

**San Francisco State University
Alcohol Advisory Committee's
Final Recommendations
2002-2003 Academic Year**

The following policy recommendations were approved by the committee during the April, 2003 meeting:

Policy regarding on-campus sales of hard liquor by renters of campus facilities such as 7-Hills:

The committee recommends that the policy state that only beer and wine be served and that no permit for sales of hard-alcohol be granted.

Policy regarding the sale of alcohol by on-campus establishments that have alcohol permits

To promote the philosophy of responsible consumption the committee recommends that on-campus establishments avoid marketing strategies that promote over consumption by our students:

- a. By serving beer and wine only, not "liquor look-a-likes"*
- b. Eliminating drink specials such as 2 for one and super-sized drinks.*

Policy regarding classroom consumption of alcohol.

The committee recognizes that there are many occasions for Celebration at the university and that alcohol is often a part of the festivities. The committee also recognizes that the classroom is not an appropriate place for the consumption of alcohol.

The committee recommends that classroom consumption of alcohol be prohibited unless it is a part of the curriculum (such as supervised wine tasting).

The committee also made the following recommendation to Prevention Education Programs / C.E.A.S.E. who provide the alcohol and other drug Information for the Right To Know section of the Class Schedule. This Information will appear in the Spring 2004 Class Schedule.

So that students are fully informed, the recommendation was made to include the regulations regarding drug convictions and financial aid benefits In the Right to Know section of the Bulletin & Class Schedule.

Committee Members present April 1: Kamal Harb, Student Health Services, Tonique McNair, Student; Dj Morales, Residential Ute; Sophla Ramirez, Office of Student Programs and Leadership Development; Michael Ritter, Chair; Bitu Shooshani, Prevention Education Programs/C.E.A.S.E; Mitch Wasik, Athletics; Kim Wibel, University Police. Additional Committee Members present May 6: Guy Dalpe, Chavez Student Center; Gina Leachman, Centennial Village.

____**X**____/_____

Approved /Not Approved

Signed by **Robert A. Corrigan, President**

Date:10/22/03

**San Francisco State University
Alcohol and Drug Policy
(Revised: October 22, 2003)**

The University, in its responsibility to students, faculty and staff, has developed policies and guidelines on alcohol and drug usage on the campus. San Francisco State University expects the campus community as well as external groups to

be aware of all state and local laws with reference to possession, serving and consuming of alcohol; to inform decisions about alcohol and drug use; and to be responsible for the consequences of those decisions.

For your information, the University is providing you with San Francisco State University Guidelines for Alcohol and Drug usage. These policies apply to all members of the University, to all University-sponsored activities and non-sponsored activities as outlined.

Purpose

The following policy and guidelines will define the regulations for the serving of alcohol beverages, at University sponsored functions, at on-campus and off-campus locations as well as non-sponsored activities as outlined in the University Facilities User's Guide Handbook. The intent of this directive is to regulate by policy consumption of alcohol on the campus under carefully prescribed conditions. This policy will address Alcohol and Illegal Drugs.

I. Current California Law-Alcohol

Every person who sells, furnishes, gives or causes to be sold, furnished or given away, any alcoholic beverage to any person under the age of twenty-one years is guilty of a misdemeanor. (California Business and Professions Code, 25658)

Every person who sells, furnishes, gives, or causes to be sold, furnished or given away, any alcohol beverage to any habitual or obviously intoxicated person is guilty of a misdemeanor. (California Business and Professions Code, 25602)

Definitions

1. "Alcoholic beverage" includes alcohol, spirits, liquor, wine, beer and every liquid or solid containing alcohol, spirits, wine or beer and which contains one-half or one (1) percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances. (California and Business and Professional Code, 23004)

2. "Distilled spirits" means an alcoholic beverage obtained by the distillation of fermented agricultural products, and includes alcohol for beverage use, spirits of wine, whiskey, rum, brandy, and gin, including all dilutions and mixtures thereof. (California Business and Professional Code, 23005)

3. "Beer" means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any other similar product, or any combination thereof in water, and includes ale, porter, brown, stout, lager beer, small beer and strong beer but does not include sake, known as Japanese rice wine. (California Business and Professional Code, 23006)

4. "Wine" means the product obtained from normal alcoholic fermentation of the juice of sound ripe grapes or other agricultural products containing natural or added sugar or any such alcoholic beverage to which is added grape brandy, fruit brandy, or spirits of wine, which is distilled from the particular agricultural product or products of which the wine is made and other rectified wine products and by whatever name and which does not contain more than 15 percent added flavoring, coloring, and blending material and which contains not more than 24 percent of alcohol by volume, and includes vermouth and sake, known as Japanese rice wine. (California and Business and Professional Code, 23007)

5. The term "sale" means the exchanging of any consideration, either directly or indirectly, for alcohol. The term "sale" also includes the imposition of an admission charge to, or any other charge for the event which alcoholic beverages will be served exclusively to those who pay such a charge.

6. The term "consideration" as used above, includes money or tickets, tokens or chits which have been issued in exchange for money or anything else of value.

7. "Appropriate University official" as used in this section shall include a University Public Safety Officer or the administrator assigned to be present at the event by the President or his/her designees. If the occasion should require, any administrator senior to the designee may exercise this authority.

II. Types of Alcohol Related Activities

University Sponsored Activities:

1. Attendance shall be limited to members of the University and their invited guests.
2. The event shall not be publicized to the general public nor advertised on campus as an event where alcoholic beverages will be served.
3. The host of the event and the sponsoring organization are responsible for compliance with applicable laws, regulations, University policies and this directive.
4. A University sponsored event which is held off-campus at a restaurant, hotel or club, where alcoholic beverages are normally served, may make special arrangements to serve alcoholic beverages; however, the persons sponsoring the event are still subject to California State Law for purchasing and/or supplying alcoholic beverages to any minor. The University exercises no supervision and assumes no responsibility to control the serving and consumption of alcoholic beverages off the university campus.
5. The University recognizes that there are many occasions for celebration at the university and that alcohol is often a part of the festivities. The university also recognizes that the classroom is not an appropriate place for the consumption of alcohol. Classroom consumption of alcohol is prohibited unless it is a part of the curriculum (such as supervised wine tasting).

University Non-Sponsored Activities (Rental of Facilities by Outside Organizations):

1. An application for permission to serve alcoholic beverages must be completed by all non-sponsored outside groups wishing to rent University facilities.
2. The application must be approved by the Department of Public Safety and the Office of Special Events and Conferences.
3. Outside groups renting university facilities for special events/activities must adhere to (Sections 25658 through 25665) California Business and Professional Code and university regulations.
4. Only Beer and wine may be served. No permit for sale of hard-alcohol will be granted.

III. Requirements When Serving Alcohol

1. Alcohol may not be served unless non-alcoholic beverages (in addition to water) and food are also served.
2. No person under legal drinking age or any obviously intoxicated person shall be furnished, served, or given an alcoholic beverage.
3. Food and non-alcoholic beverages must be available without cost so long as alcohol can be consumed at no cost.
4. When events last two hours or more, service of alcoholic beverages must stop one-half hour before the close of the event.
5. The burden of proof for showing legal age is on the alcohol consumer. No service will be provided unless clear evidence of legal age is presented. It is the responsibility of those in charge of an event to assure that no one who is

under age is served any alcoholic beverages.

6. Consumption and serving of alcohol must be at or in the facility designated for the event.

7. There shall be no sale of alcohol without a "Temporary Alcohol Beverage License."

8. The sponsoring organization shall cease serving alcoholic beverages at the request of an appropriate university official.

9. All events on campus where alcoholic beverages are being served shall post a sign indicating that alcohol shall not be consumed by persons under the age of twenty-one.

III. Policy regarding the Sale of Alcohol by On-Campus Establishments that have Alcohol Permits

To promote the philosophy of responsible consumption on-campus establishments that sell alcohol should avoid marketing strategies that promote over-consumption by students:

1. By serving beer and wine only, not "liquor look-a-likes."
2. By eliminating drink specials such as "2 for one" and "super-sized" drinks (defined as larger than pint).

Illegal Drugs

The sale, manufacture, distribution, use, or possession of illegal drugs is against San Francisco State University policy. This policy applies equally to all administrators, faculty, staff and students.

University Administrative Sanctions for Violation of the Illegal Drug Policy

1. The manufacture, use or possession of illegal drugs* by a member of the University community will normally result in either probation, suspension from, or severance of, the relationship with the University. Sale or distribution thereof will normally result in severance of the relationship with the University. This policy applies within or upon the grounds, buildings or any other facilities of the University or at University sponsored activities off-campus. Penalties for possession off-campus at a non-University sponsored activity will be considered, if the amount of possession is considered sufficient for intent to sell.

2. All California Penal Statutory Laws will be enforced and must be complied with.

Counseling and Psychological Services Center and Counseling and Psychological Services' Prevention Education Programs / C.E.A.S.E. are available to assist employees who wish to seek professional help in finding appropriate referrals. Employees of the University are encouraged to refer students to these services for assistance with substance abuse issues.

*Alcoholic beverages are legal under certain circumstances and thus are dealt with separately.

Administration

The chief administrative officer (or their designee) is designated to oversee the implementation of this policy and will establish periodic review of the process to assure conformity.

Resolution of Conflict

Where conflict occurs in the implementation of this policy, the chief administrative officers of the University (or their designees) will determine the course of action in consultation with the concerned host or representative and other administrative members of the University.

Scope of this Directive

This document may contain accessibility barriers. If you have difficulty viewing this document contact Internal Audit, X82763.

In addition to California Law, all campus procedures and restrictions must be adhered to. The intent of this directive is not to encourage the use of alcohol, but to regulate by policy, limited consumption of alcohol on the campus under carefully prescribed conditions.

It is also the intent of this policy to encourage the use of campus counseling departments. Employees should be referred to the Campus Assistance Program for problems related to alcohol and drug abuse. Students should be referred to Counseling and Psychological Services and the Health Center. San Francisco State University strives for a drug free work environment. See the Executive Order on a drug free work place.

EXHIBITS

I. Student Activities Office, SFSU: Alcoholic Beverages at Student Organization Functions Off-Campus and On-Campus

II. Student Union - ALCOHOL GUIDELINES FOR STUDENTS

III. SFSU - Alcohol Clearance Request Form, "Non-Students"

IV. Department of Alcoholic Beverage Control, San Francisco District Office: REQUIREMENTS FOR OBTAINING ONE-DAY (TEMPORARY) ALCOHOLIC BEVERAGE LICENSES

V. FACILITY REQUEST FORM (not available on Web; please contact the Office of Vice President of Student Affairs, ADM 451)

* Items underlined represent revisions made to the University Alcohol Policy and were signed by President Corrigan October 22, 2003. EXHIBITS currently undergoing revision.

EXHIBIT I

San Francisco State University/Office of Student Activities Alcoholic Beverages at Student Organization Functions Off-Campus and On-Campus

1. Student organizations may not use the name of the University for off-campus events.
2. The Student Activities Office and your faculty advisor must be notified of your plans.
3. The organization and officers are liable for all organization functions.
4. Invitations and/or publicity must not emphasize alcoholic beverages.
5. Remember that the right to drink is limited by society through leases governing drinking and driving, the minimum drinking age, etc., and respect these laws.
6. If a beverage company provides sampling, it must be limited as to time and quantity. Principles of good hosting must be observed including availability of alternative beverages, food and planned programs. The consumption of alcoholic beverages should not be the sole purpose of any promotional activity.
7. Drivers to and from the function should have automobile insurance.
8. Provide alternative non-alcoholic beverages and snacks especially high protein foods (cheese, meats, etc.). Serving food before drinks is a good idea.

9. Serve drinks at regular reasonable intervals. A drink an hour is a good guideline.
10. Don't push drinks. Be sure a glass is empty before offering a refill. Stop serving drinks about an hour before function is to end. Serve food and nonalcoholic beverages the last hour.
11. When one has had too much to drink, do not offer more.
12. Discourage anyone under the influence of alcohol from driving.

EXHIBIT II

San Francisco State University/Student Union ALCOHOL GUIDELINES FOR STUDENTS

1. The Student Union Association abides by all state, city, county and San Francisco State University regulations pertaining to alcohol.
 - a. Drinking age laws
 - b. Regulation of Sale laws
 - c. Open Container laws
 - d. All other laws as they pertain to jurisdiction.
2. All student groups planning to serve beer and/or wine must have discussed alcohol procedures with the office of Student Activities. The Student Activities office reviews requests for alcohol service based on state, city, county, Student Union and University guidelines. They discuss and distribute the attached alcoholic beverage sheet.
3. When alcohol is served at an event held within the Student Union, the group must appoint a designated server as well as a designated person to check and identify in some manner guests over 21 who wish to drink alcohol at the event.
4. The Student Union will provide and does require signature stating the legal drinking age and requirements at all events where alcohol has been approved for service.
5. The Student Union Association does not permit:
 - a. Alcohol to be served or sold at dances
 - b. Hard liquor to be served, sold or distributed within the building.

EXHIBIT III

San Francisco State University Alcohol Clearance Request Form "Non-Students"

Group Name: _____

Title of Event: _____

Date of Event: _____ Location: _____

Event Hours: _____ Estimated Attendance: _____

Beverages Served: _____

Event Host: _____

Sponsor: _____

In applying for permission to serve alcohol at the above described event, we assure the University administration that: _____ attendance shall be limited to members of our group and invited guests and not open to the general public.

_____ the "event host" and/or the sponsoring organization shall be responsible for compliance of all applicable laws, regulations and University policies regarding the serving and consumption of beer and wine.

_____ adequate controls shall be maintained to ensure that all persons served alcohol are at least twenty-one (21) years of age.

_____ no person obviously intoxicated shall be furnished, served or given an alcoholic beverage.

_____ the serving of alcohol shall not exceed three (3) hours.

_____ food and non-alcoholic beverages will be available.

_____ consumption and service of alcohol will be in the facility designated for the event.

_____ where danger or potential danger to persons or property is imminent, the events may be canceled by an appropriate university official and the Office of Public Safety, at their sole discretion.

_____ if there is direct or indirect sale of alcohol such as selling tickets for entrance, selling drink tickets or chits which may be exchanged for drinks; or other methods of charging which are determined by the number of drinks served to an individual or any type of consideration exchange between the host organization and attendees, the attached application form must be signed by the Campus Chief of Police. The application must then be taken to the Department of Alcoholic Beverage Control for a temporary alcoholic beverage license.

_____ Date _____
Authorized Signature of Event Host _____

Please print name

THE FOLLOWING SIGNATURES ARE REQUIRED FOR APPROVAL

_____ Date _____
Chief of Public Safety/University Police

_____ Date _____
Director of Special Events and Conferences

EXHIBIT IV
Department of Alcoholic Beverage Control
San Francisco District Office
185 Berry Street, Suite 5600
San Francisco, California 94107
415/557-3660

REQUIREMENTS FOR OBTAINING ONE-DAY (TEMPORARY) ALCOHOLIC BEVERAGE LICENSES

A license will be issued only to a non-profit organization and not to an individual. Only adult organizations qualify- student groups not eligible.

A license will not be issued to a premise which holds a permanent alcoholic beverage license unless an ABC-231 is submitted.

A license will not be issued for any event or affair which is strictly a commercial venture.

FEES:

A Beer license costs \$15.00 per day, a Wine license costs \$15.00 per day, and a General license costs \$25.00 per day.

This document may contain accessibility barriers. If you have difficulty viewing this document contact Internal Audit, X82763.

NOTE: The Department cannot accept cash and will not accept personal or business checks. Therefore, a cashier's check, certified check or money order is the only acceptable form of payment.

QUALIFICATION OF ORGANIZATIONS:

To qualify for a Beer and/or Wine license and/or General license (which permits the sales of distilled spirits), the requesting organization must show nonprofit status the United States Internal Revenue Service, the California Secretary of State or the California Franchise Tax Board. Such licenses may be issued to organizations that are charitable, civic, cultural, educational, fraternal, patriotic, political, religious social or amateur sports by design. No other type organization qualifies. The purpose of issuing a license is to permit sales of alcoholic beverages to members and guests at the site of and during an organized picnic, social gathering, etc; or, to permit sales to the general public during a county fair, civic celebration or fund raising event.

DOCUMENTS REQUIRED PRIOR TO THE ISSUANCE OF A LICENSE:

1. Articles of Incorporation, By-Laws, Organization Charter or Constitution. Any of these will show the nature and purpose of the organization.
2. All events held in Half Moon Bay, Millbrae, San Francisco, or South San Francisco require written approval from local police department or sheriff's office stating no objection to the issuance of a license.
3. Events held on public property require written notice from the agency controlling the property authorizing the sales, service and consumption of alcoholic beverages.
4. If the event is a street fair, a copy of the edict by Board of Supervisors or City Council closing the street is required, as well as a diagram.
5. Event promoted by a commercial firm requires copy of the contract showing who receives the funds from the sales of alcoholic beverages, as well as a copy of the rental agreement of the premises and the contract between the promoters and the organization requesting a license.

Depending upon the circumstances surrounding the event, a conditional license may be issued.

The Department may refuse the issuance of any daily license to any proposed premises if such issuance could prove detrimental to the immediate neighborhood or could be injurious to the public welfare and morals.

Organizations should apply for alcoholic beverage licenses at least ten (10) days before the scheduled events. Last minute attempts to obtain a license may result in denial.

An executed Application for Police Department Recommendation will suffice for the written notice under Item No. 2 above.

Where there are to be no sales of alcoholic beverages, the Department will not issue a license simply to permit the organization to buy its alcoholic beverages from supplier at a cheaper price.

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
185 BERRY STREET, SUITE 5600
SAN FRANCISCO, CA 94107**

APPLICATION FOR POLICE DEPARTMENT RECOMMENDATION FOR A TEMPORARY ALCOHOLIC BEVERAGE LICENSE

(To be issued by the State Department of Alcoholic Beverage Control)

This document may contain accessibility barriers. If you have difficulty viewing this document contact Internal Audit, X82763.

Name of Organization: _____

Business Address: (Street) _____ (City) _____

Business Telephone Number: _____ Nonprofit: Yes _____ No _____

Type of Organization: Fraternal _____ Charitable _____ Civic _____ Social _____

Religious _____ Political _____ Employee Association _____ Amateur Sports _____

Cultural _____ Educational _____ Patriotic _____

Location of Events: _____

Date(s) of Event: _____ Day(s) of Event: _____

Hours of Event: _____ to _____ Expected Attendance: _____

Type of Event: (dance, street fair, concert, picnic, sports event) _____

Type of License Requested: (Beer, Wine, Beer and Wine, or General) _____

Type of drinking containers to be used: (cans, bottles, paper cups) _____

IF THE EVENT IS TO BE HELD IN AN OPEN, UNCOVERED AREA, SHOW THE LOCATION OF ALL SERVICE AND CONSUMPTION AREAS ON ATTACHED DIAGRAM.

Person in Charge of Event:

Name:

Residence:

City:

Telephone:

Calif Drivers License #:

Person Requesting Approval:

Name:

Residence:

City:

Telephone:

Calif. Drivers License #:

SECURITY ARRANGEMENTS:

Name of Private Security Service: _____

Address: _____ City: _____ Telephone: _____

Contact Person: _____ Signature: _____ # of Security Personnel: _____

THIS IS NOT A LICENSE

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