

BP 3560 ALCOHOLIC BEVERAGES

References:

Business and Professions Code Sections 24045.4, 24045.6, 25608(a)(10), (14), (15) and (17), and 25658
34 Code of Federal Regulations Part 668.46(b)

Every person who possesses, consumes, sells, gives or delivers to any other person, any alcoholic beverage in or on the grounds of the District is guilty of a misdemeanor, unless the following circumstances apply:

- The alcoholic beverages are acquired, possessed, or used during events at a District/college-owned or District/college-operated stadium or other facility and;
- The alcoholic beverages are acquired, possessed, used, sold, or consumed only in connection with a fundraiser, District or College-sponsored event, required as part of a course of instruction, sponsored dinner, or meal demonstration given as part of a culinary arts program at the District and;
- The person has been properly authorized to acquire, possess, use, sell, or consume the alcoholic beverages by the Chancellor or College President and;
- The event does not include a sporting event or other function where students will be the primary attendees at the event.

Alcoholic beverages include all forms of beer, wine, and/or distilled spirits. "Events" include fundraisers held to benefit a non-profit corporation that has obtained a license or permit, pursuant to the Business and Professions Code, for the event. "Events" do not include football games or other athletic contests sponsored by the District.

Alcoholic beverages shall not be served on District/College property except in accordance with the above.

Transitional possession or transfer of alcoholic beverages on District property as a result of personal necessity is not considered a violation of this policy. Some examples of transitional possession or transfer are as follows:

- Transporting unopened alcoholic beverages from the purchase source (market, etc.) to another location and the District or College is a temporary point of transit;

- Unopened alcoholic beverages gifted to an employee or other non-student for personal consumption away from District or College property.

The Chancellor or College President is authorized to enact procedures as appropriate and permitted by law regarding serving alcoholic beverages on campus or at fund-raising events held to benefit a non-profit corporation.

Any employee or student of the District violating this policy, or any other policies of the District, will be subject to discipline in accordance with the law, Board Policy, and/or Administrative Procedure.

Date Adopted: May 19, 2009

Revised: January 15, 2011

Revised: January 19, 2016

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Business and Professions Code Sections 24045.4, 24045.6, 25608(a)(10),(14), (15) and (17), and 25658
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The possession, sale, consumption, or furnishing of alcohol on District or College property is governed by California state law, The California Department of Alcohol and Beverage Control, and these procedures. However, the enforcement of alcohol laws on campus is the primary responsibility of the Riverside Community College District Police Department. The District and Colleges have been designated “Drug Free” and only under certain circumstances is the consumption of alcohol permitted. Violators are subject to disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of this policy for anyone to consume or possess alcohol in any public or private area of District or College property without prior District or College approval. Organizations or groups violating District alcohol policies or laws may be subject to penalties, fines, and/or criminal sanctions.

In accordance with Business and Professions Code 25608, the Riverside Community College District may under specific circumstances approve the acquisition, possession, use, sale, and consumption of alcoholic beverages on District or College property. Alcoholic beverages on District or College property are permitted if:

- The alcoholic beverages are acquired, possessed, or used at a District or College-owned or operated stadium facility and;
- The event does not include a college sporting event or other function where it is known that students will be the primary attendees and;
- There are no instructional or student activities in the immediate area and;
- The alcoholic beverages are acquired, possessed, used, sold, or consumed in connection with a fundraiser, District or College-sponsored event, required as part of a course of instruction, sponsored dinner, or a meal demonstration given as part of a culinary arts program at the District or;

- The alcoholic beverage is used during an event sponsored by the District, College, or an organization operated for the benefit of the District or College, in connection with the District or College’s instructional program or;
- The alcoholic beverage is used during a non-college event when the event is not sponsored by Riverside Community College District and the center is leased to a non-profit public benefit corporation formed under part II (commencing with section 5110) of Division II of Title I of the corporation’s code.
 - In this circumstance, the consumption of alcoholic beverages is allowed at those special events that foster support for District and College sponsored and approved activities and programs. Approval of the Chancellor and/or College President is required.

For the purpose of this policy, an “event” is defined as an occasion held with the permission of the Chancellor and/or College President such as festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the District or College and for which the principal attendees are members of the general public or invited guests and not primarily students of the District or its Colleges.

In all cases, the organization or person requesting permission to serve, possess, or consume alcoholic beverages must be properly authorized by the Chancellor and/or College President. Authorization for the possession, sale, consumption, shall be obtained pursuant to the application for, and receipt of, a license or permit obtained under this policy.

Conditions

A request for a permit to serve alcoholic beverages on District or College property must be approved by the Chancellor and/or College President. A District Alcohol Permit Request form (Exhibit A) is available through the Office of the Chancellor and/or the Office of the President at each college. The permit request form must specify one or more of the following criteria:

The alcoholic beverage is used during an event sponsored by the District, College, or an organization operated for the benefit of the District or College, in connection with the District or College’s instructional program.

The alcoholic beverage is used during a non-college event when the event is not sponsored by Riverside Community College District and the venue is leased, rented, or donated to a non-profit public benefit corporation formed under part II (commencing with section 5110) of Division II of Title I of the corporation’s code.

The alcoholic beverages are acquired, possessed, or used at a District or College-owned or operated stadium or other facility.

The alcoholic beverages are acquired, possessed, used, sold, or consumed in connection with a fundraiser, District or College-sponsored event, course of instruction, sponsored dinner, or a meal demonstration given as part of a culinary arts program at the District.

Alcoholic beverages include all forms of beer, wine, and/or distilled spirits. Every event where alcoholic beverages will be served will have a designated coordinator who is a District or College staff member. The designated coordinator shall be authorized by the Chancellor/College President. It is the responsibility of the designated coordinator for each event to see that all individuals acquiring, possessing, using or serving alcoholic beverages at District or College sponsored events are 21 years of age or older and possess legitimate identification confirming their age. The name and signature of the designated coordinator will appear on the request form.

The designated coordinator will verify that all vendors possess all of the required training, licenses, permits, and insurance policies allowing the vendor to legally possess, sell, or offer alcoholic beverages. The vendor will provide evidence as follows:

A One-Day ABC License for sales / auction is required. A One-Day ABC License must be obtained from the Alcoholic Beverage Control Board, and a conformed copy of such license filed with the designated coordinator, before service or sales/auction of any alcoholic beverages at such event will take place.

The District or College Alcohol Permit is required. The Alcohol Permit must be obtained from the participating District or College, and a valid copy of such permit, provided to the designated coordinator before service or sales/auction of any alcoholic beverages at such event will take place.

ALL vendors will provide a valid insurance policy certificate verifying the following:

Comprehensive general liability insurance coverage that shall protect District or College from claims for damages for personal injury, including, but not limited to, accidental or wrongful death, as well as from claims for property damage, which may arise from the vendor's activities during the event in the amount of \$1,000,000 per person and \$3,000,000 per occurrence;

Workers' Compensation insurance in accordance with the laws of the State of California.

Such insurance shall name the District or College as an additional insured with respect to this agreement and the obligations of District hereunder. Vendor shall provide the designated coordinator with the required Certificate of Insurance at least 10 days prior to the event.

The State of California Alcoholic Beverage Commission will charge a fee. For all events where a vendor is not involved, the designated coordinator is required to submit a

request for a permit to the Alcoholic Beverage Commission. Events where vendors offer, sell, or possess alcohol will require that the vendor request a permit from the Alcoholic Beverage Commission. The Alcoholic Beverage Commission is the authorizing agency. ALL Alcoholic Beverage Commission decisions are final and cannot be appealed.

All alcoholic beverage storage arrangements for District or College events must be in lockable areas. Individual under the age of 21 years of age shall not have access to these storage areas. Alcoholic beverages may not be stored in open containers on District or College property. Appropriate storage arrangements must be described on the Alcoholic Beverage Service Request form.

At events where an alcoholic beverage is served, the following must take place:

Written notice must be placed in a clear and open location indicating no alcoholic beverages will be served to individuals under the age of 21 and that legitimate identification verifying age must be provided.

The District or College reserves the right to refuse service.

The consumption of alcoholic beverages may be harmful to health to include any appropriate regulatory warnings required by California law.

An individual over the age of 21 of age, and separate from those individuals serving alcoholic beverages, will be assigned to check identification during the event.

The designated coordinator is responsible for the proper and timely removal of all alcoholic beverages immediately following the event.

The Riverside Community College District Police Department, at its discretion, may require additional security measures.

The consumption of alcoholic beverages by a minor at a District of College event is prohibited and will result in appropriate disciplinary action up to and including arrest of those parties involved. (Business and Professions Code 25608.)

Transitional possession or transfer of alcoholic beverages on District property as a result of personal necessity is not considered a violation of this policy. Some examples of transitional possession or transfer are as follows:

Transport of unopened alcoholic beverages from the purchase source (market, etc.) to another location and the District or College is a temporary point of transit.
Unopened alcoholic beverages gifted to an employee (non-student) for personal consumption away from District or College property.

Office of Primary Responsibility: Office of the Chancellor

Administrative Approval: January 19, 2016

EXHIBIT A

RIVERSIDE COMMUNITY COLLEGE DISTRICT ALCOHOL USE PERMIT APPLICATION FORM

APPLICANT: COMPLETE ALL SECTIONS. THIS FORM MUST BE COMPLETED FOR ALL EVENTS WHERE ALCOHOL WILL BE POSSESSED, SOLD, OR CONSUMED IN CONNECTION WITH A COLLEGE OR DISTRICT EVENT, OR A NON-DISTRICT OR NON-COLLEGE EVENT, TO BE HELD ON DISTRICT PROPERTY. FORM MUST BE SUBMITTED TO THE OFFICE OF THE CHANCELLOR, OR THE OFFICE OF THE COLLEGE PRESIDENT, AT LEAST TEN (10) DAYS PRIOR TO THE EVENT. FORM CAN ALSO BE SUBMITTED TO THE DESIGNATED COORDINATOR FOR THE EVENT.

EVENT INFORMATION										
NAME OF EVENT			DISTRICT OR COLLEGE			NATURE OF EVENT (fundraiser, concert, etc.)				
DISTRICT OR COLLEGE LOCATION ADDRESS			BUILDING NAME (IF APPLICABLE)			EXACT LOCATION IN BUILDING (Room Number, etc.)				
EXACT LOCATION FOR THE EVENT (Be Specific)				DATE OF EVENT		START TIME	<input type="checkbox"/> AM <input type="checkbox"/> PM	END TIME	<input type="checkbox"/> AM <input type="checkbox"/> PM	
ESTIMATED ATTENDANCE		DESCRIPTION OF THE EVENT (Be Specific)								
ATTENDEE TYPES <input type="checkbox"/> STUDENTS <input type="checkbox"/> FACULTY <input type="checkbox"/> STAFF <input type="checkbox"/> PUBLIC					EVENT AFFILIATION WITH THE DISTRICT OR COLLEGE:					
SECURITY MEASURES TO BE APPLIED (Provide brief but specific details for the security plan for the event. This includes protocol for 911 calls, prohibiting non-invitee attendance, police response, private security, etc.)					AGE VERIFICATION PROCEDURES: (Explain how attendees will be required to validate their age and who is responsible for ensuring identifications are validated)					
EVENT COORDINATOR AND SPONSOR INFORMATION										
DISTRICT / COLLEGE DEPARTMENT (Sponsor)				DISTRICT / COLLEGE DEPARTMENT EMPLOYEE CONTACT (Name)						
DISTRICT / COLLEGE EMPLOYEE DESIGNATED EVENT COORDINATOR (Name)				DESIGNATED COORDINATOR TITLE			EXTENSION			
WHO IS PURCHASING THE ALCOHOL FOR THE EVENT?			PURCHASING SPONSOR NAME:			PRIVATE PARTY NAME:				
WILL ADMISSION BE CHARGED? <input type="checkbox"/> YES <input type="checkbox"/> NO		WILL PARTICIPANTS PAY TO ATTEND? <input type="checkbox"/> YES <input type="checkbox"/> NO		COMPLIMENTARY ALCOHOL MADE AVAILABLE? <input type="checkbox"/> YES <input type="checkbox"/> NO						
BEVERAGE CONSUMPTION INFORMATION (Check ALL That Apply)					APPROVAL SECTION		ALCOHOL SERVICE SHALL BE PROVIDED IN COMPLIANCE WITH THE LAWS OF THE STATE OF CALIFORNIA AND THE PROVISIONS SET FORTH IN RCCD BOARD POLICY 3560			
BEVERAGES TO BE SERVED <input type="checkbox"/> BEER (KEGS) <input type="checkbox"/> BEER (CASES) <input type="checkbox"/> BEER (OTHER) <input type="checkbox"/> WINE (LITERS) <input type="checkbox"/> WINE (GALLONS) <input type="checkbox"/> WINE (BOTTLES) <input type="checkbox"/> WINE (OTHER) <input type="checkbox"/> DISTILLED SPIRITS <input type="checkbox"/> WATER <input type="checkbox"/> SODA <input type="checkbox"/> TEA <input type="checkbox"/> COFFEE <input type="checkbox"/> OTHER		ESTIMATED AMOUNT TO BE SERVED _____ KEGS _____ CASES _____ OTHER _____ LITERS _____ GALLONS _____ BOTTLES _____ OTHER _____ DISTILLED SPIRITS _____ WATER _____ SODA _____ TEA _____ COFFEE _____ OTHER			COLLEGE PRESIDENT or CHANCELLOR'S OFFICE DESIGNEE By signing below, I approve of the proposed event and the use, distribution, possession, and sale of alcohol for the event. Printed Name: _____ Title: _____ Signature: _____ Date: _____					
INDEMNIFICATION BY THIRD-PARTY VENDOR										
Vendor, _____, agrees to indemnify and hold harmless The Riverside Community College District, and its respective employees (collectively the "Indemnities"), from and against any and all claims, demands, suits, actions, proceedings, loss, costs, and damages of every kind and description, including attorneys' fees and/or litigation expenses, which may be brought or made against or incurred by the Indemnities, on account of loss of or damage to any property or for injuries to or death of any person, caused by, arising out of, or contributed to, in whole or in part, by reasons of any act, omission, professional error, fault, mistake, or negligence of Sponsor Organization, its employees, agents, representatives, volunteers or subcontractors in connection with or incident to the Event.										
VENDOR APPLICANT REPRESENTATIVE (Printed Name)				VENDOR APPLICANT REPRESENTATIVE (Signature)				TODAY'S DATE		