JACKSONVILLE STATE UNIVERSITY
Manual of Policies and Procedures

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SUBJECT: Use/Dispensing of Alcohol on Designated University Property

APPROVED: Dr. Don C. Killingsworth, Jr., President

INTENT

This Policy regulates the possession, dispensing, service, use, and consumption of alcoholic beverages on property owned, leased, occupied, or otherwise controlled by the University, to the extent of the University's legal or contractual authority over the property or activity.

POLICY

Jacksonville State University ("JSU" or the "University") allows the restricted and regulated dispensing and consumption of alcoholic beverages on property owned or under the control of the University only in compliance with applicable law. The University, in its responsible role as a public academic institution of higher education, further restricts the venues where alcoholic beverages are allowed, and the circumstances under which such may be possessed, dispensed, or consumed.

DEFINITIONS

Internal Event: An event sponsored by a University department, unit, or recognized student organization for a University-related purpose. These events are aligned with the University's mission and primarily serve University-related purposes. Internal Events typically receive priority access to facilities and may qualify for reduced or waived fees.

External Event: An event sponsored by an individual or entity other than the University, including an event sponsored by a University employee in an individual or personal capacity. This includes community groups, alumni, commercial entities, outside nonprofits, or University employees using facilities for personal events such as weddings or private celebrations.

RULES

The following are mandatory rules that govern the use, consumption, and dispensing of alcoholic beverages on University property.

1. **General Rules Applicable to All Internal and External Events Where Alcohol is Being Served With or Without Charge**

    a. No alcoholic beverages may be served, provided, or allowed at any function or on University property without advance approval of the President or the President's designee(s). Approval must be obtained by submitting Form 151 well in advance of the event. The President may grant blanket approval to a particular site or for a recurring function or event. Examples of such blanket approval for certain locations for certain events include:

- JSU Alumni House property
- Stadium Towers (5th, 6th, and 7th Floors)
- AmFirst Stadium
- Jim Case Stadium
- International House
- President's House
- Little River Canyon Center[1]
- Cleburne County Mountain Center[1]
- Houston Cole Library (11th and 12th Floors)
- Leone Cole Auditorium
- Tailgating Areas[2]
- White Loring & Debbie White Football Complex
- Pete Mathews Coliseum- including all interior spaces
- Hammond Hall Gallery
- West Housing Village
- Randy Owen Center for the Performing Arts
- Property owned by the University and leased to another entity, to the extent permitted by the applicable lease or other governing agreement
- (provided any alcohol distribution/use is otherwise lawful)

[1] Because of special local considerations or University facilities being in multi-use or shared buildings governed by unique considerations, local law, or contractual agreements, additional or different rules may apply.

[2] Tailgating areas have special considerations. Additional or different rules may apply. Copies may be obtained through the Office of the Athletics Director, 256-782-5368. Caution: The City of Jacksonville prohibits open containers of alcoholic beverages being displayed or used in public areas or areas open to public view.

b. It is a violation of state law to dispense, without appropriate licensing, alcoholic beverages in exchange for or consideration of something of value, direct or indirect. Thus, under no circumstances may alcoholic beverages be sold, provided, or dispensed, other than gratuitously, without the appropriate license from the Alabama Alcoholic Beverage Control Board.

c. No alcoholic beverages will be dispensed or provided, directly or indirectly, to any person under the age of twenty-one (21) years, nor shall any be dispensed or provided to any person who appears to be intoxicated or impaired. Likewise, no person, organization, or group will knowingly allow anyone under the age of twenty-one (21) to be in possession of or consume alcoholic beverages on University property. The dispensing of alcoholic beverages shall cease at least thirty (30) minutes prior to the scheduled conclusion of the event.

d. All laws and ordinances regarding the possession or use of alcoholic beverages shall be obeyed, including, but not limited to, the following:
   1. Possession, use, or purchase of alcohol by persons under twenty-one (21) years of age and providing alcohol to an underage individual. Ala. Code §§ 28-1-5 and 28-3A-25;
   2. Sale, or advertisement for sale, of alcoholic beverages without a license. Ala. Code §§ 28-3A-3, 28-3A-20, and 28-3A-25; and
   3. Public intoxication and driving while under the influence of alcohol. Ala. Code §§ 13A-11-10 and 32-5A-191.

e. The use of state funds to purchase alcoholic beverages is prohibited.

f. Following an event or function, alcoholic beverages will be removed from University property or placed in appropriate locked storage.

The University reserves the right to revoke approval for the dispensing or consumption of alcoholic beverages at any time when the University determines, in its sole discretion, that such action is necessary or appropriate due to applicable law, University policy, event conditions, safety concerns, risk management considerations, operational needs, or other University interests.

Nothing in this Policy shall be construed as a waiver of any immunity, defense, limitation of liability, or protection available to Jacksonville State University, its Board of Trustees, officers, employees, or agents under the Constitution and laws of the State of Alabama.

2. Specific Rules for Internal Events Where Alcohol Will Be Served

a. General Responsibility
The responsibility for compliance with and adherence to University regulations and applicable laws rests with the sponsoring organization and its advisors who request approval to serve alcohol at an Internal Event. The University, its trustees, officers, and employees, do not assume any responsibility or liability for actions of the sponsoring organization or its advisors or members or other participants with regard to alcohol use.

b. Licensing
If admission, a registration fee, a meal charge, a required donation, or anything else of value is required or accepted in connection with attendance or the provision of alcoholic beverages, the event sponsor must obtain any license or permit required by the Alabama Alcoholic Beverage Control Board and applicable local law. The sponsor shall provide the University with satisfactory evidence of all required licenses and permits before the event. The manner in which a payment or charge is described will not control whether a license or permit is required.

The licensing requirement may not apply to an Internal Event for which the sponsor documents that there is no charge or other consideration for attendance and all alcohol is donated by one or more third-party donors and not purchased by the event sponsor, provided the proposed dispensing is otherwise lawful and the Office of University Counsel determines that no license is required.

3. Specific Rules for External Events Where Alcohol Will Be Served With or Without Charge

a. General Responsibility
The responsibility for compliance with and adherence to University regulations and applicable laws rests with the organization or individual sponsoring an External Event where alcohol will be served.

b. Facility Rental
Before requesting permission to serve alcohol at an External Event, the organization or individual must first consult Policy I.04.05 and obtain the appropriate permission for rental of the University facility.

c. Licensing
If admission, a registration fee, a meal charge, a required donation, or anything else of value is required or accepted in connection with attendance or the provision of alcoholic beverages at an External Event, the event sponsor must obtain any license or permit required by the Alabama Alcoholic Beverage Control Board and applicable local law.

The sponsor must provide the University satisfactory evidence of all required licenses and permits before the event. The description given to a payment or charge does not control whether a license or permit is required.

d. Insurance Requirements

Any organization or individual sponsoring an External Event at which alcoholic beverages will be served, dispensed, or consumed must obtain event liability insurance, including liquor liability or host liquor liability coverage, as applicable to the event, with limits of not less than $1,000,000 per occurrence. The coverage must apply to claims arising from the service, dispensing, furnishing, possession, or consumption of alcoholic beverages at the event. Evidence of coverage satisfactory to the University shall be provided to the Building Manager at least ten (10) calendar days before the event.

e. Additional Insured Requirements

Jacksonville State University, its Board of Trustees, officers, employees, and agents shall be named as additional insureds with respect to claims arising from the event, unless the Office of University Counsel approves an exception in writing.

f. Waiver of Insurance Requirements and Discretion

The Office of University Counsel may, upon recommendation of the Building Manager, waive the insurance requirement for a purely social, invitation-only event when the host executes a written indemnification agreement approved by University Counsel. In determining whether to grant a waiver, University Counsel may consider the number of guests, event duration, beverages provided, food service, method of alcohol service, and the financial protection afforded by the indemnification agreement. This waiver does not apply to facilities governed by agreements requiring insurance.

g. Security

At any External Event where alcoholic beverages are served or allowed to be consumed, the organization or individual utilizing the facility shall provide, without cost to the University, appropriate security at all times alcoholic beverages are served, dispensed, or consumed. The Building Manager shall have the discretion to determine the type and level of security required after consideration of the venue location, the number of attendees anticipated, the type(s) and quantity of alcoholic beverages to be served or provided, whether or not individuals under the age of twenty-one (21) will be invited and/or attending, and any other factors relevant to an informed decision. If the event is held on the University campus, upon determination that uniformed law enforcement officer(s) is/are warranted, arrangements will be made in advance through the University Police Department. If the event or function is to be held off the main University campus, local law enforcement officers will be utilized. This paragraph shall not apply to the Stadium Tower Suites, which are governed by a separate lease agreement.

h. Student Organizations

Student organizations and events involving students are also subject to all applicable requirements of the Student Handbook and other University policies. If requirements conflict, the more restrictive requirement applies unless the Office of University Counsel determines otherwise.

RESPONSIBILITY

The Office of University Counsel is responsible for this Policy.

EVALUATION

This Policy will be evaluated at least every five (5) years and earlier when warranted by changes in applicable law, regulation, University operations, or risk-management requirements.