


UC HASTINGS POLICY ON USE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON CAMPUS

Issuing Officer: Chancellor and Dean David Faigman 
Responsible Department: Human Resources, Academic Deans, Department of Public Safety
Effective Date: April 14, 2016
Supervision of this Policy shall be through the College Event Center

I. Purpose and Scope

This policy governs the consumption of Alcoholic Beverages (defined as beer, wine, and distilled spirits) on property owned, or operated, by UC Hastings (the "Campus"). This policy is designed to promote the responsible use or non-use of Alcoholic Beverages. Everyone consuming Alcoholic Beverages on Campus is expected to assume responsibility for their own behavior. Behavior and conduct by an individual whose judgment is impaired due to alcohol abuse that interferes with the decorum and atmosphere of UC Hastings will not be tolerated.

II. Statement of Policy

This policy applies to any person who possesses or consumes Alcoholic Beverages on the Campus. The policies outlined below attempt to reduce many risky situations that accompany alcohol use, keeping safety foremost in choices related to alcohol use, while complying with state and local regulations.

III. Policies and Guidelines

- A. Persons under 21 years of age may not possess or consume Alcoholic Beverages on Campus.
- B. No person may possess or serve Alcoholic Beverages from a common source on Campus, unless it has been approved by the College Event Center ("CEC") officials as part of a registered event in a designated space. Common source containers include kegs, coolers, and similar containers of Alcoholic Beverages.
- C. No person may use funnels or play drinking games with Alcoholic Beverages. Alcoholic Beverages games are activities that encourage increased consumption of Alcoholic Beverages beyond safe and legal limits.
- D. No person shall provide or distribute Alcoholic Beverages to persons who are intoxicated.
- E. When serving Alcoholic Beverages on Campus, Non-Alcoholic Beverages must be available at the same place and time as Alcoholic Beverages and featured as prominently as the Alcoholic Beverages.
- F. Persons 21 years of age or older may possess or consume Alcoholic Beverages in designated common spaces. Alcoholic Beverages must remain in the location in which they are served.
- G. UC Hastings department heads responsible for the administration of a designated facility/area on Campus must give express permission, orally or in writing, for Alcoholic Beverages to be served in their area.

- H. Alcoholic Beverages are not permitted in the Law Library, the Gold Reading Room, other reading/study rooms, or any College classroom.
- I. Alcoholic Beverages, in limited amounts, may be consumed in the Clara Foltz Lounge in McAllister Tower and in the Shark Tank in 200 McAllister Street. Common source containers are prohibited in these areas.
- J. Persons 21 years of age or older may possess or consume Alcoholic Beverages on UC Hastings property where they hold a leasehold interest.
- K. Public intoxication and any problematic behavior is not permitted. If a person becomes noticeably intoxicated while on Campus, College security may require him/her to leave the area and/or Campus. Such incidents may be reported to Human Resources or College administration, as applicable, for disciplinary action.

IV. Registered Student Organization Events

- A. In addition to the regulations set forth below, registered student organizations wishing to sponsor an event on Campus where Alcoholic Beverages are to be served must comply with the Policies and Guidelines above.
- B. All registered student organizations must inform the UC Hastings administration when they plan to hold or sponsor an event on Campus where Alcoholic Beverages will be served at least ten (10) business days prior to the date of the event. This may be accomplished when scheduling the event with the CEC.
- C. All registered student organizations must complete the UC HASTINGS ACKNOWLEDGMENT OF RESPONSIBILITY FOR SERVICE OF ALCOHOLIC BEVERAGES form, Attachment A, when holding an event on Campus where Alcoholic Beverages will be served. The form must be submitted to the CEC with the room reservation request.
- D. All registered student organizations must obtain an Alcoholic Beverage Control (ABC) special event permit when holding an event on Campus where Alcoholic Beverages will be served when one or more of the following circumstances apply:
 - 1. The event is open to the general public, i.e., no private guest list or someone can walk in uninvited.
 - 2. There is an admission cost for the event, i.e., ticket price, donation or door charge.
 - 3. There will be other College-entity hosted fundraising activities held at the event, i.e., silent auction, etc.
 - 4. Alcoholic Beverages are being sold at the bar, i.e., no-host or "cash" bar.
- E. A student organization does not need to obtain an ABC special event permit when holding an event on Campus where Alcoholic Beverages will be served by an ABC licensed caterer.
- F. The hours and duration of events are applicable to events sponsored by registered student organizations:
 - 1. Alcoholic Beverages cannot be served on Campus before 3:45 pm during week days or before 12 noon on Saturday/Sunday or holidays.

2. Events at which Alcoholic Beverages are to be served/consumed on Campus cannot last more than four (4) hours.
 3. Alcoholic Beverages service is restricted to the reception segment of symposia or other events of duration greater than four (4) hours.
- G. All registered student organizations and individuals should be cognizant of vicarious liability and the consequences to the organization should a vicarious liability suit be filed against the organization/individual when a person, regardless of age, attending an event and consuming Alcoholic Beverages is involved in an accident resulting in personal injury and/or death.
- H. UC Hastings has the sole and absolute discretion to require any registered student organization that is a separate, 501 (c) (3) corporation to provide private event liability insurance when serving Alcoholic Beverages at an event on Campus. Further, the liability insurance policy must name the College, its officers, and its employees as additional insured.

V. Beer on the Beach

UC Hastings allows the consumption of beer on the patio of the building located at 198 McAllister Street (“Beer on the Beach”) as a sanctioned Associated Students of UC Hastings (“ASUCH”) activity. UC Hastings administration may authorize alternative Campus locations when inclement weather prevents holding Beer on the Beach on the 198 McAllister Street patio.

VI. Use of College Facilities By Non-College Entities

- A. Use of College facilities by Non-College entities are within the sole and absolute discretion of UC Hastings. UC Hastings reserves the right to deny such entities’ requests to serve Alcoholic Beverages at their events. (See the College’s Facilities Usage Policies and agreement for further information.)
- B. All Non-College entities must inform the UC Hastings administration when they plan to hold or sponsor an event on Campus where Alcoholic Beverages will be served in at least ten (10) business days prior to the date of the event. This may be accomplished when scheduling the event with the CEC.
- C. All Non-College entities must complete the UC HASTINGS ACKNOWLEDGMENT OF RESPONSIBILITY FOR SERVICE OF ALCOHOLIC BEVERAGES form, Attachment A, when holding an event on Campus where Alcoholic Beverages will be served. The form must be submitted to the CEC with the room reservation request.
- D. All private, commercial entities must obtain an Alcoholic Beverage Control (ABC) special event permit when holding an event on Campus where Alcoholic Beverages will be served.
- E. Public institutions and/or not-for-profit organizations must obtain an Alcoholic Beverage Control (ABC) special event permit when holding an event on Campus where Alcoholic Beverages will be served when one or more of the following circumstances apply:

1. The event is open to the general public, i.e., no private guest list or someone can walk in uninvited.
 2. There is an admission cost for the event, i.e., ticket price, donation or door charge.
 3. Alcoholic Beverages are being sold at the bar, i.e., no-host or “cash” bar.
- F. Public institutions and/or not-for-profit organizations do not need to obtain an ABC special event permit when holding an event on Campus where Alcoholic Beverages will be served by an ABC licensed caterer.

VII. Sanctions

- A. Individuals, students, or student organizations who violate UC Hastings policies are subject to UC Hastings disciplinary proceedings under the Student Conduct Code or College’s personnel rules and regulations.¹ Sanctions for the violation of this policy are based on the severity and frequency of violation. Sanctions may include, but are not limited to: referral to on- or off-campus alcohol assessment and/or counseling, alcohol education, community service, disciplinary probation, suspension of individual students, suspension from use of UC Hastings facilities for a designated period of time, and suspension of registered student organization status.
- B. At UC Hastings, we believe that student health and safety is a responsibility shared by all members of the UC Hastings community, and that our obligation as a community is to act with care and respect for each other. Toward that end, students who seek appropriate medical aid due to an incident of intoxication either for themselves or for other students, generally, will not be subject to disciplinary action for that incident with respect to violation of this UC Hastings’ alcohol policy.

¹ State laws and local ordinances are the foundation of the College’s Alcoholic Beverages Policy. Violators may be subject to civil and/or criminal penalties in addition to College disciplinary proceedings, as applicable.

ATTACHMENT A

**UC HASTINGS ACKNOWLEDGMENT OF RESPONSIBILITY
FOR SERVICE OF ALCOHOLIC BEVERAGES**

This form must be completed and approved at least ten (10) business days in advance of the event. Approval must be obtained between 8:00 AM and 5:00 PM, Monday through Friday. You must comply with the full UC Hastings Alcoholic Beverages Policy that is available upon request from the College Event Center or online at _____.

Date of Application: _____

Sponsoring UC Hastings Group/Organization/Department:

Type of Event: _____

Date of Event: _____ Time of Event: ____AM/PM to ____AM/PM

Location of Event: _____

Estimated Attendance: _____

Will there be a charge or fee for attendance at the event? ____ Yes ____ No

Is the event a fundraising event for a nonprofit organization? ____ Yes ____ No

If yes, name of nonprofit organization: _____

Will there be fundraising activities at the event such as a silent auction? _____

The following Alcoholic Beverages only will be served at the event (initial each that will be served):

Beer: ____, Wine: ____, Distilled Spirits _____

Event is BYO: ____ Yes ____ No

Period of Service of Alcoholic Beverages (maximum limit 4 hours): ____PM to ____PM

Organization or individual donating Alcoholic Beverages to be served:

- I. In connection with the event, the undersigned agree(s) to be present throughout the event in order to assure compliance with each of the following requirements:
- A. Only the Alcoholic Beverages indicated above will be served or permitted at the event.
 - B. State laws regarding purchase and transportation of Alcoholic Beverages to be served will be observed. Common source containers are prohibited at events sponsored by student organizations with the exception of "Beer on the Beach." For information about obtaining a Limited Special Occasion Permit, call the San Francisco Alcohol Beverage Control office at (415) 356-6500, visit the San Francisco NC Alcoholic Beverage Control website at SFO.Direct@abc.ca.gov.

- C. No person under the age of 21 years will be served Alcoholic Beverages at the event. Undersigned understand(s) that it is a violation of State law to give, sell, or furnish Alcoholic Beverages to any person not at least 21 years of age, or to aid or abet such person in possession or consumption of Alcoholic Beverages. Proof of age may be required for any person requesting an Alcoholic Beverage.
- D. No noticeably intoxicated person will be allowed to attend the event or will be served Alcoholic Beverages. Noticeably intoxicated persons may be asked to leave the event/facility.
- E. There is no fee being charged to attend this event, unless it is a ticketed fundraising event sponsored by UC Hastings, the UC Hastings Foundation, or a UC Hastings registered student organization, and the proper ABC permit is acquired.
- F. No persons except those specifically invited and their guests accompanying them will be permitted to attend the event.
- G. Attendance will not exceed the safety capacity of the facility.
- H. Non-Alcoholic Beverages will be available at the same place as Alcoholic Beverages and featured as prominently as the Alcoholic Beverages.
- I. Food items will be provided, proportionate to attendance.
- J. Persons attending will not be permitted to carry in Alcoholic Beverages, except at an approved BYO event.
- K. The period during which Alcoholic Beverages are served will not exceed 4 hours.

II. THE UNDERSIGNED HAVE (HAS) READ THE UC HASTINGS POLICY ON USE AND CONSUMPTION OF ALCOHOLIC BEVERAGES. THE UNDERSIGNED (HAS) READ, UNDERSTAND(S), AND AGREE(S) TO COMPLY WITH THE REQUIREMENTS SET FORTH IN SECTION I ABOVE, AND UNDERSTAND(S) THE POTENTIAL CONSEQUENCES FOR FAILURE TO COMPLY AS SET FORTH IN SECTION II. THE UNDERSIGNED SPECIFICALLY UNDERSTAND(S) THAT FAILURE TO COMPLY WITH STATE LAW AND UC HASTINGS POLICY IN CONNECTION WITH THE SERVICE OF ALCOHOLIC BEVERAGES AT THIS EVENT MAY RESULT IN ANY OR ALL OF THE FOLLOWING:

- A. SUSPENSION OF GROUP AND/OR INDIVIDUAL FACILITY USE PRIVILEGES.
- B. UC HASTINGS DISCIPLINARY ACTION AGAINST THE ORGANIZATION OR INDIVIDUAL.
- C. PERSONAL CIVIL LIABILITY FOR INJURIES RESULTING FROM THE SERVICE OF ALCOHOLIC BEVERAGES AT THE EVENT.
- D. CRIMINAL LIABILITY FOR VIOLATION OF STATE ALCOHOLIC BEVERAGE LAWS.

Signed: _____ Date: _____