Liability insurance may be procedure through Campus Connexions (<http://ucsd.campusconnectionsuc.com>)

C. DONATED ALCOHOL

1. Per California Business and Professions Code Sections 25503.9 and 25607.5, event sponsors may only sell donated beer or wine at campus events with alcoholic beverages only if they apply for and receive a license from the ABC to do so.
2. Event Sponsors may accept donations from alcoholic beverage manufacturers or distributors in the form of money, products of the manufacturers or distributors, or goods or services specified by the Event Sponsor. Donations may not be in the form of clothing, attire, banners, or other articles identifying the manufacturer and/or distributor by such features.
3. Exceptions for donations from University support groups may be granted by the Executive Vice Chancellor or their designee on a case-by-case basis.

D. ADVERTISING and PROMOTIONS

1. Consumption of alcoholic beverages must not be advertised or promoted as the primary purpose of University-supported events. Promotions of campus events with alcoholic beverages must not include:
 - a. Descriptions of the event as a “wine and cheese reception”, “champagne toast”, “beer garden”, “BYOB” (bring your own booze/beer/bottle) or other similar wording.

- b. References to the total amount of alcoholic beverages served at the event (e.g. “40 kegs”), offers of free awards of alcoholic beverages (e.g. door prizes or contest gifts), and alcoholic beverages will be served at free or reduced prices.
 - c. Encouragement of binge drinking or rapid or excessive consumption of alcoholic beverages.
 - d. Photographs, illustrations or other images of alcoholic beverages.
 - e. Exaggerations of the benefits of drinking or linking alcohol consumption to unhealthy behaviors. This includes, but is not limited to: portraying alcohol consumption as a means of academic or social success, enhancing social, sexual, or academic status, or performing tasks requiring skilled reactions (e.g. driving an automobile).
2. References to alcoholic beverage manufacturers or distributors are generally prohibited.
 - a. If an Event Sponsor provides an event program to attendees, it may include an acknowledgement of the name, but not the logo or trademark, of a contributing alcoholic beverage manufacturer or distributor.
 - b. If alcoholic beverages are served at the event, the manufacturer or distributor may be acknowledged with a small table tent display near where the beverages are being served. Event Sponsors may give a verbal acknowledgement of the manufacturer or distributor at the event.

RESPONSIBILITIES

- A. Event Sponsor Representatives are responsible for:
 1. Being present for the duration of the event and administering pre-approved security controls to ensure that all persons served alcoholic beverages are at least 21 years of age. These controls must be approved by the UC San Diego Police Department through a written security plan submitted with the *Campus Events with Alcoholic Beverages Form*.
 2. Requiring a valid government-issued identification (e.g. Driver’s License, Identification Card, Passport, etc.) be presented to and verified by an appropriate person prior to service of alcoholic beverages. A second form of identification must be required if the primary identification is deemed unacceptable.
 3. Ensuring only single servings of alcoholic beverages are provided to attendees at a given time.
 4. Refraining from consumption of alcoholic beverages prior to or during the event.
 5. Denying service to individuals who appear to be intoxicated or who appear to be providing alcoholic beverages to persons under 21 years of age.
 6. Stopping the service of alcoholic beverages prior to the ending time of a scheduled event (e.g. at least one hour before the end of an event scheduled for three or more hours).
- B. Questions about the application and/or interpretation of this *Policy* should be made to the UC San Diego Police Department.
- C. The UC San Diego Police Department, Risk Management, and other offices responsible for ensuring compliance with this *Policy* may recommend consequences for failing to comply with the *Policy*. Anyone found in violation of this *Policy* may:
 1. Be held responsible for any costs incurred by the University for failing to comply. The Event Sponsor may also be required to pay fines when recommended by University officials and appropriate legal authorities.

2. Have future events cancelled and/or be restricted from serving alcoholic beverages on UC San Diego Grounds and Facilities for a designated period of time.
 3. Not be approved for future events if previous events held by the group or individual violated any regulations governing the conduct of non-affiliates on UC San Diego property, or presented situations that the University considered unsafe or unmanageable with reasonable University resources.
- D. The *Policy* owners are responsible for facilitating campus-wide notification to students, staff and faculty about the most current version of this *Policy* available in the campus Policy and Procedure Manual (PPM) [insert weblink for page.](#)
- E. Except when revisions are specifically mandated by the University of California Office of the President, and/or applicable laws or policy, students, including student government representatives, faculty, and staff should be consulted about the development and revision of this policy and these procedures, which will typically be accomplished by consulting with the Alcohol Policy Work Group.

PROCEDURES

- A. Event Sponsors must submit the *Campus Events with Alcoholic Beverages Form (Form)* for review and approval at least four weeks before the event is held. The *Form* and accompanying *Campus Events with Alcoholic Beverages Permit (Permit)* is not required for administrative units or departments conducting a small meeting or function as described in Section 4 (A)(1)(d) above.
- B. Reasonable security plans to ensure compliance with this *Policy* and applicable laws must be submitted with the *Form*. Security plans will be reviewed and evaluated by the Police Department using the criteria set forth in Section 2.4.7 of the UC San Diego *Policy on Major Events on Campus (Major Events Policy)*.
- C. Three Principal Members (student organizations) or a Director-level staff member or faculty member (units and departments) from the group sponsoring the event must electronically sign the *Form*. When signing the *Form*, Principal Members or staff/faculty members must certify that they are at least 21 years of age and accept personal responsibility for the event individually and on behalf of the organization, unit, or department.
- D. In conjunction with submitting the *Form*, Event Sponsors must review Section 2.1.7 of the *Major Events Policy* to determine whether their event meets the definition of a “major event”. If the event meets the definition, the Event Sponsor must ensure compliance with any and all requirements of that specific policy.
- E. Prior to a *Permit* being issued to an Event Sponsor, the *Form* and accompanying security plans will be reviewed and approved by:
1. The appropriate Center for Student Involvement Organizations Advisor (Registered Student Organizations), College Dean of Student Affairs (College Student Organizations), or Dean/Departmental Chair/Director (departments, units, or other affiliated and non-affiliated groups),
 2. Relevant Facility Manager or designee (unless the host facility is under direct control or the sponsoring department or unit),
 3. Vice Chancellor – Student Affairs or designee (undergraduate and graduate students, registered student organizations, graduate student organizations, and college student organizations); or relevant Vice Chancellor or designee (departments, units, or other affiliated and non-affiliated groups) AND
 4. Chief of the UC San Diego Police Department or designee.

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- F. If the *Form* is approved, the UC San Diego Police Department will issue a *Permit* to the Event Sponsor, which must be available at the event for inspection by appropriate University Officials. The UC San Diego Police Department will maintain a copy of the approved *Form* and *Permit*.
- G. If alcoholic beverages has been purchased with a Purchase Order, a copy of the approved *Form* and *Permit* must also be provided to Procurement & Contracts by the deadline set by that office.

FORMS

Campus Events with Alcoholic Beverages Form (link)

RELATED INFORMATION

University of California BFB [BUS 79, Entertainment](#), Section VI.B, Funding Sources.

Use of Alcoholic Beverages for a UC San Diego Sponsored Event or Meeting (Blink page)

University of California *Policies Applying to Campus Organizations, Activities, and Students*: Section 100 – *Policy on Student Conduct and Discipline*.

UC San Diego *Student Conduct Procedures*

UC San Diego *Procedures for New ABC Licenses*

Scripps Institute of Oceanography Policies – Alcohol and Illegal Drugs: zero tolerance (web page)

FREQUENTLY ASKED QUESTIONS (FAQ'S)

None

REVISION HISTORY

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This policy was updated and modified effective ####/2020



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APPENDIX A – APPLICABLE STATE AND LOCAL LAWS

The summary of state and local laws described in this Appendix are abbreviated for general use and may not cover all situations. Violation of these laws by students may result in referral to the Office of Student Conduct for proceedings under the Student Conduct Code.

1. It is unlawful for any person to consume any alcoholic beverage at any time, upon any public property, not including public parks and beaches except as specifically listed, and public rights-of-way. (San Diego Municipal Code Section 56.54)
2. It is unlawful for any minor to consume alcoholic beverages at a public place or place open to the public (San Diego Municipal Code, Section 56.61) or on a street, highway, public place, or any place open to the public. (California Business and Professions Code, Section 25662)
3. It is unlawful for a minor to consume alcoholic beverages at a place not open to the public, unless supervised by their parent or guardian. (San Diego Municipal Code, Section 56.61)
4. It is unlawful to be publicly intoxicated where a person is unable to exercise care for their safety or the safety of others or their intoxication interferes with or obstructs streets, sidewalks, or other public ways. (California Penal Code, Section 647)
5. A person who owns or controls private property may not allow a party to take place or continue on the property if a minor at the party obtains, possesses, or consumes any alcoholic beverage and the person knows or reasonably should know the minor has obtained, possessed, or is consuming alcoholic beverages at the party. It is the duty of any person with control of a premises who knowingly hosts, permits, or allows a gathering at that premises to take all reasonable steps to prevent the consumption of alcoholic beverages by a minor at the gathering (San Diego Municipal Code, Section 56.62; San Diego County Regulatory Code 32.1503).
6. It is unlawful to provide alcohol to anyone under the age of 21 or for any person under the age of 21 to purchase any alcoholic beverage. (California Business and Professions Code, Section 25658)
7. It is unlawful for a person under the age of 21 to present or offer a false, fraudulent or another person's identification card, driver's licenses, or certificate of birth in order to order, purchase or attempt to purchase, procure or attempt to procure the service of alcoholic beverages. (California Business and Professions Code, Section 25661)
8. It is unlawful to sell, either directly or indirectly, any alcoholic beverages except under the authority of a California Alcoholic Beverage Control license. This includes selling glasses, mixes, ice, and tickets for admission. (California Business and Professions Code, Section 25604).