

JACKSONVILLE STATE UNIVERSITY
Manual of Policies and Procedures

POLICY NUMBER: I:05:02

DATE: August 2013

REVISION DATES: February 2021

SUBJECT: Use/Dispensing of Alcohol on Designated University Property

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

INTENT

This policy regulates the possession, dispensing, use or consumption of alcoholic beverages on the Jacksonville State University campuses and other properties owned or occupied by the University.

POLICY

Jacksonville State 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.

RULES:

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

1. **General Rules.**

- a) No alcoholic beverages may be served, provided, or allowed at any function or on University property without advance approval of the President or his designee(s). 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 & 7th Floors)
 - JSU Stadium
 - Jim Case Stadium
 - International House
 - President's House
 - Little River Canyon Center¹
 - Mountain Resource Center (Cleburne County)¹
 - Houston Cole Library (11th and 12th Floors)
 - Leone Cole Auditorium
 - Tailgating Areas²
 - Coxwell Room – Field House
 - Brantley Room – Pete Mathews Coliseum
 - University Development House
 - Hammond Hall Gallery
 - Property leased by the University to other entities (provided any alcohol distribution/use is otherwise lawful)
- b. It is a violation of state law to dispense, without appropriate licensing, alcoholic beverages in exchange or consideration of something of value, direct or indirect. Thus, under no circumstances may alcoholic beverages be sold, provided, or dispensed other than gratuitously.

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.

- 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.
- d. All laws and ordinances regarding the possession or use of alcoholic beverages shall be obeyed.
- 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.

2. Specific Rules for Groups and Organizations Hosting 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 organizations and its advisors. 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. Individuals and groups requesting approval to serve alcohol should familiarize themselves with the applicable law and, in particular should be aware of the following:
 - i. Possession, use, or purchase of alcohol by persons under 21 years of age and providing alcohol to an underage individual. Ala. Code §28-3-266 and 28-3-261;
 - ii. Sale, or advertisement for sale, of alcoholic beverages without a license. Ala. Code §28-3-60:10;

iii. Public drunkenness and driving while under the influence of alcohol. Ala Code §28-3-260:3 and 32-5A-191.

- b. **Licensing.** Any group, organization, or individual utilizing any University property or facility where there is a charge for attendance by guests or participants (conferences, meetings, lectures, etc.) and where alcoholic beverages are expected to be provided must obtain a “special event license” from the Alabama Alcohol Beverage Control Board and provide the University a copy of the same in advance of the event. This requirement shall apply no matter how the fee or charge is designated. This includes, but is not limited to, an attendance fee, an entertainment charge, a meal charge, or anything of value in exchange for a right to attend and/or participate in the function.

For University or University-sponsored functions, including events sponsored by the JSU Foundation, the licensing requirement shall not be necessary where it is documented that all alcoholic beverages on site during the function were donated by one or more third-party donors and were not purchased by the event sponsor.

- c. **Insurance.** Private groups, individuals or organizations hosting or sponsoring a function on University property that choose to dispense alcoholic beverages must obtain a single event liability insurance policy with coverage of at least \$1,000,000 per claim / occurrence. A copy of the insurance binder or other suitable proof of coverage shall be provided to the facility/building manager at least seven (7) workdays in advance of the event and approved by the University Counsel. With the exception of the Talladega Mountains Natural Resource Center, the use of which is governed by a lease agreement between the University and the Cleburne County Commission, this provision may be waived by the University Counsel or Senior Vice-President for Finance and Administration on recommendation of the building/facility manager for purely social events, such as wedding receptions or events attended by invitation only whereby the host agrees to fully indemnify and defend the University against any

damages, demands, costs, or claims arising from the event. The decision to waive or not waive the insurance requirement for purely social events as described shall be within the sound discretion of the responsible authority after consideration of all relevant factors relative to risk and the protections afforded by an alternative indemnification agreement. Factors considered should include, but not necessarily be limited to, the following: the number of guests, duration of the event, type(s) of alcoholic beverages to be provided, whether the dispensing of alcoholic beverages will be limited or through a self-serve site or open bar, and the financial protection afforded by the proposed indemnity agreement. This paragraph shall not apply to the Stadium Tower Suites, which are governed by a separate lease agreement.

- d. **Security.** At any private (non-University) function where alcoholic beverages are dispensed or allowed to be consumed, the individual, group, or organization utilizing the facility shall provide, without cost to the University, appropriate security at all times alcoholic beverages are being served, dispensed, or consumed. The facility 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 one or more 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.
- e. **Students/Student Organizations.** The University has additional rules regarding alcohol use by students and student groups. Those rules should be read in conjunction with this Policy.

RESPONSIBILITY

The University Counsel is responsible for this policy.

EVALUATION

This policy will be evaluated every five (5) years, or in the event of a change in Alabama law.