



Butte-Glenn Community College District ADMINISTRATIVE PROCEDURE

AP 3560 – Alcoholic Beverages

Approved by Leadership: May 2014

Reference: *Business and Professions Code Sections 25608*
34 Code of Federal Regulations Section 668.46(b)

The possession, sale, consumption or the furnishing of alcohol on campus is governed by California state law and this procedure. The possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control. However, the enforcement of alcohol laws on campus is the primary responsibility of the Butte College Police Department. It is unlawful for anyone to possess, consume, sell, give, or deliver any alcoholic beverage in or on any public or private area of campus or to sell, furnish or provide alcohol to a person under the age of 21. Only under certain circumstances is the possession, consumption, sale or use of alcohol permitted on campus. Any organization, group or individual violating alcohol laws or District policies is subject to criminal prosecution, fine and imprisonment, and/or sanctions by the District. Alcoholic beverages, limited to beer and wine, on District owned or operated properties or at District-sponsored events are permitted if:

1. The alcoholic beverage possessed, consumed, or sold, pursuant to a license obtained under the Business and Professions Code, is wine that is produced by a bonded winery owned or operated as part of an instructional program in viticulture and enology.
2. The alcoholic beverage is acquired, possessed, or used in connection with a course of instruction given at the school and the instructor has been authorized to acquire, possess, or use it by the Board of Trustees or Superintendent/President.
3. The alcoholic beverage is wine that is acquired, possessed, or used during an event sponsored by the District or an organization operated for the benefit of the District where the District maintains both an instructional program in viticulture on no less than five acres of land owned by the District and an instructional program in enology, which includes sales and marketing.
4. The alcoholic beverage is acquired, possessed, or used at a professional minor league baseball game conducted at a District stadium pursuant to a contract between the District and a professional sports organization. *[NOTE: This provision can only apply to a community college located in a county with a population of less than 250,000 inhabitants.]*
5. The alcoholic beverages are acquired, possessed, or used during an event at a District-owned or District-operated stadium or other facility. As used in this paragraph, "event" means a fundraiser held to benefit a nonprofit corporation that has obtained a license pursuant to the Business and Professions Code for the event. "Event" does not include

football games or other athletic contests sponsored by any college or public community college.

6. The alcoholic beverage is beer or wine acquired, possessed, used, sold, or consumed only in connection with a course of instruction, sponsored dinner, or meal demonstration given as part of a culinary arts program at a California community college campus and the instructor has been authorized to acquire, possess, use, sell, or consume it by the Board of Trustees or the Superintendent/President.
7. The alcoholic beverages are possessed, consumed, or sold pursuant to a license or permit obtained under the Business and Professions Code, for special events held at the facilities of the District during the special event. As used in this paragraph, "special event" means events that are held with the permission of the Board of Trustees that are festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the District and for which the principal attendees are members of the general public or invited guests and not students of the District.
8. The alcoholic beverages are acquired, possessed, or used during an event at a District-owned facility in which any grade from kindergarten to grade 12, inclusive, is schooled, if the event is held at a time when students in any grades from kindergarten to grade 12, inclusive, are not present at the facility. As used in this paragraph, "event" includes fundraisers held to benefit a nonprofit corporation that has obtained a license pursuant to the Business and Professions Code for the event.

Approval Procedures

If it has been determined that the use of alcoholic beverages is appropriate and desirable at an event, the organization or individual sponsoring the event must thoroughly review this procedure and determine the actions that must be taken to insure compliance with applicable local, state and federal law and applicable District policies and procedures.

The organization or individual sponsoring an event where alcohol will be served must first obtain the approval of the district's Superintendent/President and/or Board of Trustees as prescribed in this procedure for the proposed event. The event sponsor must complete a Request for Use of Alcoholic Beverages Form (Exhibit A) to specify:

1. The name and type of the organization sponsoring the event;
2. The name and contact information for the one person who will be responsible for the event (Person In Charge), who must be 21 years of age or older and be in attendance during the entire period of the event;
3. Type of Event;
4. Composition of Group;
5. Location and Hours of the Event (Permission to serve alcoholic beverages at an event during the work week before 4:00 p.m. will ordinarily not be approved);
6. Kind, amount and method of alcohol service;
7. If applicable, that the proper Alcoholic Beverage Control license or permit will be obtained;
8. That all applicable laws and guidelines will be followed; and
9. For off-campus groups, that proof of insurance will be provided.

The event sponsor must submit a completed Request for Use of Alcoholic Beverages Form to the Office of the Superintendent/President AT LEAST FOUR (4) WEEKS PRIOR TO THE EVENT OR SIX (6) WEEK PRIOR IF BOARD OF TRUSTEES APPROVAL IS REQUIRED. Each of the following District officials must also approve the event and sign the Request for Use of Alcoholic Beverages Form:

1. For academic or administrative units: Departmental Dean or Director and Vice President

2. For auxiliary organizations and off-campus groups: Director for Facilities Planning and Management and Vice President for Administration

The Office of the Superintendent/President shall be the office of record for filing the original, completed, and approved Request for Use of Alcoholic Beverages Form. A copy shall be sent to the Director for Facilities Planning and Management. A copy shall also be sent to the organization or individual sponsoring the event, who must make it available at the event for inspection by any appropriate District official.

The event sponsor must obtain approval of the event and confirmation of facility use in accordance with applicable District procedures for use of facilities (see AP 6700 Civic Center and Use of Facilities).

Alcohol may not be purchased with District funds, and District procurement cards (Cal Card) may not be used to purchase alcohol. Non-District funds held in Foundation accounts may, at the discretion of the Foundation, be used. All purchases of alcoholic beverages, whether for on-campus or off-campus events, must be made through Foundation check-request forms and approved by the appropriate District administrator and Foundation representative.

All District sponsored events held off campus shall comply with Board Policy 3560 Alcoholic Beverages and this procedure.

Contact

Facilities Planning & Management at (530) 895-2381.

Exhibit A

Request for Use of Alcoholic Beverages Form including Conditions Which Govern Use of Alcoholic Beverages



Request for Use of Alcoholic Beverages Form

INSTRUCTIONS

- Review the District Board Policy and Administrative Procedure 3560 Alcoholic Beverages prior to initiating this request.
- This form must be submitted to the appropriate approving official **at least four (4) weeks prior to the date of the event or six (6) week prior if board of trustees approval is required.**

EVENT INFORMATION

Event Sponsor: _____ Phone: _____
 Type of Organization: College Department College Auxiliary Organization Off Campus Group
 Profit Non-Profit
 Person In Charge of Event: _____ Phone: _____
 Event Title: _____
 Event Purpose and Objectives: _____
 Event Day and Date: _____ Event Hours: _____
 Event Location: _____ Estimated Attendance: _____
 Including: Students Faculty Staff Other: _____
 Name of entity to which an ABC License will be issued for this event, if required: _____

A copy of this license must be provided to Facilities Planning and Management Office prior to the Event date.

ALCOHOL TO BE SERVED

Alcoholic beverages to be served: Wine Beer
 Alcoholic beverages will be provided: No Cost For Sale
 Time that alcoholic beverages will be served during the Event Begin: _____ End: _____
 (may not exceed 3 hours):

Will alcoholic beverages be served by individuals with formal training concerning the responsible service of alcohol?
 YES NO

If not, explain the measures that will be taken to insure that alcohol is consumed only in accordance with District policy:

Describe non-alcoholic beverages and food to be offered at the event.

Additional Information, if any:

CERTIFICATION

I hereby certify that I have read the District Board Policy and Administrative Procedure 3560 Alcoholic Beverages and the Conditions that Govern the Use of Alcoholic Beverages outlined on the reverse side of this form. I further certify that I will be in attendance at the above event and will be responsible for ensuring its compliance with the Alcoholic Beverages policy.

Signature of Person In Charge: _____ Date: _____

APPROVAL

Dean/Director Signature Date Vice President Signature Date

Superintendent/President Signature Date Board of Trustees Approval Date

DISTRIBUTION: A copy of the approved form must be sent to the Director for Facilities Planning and Management, and a copy sent to the event sponsor.

THIS APPROVED FORM MUST BE AVAILABLE AT THE EVENT FOR INSPECTION BY DISTRICT OFFICIALS.

CONDITIONS THAT GOVERN THE USE OF ALCOHOLIC BEVERAGES

The use of alcoholic beverages at District properties or events may be permitted if the event sponsor has obtained approval by the appropriate authority pursuant to the District policy on Alcoholic Beverages. All of the following conditions shall govern the use of alcoholic beverages:

1. Any request to use alcoholic beverages at District properties or events must be approved by the Superintendent/President and/or Board of Trustees. A Request for Use of Alcoholic Beverages Form must be submitted for approval at least FOUR WEEKS PRIOR TO THE DATE OF THE EVENT or if Board of Trustees approval is required, SIX WEEKS PRIOR TO THE DATE OF THE EVENT. The Request for Use of Alcoholic Beverages Form is available at the Facilities Planning & Management Office or on the Web at www.butte.edu/fpm.
2. In the case of college department or organization, this request must be approved prior to the submittal of a Facility & Equipment Use Application reflecting alcoholic beverages will be used.
3. The sale and service of alcoholic beverages on campus or district sponsored facilities is limited to beer and wine.
4. Alcoholic beverages shall only be consumed in the approved enclosed or inside area designated on this Request for Use of Alcoholic Beverages Form. Exterior service area(s) must be clearly defined.
5. Event sponsor shall designate a "Person In Charge" who must be 21 years of age or older and be in attendance during the entire period of the event. Person In Charge shall take adequate measures to ensure compliance with all of the conditions for approval of this request, and shall have a copy of this approved request at the event.
6. Servers of alcohol: must be 21 years of age or older; shall be trained to serve alcohol (Licensee Education on Alcohol and Drugs Program or Responsible Beverage Service Training Program) and/or must have received orientation on responsible beverage service techniques through the Butte College Foundation; are prohibited from consuming any alcoholic beverages at the event; and shall be familiar with the system being used at the event for verifying that only persons 21 years of age and older are being served alcohol.
7. Access to the event is restricted to members of the sponsoring organization and their invited guests. A majority of the participants attending the event must be 21 years of age or older.
8. The event shall not be open to the public or District community generally and shall not be advertised to the public or District community as an event where alcoholic beverages will be served.
9. Person In Charge shall stop the consumption of alcohol at least 1 hour prior to the scheduled ending time of the event. Unless otherwise approved, actual serving period shall not exceed 3 hours.
10. Suitable non-alcoholic beverages and food must be made readily available at all functions when alcoholic beverages are served. Non-alcoholic beverages should be of comparable quality and shall be featured as prominently as the alcoholic beverages.
11. The Person In Charge, other officers and representatives of the event sponsor, and the party holding the license and/or serving alcoholic beverages are responsible for compliance with applicable laws, regulations, and District policies.
12. The sale of alcoholic beverages is prohibited except pursuant to a valid license or permit issued by the Department of Alcoholic Beverage Control (ABC). Exchanging any consideration for alcoholic beverage service constitutes a sale. "Consideration" includes money, tickets, tokens, or chits that have been issued in exchange for alcohol or anything else of value. The imposition of a uniform per person admission charge, however, does not constitute a sale, provided the admission ticket or other evidence of payment is not exchangeable for alcoholic beverages. A copy of the license or permit must be maintained by the licensee and available for inspection upon request at the event.
13. No person under 21 years of age and no obviously intoxicated person shall be furnished, served, or given an alcoholic beverage.
14. Wine shall be available only by the glass (not to exceed 4 ounces), and beer shall be available only by the bottle, can or glass (not to exceed 12 ounces). Kegs or common source containers are permitted only with an authorized server. Guests may not serve themselves.
15. Guests will not be allowed to bring alcoholic beverages to any event or to exit an event in the possession of alcoholic beverages.
16. In the event an individual becomes intoxicated, Person In Charge will immediately alert a College Police Officer.

CONDITIONS THAT GOVERN THE USE OF ALCOHOLIC BEVERAGES

The sponsoring organization and individuals as representatives, agents or officers of the sponsoring organization should be cognizant of vicarious liability and the consequences to the organization or individual should a vicarious liability civil suit be filed against the organization or individual when a person attending their event and consuming alcoholic beverages is involved in an accident resulting in personal injury and/or death.