

POLICY ON CAMPUS USE OF ALCOHOLIC BEVERAGES

PURPOSE

The purpose of this policy is to provide guidelines for the responsible use of alcohol and to clarify sanctions and procedures for addressing instances of inappropriate use.

STATEMENT OF PHILOSOPHY

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 significantly with the mission and values of the University. All students, faculty, staff, administrators, guests and visitors are welcome members of this community and are expected to respect, promote and sustain its values. Members of the University community are assured that abstinence and the absence of alcohol from social events are acceptable practices.

ADVERSE EFFECTS OF ALCOHOL ABUSE ON THE CAMPUS COMMUNITY

The excessive use and abuse of alcohol pose numerous risks to the health and well being of individual students and the campus community. Examples of these risks are as follows:

- Excessive consumption of alcohol is associated with diminished academic performance. On the average, the more often a student drinks excessively, the lower his or her grades.
- Alcohol abuse may result in a variety of health and psychological problems for individuals who drink. In the short term, it contributes to inappropriate risk-taking, which results in violence, accidental injuries, deaths, unintended pregnancies, and sexually transmitted infections. In the long term, it results in addiction, social and family losses, and physical deterioration in approximately 15% of those who drink.
- Alcohol abuse has a direct effect on others. It is associated with violent and disruptive behavior that threatens others' safety, comfort, emotional well-being, and ability to function. Even the "minor" but relatively common problems of having one's sleep and studying interrupted by alcohol impaired individuals may significantly affect health, well being, and academic success.
- Alcohol abuse by family and friends has significant effects on some individuals' ability to fully embrace the opportunities available in the University.
- Alcohol abuse contributes to crime, property damage, and expense to the University.
- Finally, alcohol abuse damages the reputation and image of the University.

PREVENTION AND ASSISTANCE PROGRAMS

The University provides a variety of services to prevent and address alcohol problems. Educational programs and activities include residence hall education programs, participation in National Collegiate Alcohol Awareness Week, staff and faculty education, and incorporation of alcohol education into the curriculum. Educational resources are available to all members of the campus community through the Health Education program of University Health & Psychological Services. The University supports a variety of campus organizations and activities that promote alcohol-free experiences. All members of the University community are encouraged to participate in relevant alcohol education and awareness activities.

University Health & Psychological Services provides counseling and referral for students with alcohol related concerns. The cost of any off-campus service is the responsibility of the student. In addition, consultation is provided to faculty, staff, or students concerned about a student's well-being. However, medical or counseling information regarding a specific student cannot be divulged. These services are provided at no charge.

The Employee Assistance and Development Program provides counseling and referral for faculty, staff and administration regarding substance use concerns. There is no charge for these services. Employees should consult their health care benefit plan to determine coverage for off campus services.

I. LAWS AND REGULATIONS

The following information and guidelines are intended to deter alcohol abuse in the institution. The policy establishes the parameters within which approval for use can occur and identifies administrative units responsible for handling policy violations.

A. STATE OF CALIFORNIA LAWS

1. In the State of California, individuals twenty-one years of age or older may legally purchase, possess and consume alcoholic beverages. All State laws are applicable to California State University, Fresno, and to all individuals on the properties of the University.
2. The Business and Professions Code and related statutes control the sale, consumption, and possession of alcoholic beverages.
3. 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.
4. The University Police Department is responsible for exercising normal police powers in enforcing laws relating to alcohol.

II. UNIVERSITY LIMITATIONS, REQUIREMENTS AND RESTRICTIONS

A. LIMITATIONS AND REQUIREMENTS

This policy shall govern all activities involving alcoholic beverages on University property and at University sponsored events. The use of alcoholic beverages is limited to the following conditions:

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 Alcoholic Beverage Control Board to sell alcoholic beverages on University property. This authority is subject to all applicable State and Federal laws and University regulations.
2. The Association and the Ag Foundation, operating under licenses issued by the ABC, are authorized to provide alcoholic beverages in areas designated by the Vice President for Administration (VPA), subject to the provisions of the Association's Caterer's permit (e.g. the Coffee House Pub and University Restaurant) and the Ag Foundation's operating permit.
3. The President has designated the Vice President for Administration or designee to act in all matters related to the serving of alcoholic beverages on campus. The VPA has designated the Director of Environmental Health and Safety as the person responsible for these actions. The Director of Environmental Health and Safety will consult with the Vice President for Student Affairs and Dean of Students or designee when an event may involve students.
4. Applications to obtain a permit to serve alcoholic beverages must be obtained from the Office of Environmental Health and Safety and should be submitted at least 30 days prior to the event. A copy of the application form is attached. (See Appendix A)
5. Alcoholic beverages may be allowed in conjunction with athletic events held on University property when the VPA determines an event and its location as being appropriate for the consumption of alcohol (e.g. Bulldog Stadium and Beiden Field). Certain areas may be identified as appropriate for the consumption of but not the sale of alcoholic beverages. At any such event no alcohol shall be left unattended. University Police will confiscate any alcoholic beverage left unattended. Alcohol may not be sold by any entity except the Association through University Food Services and the Ag Foundation.
6. The selling or serving of alcoholic beverages should be limited to beer and wine.
7. Alcohol may be served and consumed in other areas of the University, (e.g., O'Neill Park, the Ag Pavilion), by specific permission of the VPA or designee. This authorization may be withdrawn at any time.

8. Alcoholic beverage advertisements in connection with large group activities (e.g. concerts, festivals, or other special events) must be specifically approved for that event and are subject to the provisions in the California State University, Fresno Policy on Sponsorship and Advertising by Alcoholic-Beverage Companies. (See Appendix B)
9. Where appropriate controls cannot be satisfactorily established, authorization shall not be given for the serving of alcohol.
10. Organizations must provide verification of insurance coverage or, if eligible, obtain liability insurance from the Office of Environmental Health and Safety for events where alcohol is served.

B. ALCOHOL RESTRICTIONS ON CAMPUS

1. Employees of the University may not consume alcoholic beverages while at their workstation or while on duty unless specifically authorized (e.g. an approved special event). Further, employees are not to be “Under the Influence”¹ of alcohol while on duty.
2. 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 Courtyard staff. (See Appendix C)
3. Students are not to be Under the Influence of alcohol while on campus.
4. Visitors and contract workers are not to be Under the Influence of alcohol while on campus.
5. Alcohol shall not be served at any event held on University premises, unless specifically authorized by the VPA or designee.
6. The approval of the Vice President for Student Affairs and Dean of Students or designee shall be required to serve alcohol at events involving students.

¹ For the purpose of this policy, “Under the Influence” is defined as having a blood alcohol concentration of 0.08% or greater, the standard used to determine legal intoxication for operating a motor vehicle in California.

7. At events where alcohol is served free of charge to invitees, attractive non-alcoholic beverages and a variety of foods, to include high protein foods (i.e., cheeses, meat) must also be readily available without charge to all participants. Such offerings shall be as prominently displayed as the alcoholic beverages.
8. At events where alcohol is sold by University Food Services, non-alcoholic beverages and a variety of foods, to include high protein foods, must be readily available for purchase by participants.
9. When events are held on University premises and alcoholic beverages are made available as part of the event, the following requirements must be met by the individuals or groups sponsoring the event:
 - a) Individuals or groups sponsoring the event shall implement precautionary measures to insure that alcoholic beverages are not accessible or served to persons under age 21 or to persons who appear intoxicated.
 - b) Direct access to events where alcohol is being served must be restricted to invited participants only.
 - c) Unless specifically exempted, University Food Services or Ag Foundation personnel must serve alcoholic beverages. All persons employed as servers shall have completed standard server intervention training.
 - d) No event shall include any form of alcoholic "drinking contest" in its activities or promotion.
 - e) Student groups shall not be permitted to serve or sell alcoholic beverages from kegs, pony kegs or other large containers.
 - f) The University Police Department shall establish appropriate levels of police presence for an event. Event sponsors may be required to pay for policing at campus events where alcohol is served or sold.
 - g) Student organizations shall be provided with a copy of the Policy on Campus Use of Alcoholic Beverages each year. In order to obtain or renew University recognition, the organization's president and University advisor must sign an agreement indicating that the organization and its members will comply with the Policy. The Policy will apply to the organization throughout the calendar year. Organizations failing to comply with the Policy on Campus Use of Alcoholic Beverages may lose their University recognition.
 - h) All marketing, advertising, and promotion of alcoholic beverages on campus must conform to the California State University, Fresno Policy on Sponsorship and Advertising by Alcoholic-Beverage Companies. (See Appendix B)

C. RESTRICTIONS FOR OFF CAMPUS ACTIVITIES

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 university policy. As a general practice, persons under the age of 21 should not be present in places where alcohol is being consumed.
2. Students groups must also comply with pertinent local and national organization guidelines as appropriate. (See Appendices D, E, F and G)
3. University employees are strongly advised not to sponsor a university related event, such as an end of the semester gathering, at a student's home if alcohol is served. Participants must be informed that attendance at an end of semester party is not required for completion of a course.
4. When alcohol is served at an off campus event, hosting the event at a commercial establishment licensed to sell alcohol will reduce the liability to the employee and University. Employees are strongly advised not to purchase alcohol for students at a commercial establishment.
5. University employees are strongly advised not to provide alcohol for students at other off campus locations. Employees choosing to provide alcohol to students do so outside the scope of their employment and assume all risks.

III. INFRACTIONS, ACCOUNTABILITY AND SANCTIONS

A. Infractions by Students or Student Groups

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

1. All discipline involving students will be handled in accordance with the Chancellor's Executive Order No. 628, Student Disciplinary Procedures for the California State University. Copies of these procedures are available in the Office of the Vice President for Student Affairs and Dean of Students.
2. 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.

B. Infractions by Employees

Employees of the University who violate this policy are subject to discipline pursuant to the University's established policies, California laws and the terms of any applicable collective bargaining agreement.

C. Infractions by non-University Employees and Guests

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

IV. TREATMENT PROGRAMS AND SERVICES

A. 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 may be available through existing university entities such as University Health and Psychological Services or they may be offered in conjunction with community- based programs.

B. 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.

V. PROCEDURES TO UPDATE OR AMEND THIS POLICY

The President may amend this policy with consultation from the Academic Senate. An ad hoc alcohol policy review committee shall be appointed to make recommendations on updates and amendments to the President. The committee shall consist of members of the campus community including faculty, staff, administration and students from appropriate constituent groups.

VI. 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>

Copies of the Policy are also available in the Office of the Vice President for Student Affairs and the Dean of Students, the Student Activities and Leadership Development Office, the Environmental Health and Safety Office and the Office of the General Manager of the California State University, Fresno Association, Inc.

July 27, 2000

Approved by President

October 24, 2011

Approved by President, as recommended by the Academic Senate, to change to an Administrative policy (the APM to link to the MAPP).