



Pima County Community College District Administrative Procedure

<i>AP Title:</i>	Permissible Service, Consumption, and Educational Use of Alcohol on College Property
<i>AP Number:</i>	AP 2.05.02
<i>Adoption Date:</i>	3/11/20
<i>Schedule for Review & Update:</i>	Every three years
<i>Review Date(s):</i>	
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<i>Sponsoring Unit/Department:</i>	Chancellor
<i>Policy Title(s) & No(s):</i>	Use of College Facilities, BP 2.05 ARS Title 4, Chapters 1-3; Arizona Administrative Code Title 19, Articles 1 and 3
<i>Legal Reference:</i>	Drug-Free Environment, BP 2.20; Drug and Alcohol Free Environment, AP 2.20.01; Use of College Facilities, AP 2.05.01
<i>Cross Reference:</i>	

PURPOSE

This Administrative Procedure (“AP”) describes the conditions for and restrictions on the permissible service and consumption of Alcohol at approved events on College Property or at College Sponsored Activities and in certain academic settings. Compliance with this AP is essential to ensure that the College stays within the boundaries of law, regulations, and the College’s policies and liability coverage.

SCOPE

This AP applies only to the service and consumption of Alcohol on College Property or at College Sponsored Activities with the prior written approval of the Chancellor and permissible use of Alcohol in academic settings in accordance with AP 2.20.01. In all other respects, the possession, service, consumption, distribution, or use of Alcohol at the College remains prohibited.

SECTION 1: Application and Approval Process for the Service of Alcohol

- 1.1 Unless specified otherwise by the Chancellor's Office, all applications to serve Alcohol on College Property or at College Sponsored Activities ("Applications") must be submitted to the Chancellor's Office by no later than thirty (30) days prior to the date of the proposed event. The Chancellor's Office's decision will be sent to the applicant by no later than fourteen (14) days prior to the date of the proposed event.
- 1.2 All Applications must include the following information:
 - 1.2.1 A general description of the proposed event at which Alcohol will be served, including the purpose of the event and the anticipated attendees;
 - 1.2.2 The date of the proposed event;
 - 1.2.3 The location of the proposed event;
 - 1.2.4 The start and end times of the event;
 - 1.2.5 The number of guests expected to attend the event;
 - 1.2.6 Whether Alcohol will be served by College Employees, College Students supervised by Employees, or a specified beverage-service contractor ("Contractor");
 - 1.2.7 A statement verifying each of the following:
 - a. All necessary permits have been or will be obtained prior to the date of the event;

- b. No one under the age of eighteen (18) will serve Alcohol at the event;
- c. No one under the age of twenty-one (21) will be served or permitted to consume Alcohol at the event;
- d. No Alcohol will be removed from or consumed beyond the defined boundaries of the event.

1.2.8 Any additional information requested by the Chancellor's Office.

1.3 Copies of the Chancellor's Application decisions will be sent to the College's Chief of Police and Vice Chancellor for Facilities or their respective designees. Where appropriate, copies should also be sent to the Provost, Chief Human Resources Office, and/or the College Employee with the most direct administrative responsibility over the location where the event will be held. The Chancellor's Office shall maintain a record of all Applications and decisions.

1.4 Alcohol Service by the College

1.4.1 Units of the College may, with the prior written approval of the Chancellor, organize College Sponsored Activities on College Property at which Alcohol is served.

1.4.2 Units desiring to host College Sponsored Activities with Alcohol service shall submit a written Application to the Office of the Chancellor no less than thirty (30) calendar days before the anticipated date of the event (see Section 1.2 above).

1.4.3 All Alcohol service shall be provided by 1) a Contractor whose liquor license with the State of Arizona is in good standing or 2) qualified College Employees and culinary or hospitality Students under the supervision of a qualified College Employee.

1.4.4 When required, the event shall be conducted with a Special Events liquor license from the Arizona Department of Liquor Licenses and fully comply with the laws, rules and other requirements applicable to that license. Units shall consult with the College's Legal Department to determine if a license is required.

1.5 Alcohol Service by Third Parties

Third Parties may, with the prior written approval of the Chancellor, sponsor an event on College Property at which Alcohol will be served, subject to the following:

- 1.5.1 The Third Party entity must be a nonprofit or charitable organization with 501(c)(3) or 501(c)(4) status;
- 1.5.2 Until such time as this AP is amended, “Third Party” shall be limited to the Pima Community College Foundation.
- 1.5.3 The proposed event must be for the benefit of the College or the College’s Students;
- 1.5.4 The Third Party shall submit an Application to the Chancellor’s Office according to the same process stated in Section 1.1 above.
- 1.5.5 In addition to the application to the Chancellor’s Office, the Third Party must complete the following prior to the date of the proposed event:
 - a. Obtain a Special Events liquor license from the Arizona Department of Liquor Licenses and fully complies with the laws, rules and other requirements applicable to that license;
 - b. Complete the College’s “Application to Serve Alcohol on College Property” form (form may be obtained from the Chancellor's Office);
 - c. Complete the College’s “Facilities Use” form.
- 1.5.6 The Third Party is solely responsible for determining the steps that it is required to take to comply with Arizona’s alcoholic beverage laws, as well as the Third Party’s compliance with those laws;
- 1.5.7 The Third Party shall indemnify, hold harmless and cause its insurer(s) to endorse all insurance policies to name as an additional insured the College and its Employees and agents for all activities related to permitted use, the limits and terms of which shall be

specified by the Finance and Administration Department and the Legal Department.

- 1.5.8 The Third Party shall agree in writing to indemnify the College from any claims of any kind arising out of the event, including claims related to the service of Alcohol.
- 1.5.9 The Third Party shall provide a certificate of insurance that meets the requirements of the College Risk Manager or other office designated by the Finance and Administration Department.
- 1.5.10 The Third Party and its employees will otherwise comply with this AP and with AP 2.20.01 while on College Property and/or for the duration of the College Sponsored Activity.

SECTION 2: Funds

- 2.1 No public funds may be used for the purchase of Alcohol, except for the purposes of purchasing limited amounts for use in academic settings. (See Section 4 below).
- 2.2 If attendees at a College Sponsored Activity at which Alcohol will be served are required to pay an admission fee, Alcohol Drinks shall be included in the cost of admission. Individual Alcohol Drinks may not be sold or purchased at the event.

SECTION 3: Service Restrictions

- 3.1 Alcohol may be served and consumed only between 12:00 pm and 10:00 pm.
- 3.2 Beer and Wine are the only Alcohol Drinks that may be served on College Property or at College Sponsored Activities.
- 3.3 Service shall be restricted to two (2) Drinks per guest.
- 3.4 The event's venue shall have well-defined boundaries beyond which no Alcohol may be taken.
- 3.5 No Alcohol may be served by anyone under the age of eighteen (18).

- 3.6 No Alcohol may be served to or consumed by anyone under the age of twenty-one (21).
- 3.7 If the service of Alcohol is provided by a beverage-service Contractor or by a Third Party, the Contractor or Third Party is responsible for providing adequate event security and for ensuring that only persons who are at least twenty-one (21) years of age are served Alcohol.
- 3.8 No Alcohol shall be served to anyone who is or reasonably appears to be Under the Influence.

SECTION 4: Use of Alcohol in Academic Settings

- 4.1 Use of Alcohol, including Distilled Spirits, for educational purposes in laboratory and classroom instruction is permitted in College courses when specifically required as part of the course curriculum.
- 4.2 Alcohol purchased for use in College courses must be stored securely in such a way that it is inaccessible to anyone except the program director or the director's designee.
- 4.3 A detailed inventory of all Alcohol purchased for College courses must be taken by the program director or the director's designee at regular intervals of no less than every thirty (30) days.
- 4.4 A detailed log of all purchase and use of Alcohol in College courses must be maintained by the program director or the director's designee, including, but not limited to, the types and amounts of Alcohol purchased or used, the date it was purchased or used, and the educational purpose for which it was used.
- 4.5 Any program which includes culinary or beverage courses in which Alcohol is used shall create and maintain operational procedures which clearly delineate conditions for the use of Alcohol by Students participating in the program. Such procedures shall comply with this AP, BP 2.05, BP 2.20, AP 2.20.01, and all applicable local, state, and federal laws. Operational procedures must be approved by the College's Legal Department prior to the use of Alcohol.

SECTION 6: Definitions

“Alcohol” means a beverage intended for human consumption that contains ethanol in a concentration over one half of one percent (0.5%) by volume (.05% ABV). This definition does not include prescribed or over-the-counter medications or extracts intended for use as flavorings in food preparation.

“Beer” means any beverage obtained by the alcoholic fermentation, infusion, or decoction of barley malt, hops, or other non-drinkable ingredients, or any combination of them, excluding Distilled Spirits.

“College Community” means, collectively, all persons employed by, volunteering for, enrolled in classes at, or visiting the College or attending any College Sponsored Activity.

“College Property” means any campus, building, or grounds owned, leased, operated, or controlled by the College.

“College Sponsored Activity” means any event, activity, or endeavor officially sanctioned by the College or any on- or off-campus activity initiated, aided, authorized, or supervised by the College.

"Distilled Spirits" includes brandy, whiskey, rum, tequila, mescal, gin, absinthe, a compound or mixture of any of them or of any of them with any fruit or vegetable juice or other substance, bitters containing Alcohol, fruits preserved in Alcohol, and any alcoholic mixture or preparation that may, in sufficient quantities, produce intoxication.

“Drink” means twelve (12) fluid ounces of Beer or five (5) fluid ounces of Wine.

“Employee” means any person employed by the College on a full-time, part-time, temporary, or regular basis or directly engaged in the performance of work under the provision of a contract with the College. This definition does not include unpaid Volunteers.

“Student” means any person currently enrolled in courses at the College on either a full-time or part-time basis, as well as any person currently registered for or participating in continuing-education classes through the College.

“Third Party” means a non-College individual, organization, group, or other entity that is not directly associated with the College or acting on the College’s behalf. (e.g., the Pima Community College Foundation).

“Under the Influence” means a person’s mental or physical functioning is impaired as a result of the immediate effects of the presence of Alcohol or Drugs in the person’s system.

“Volunteer” means any unpaid individual who is not an Employee or Student of the College, and is authorized by the College to perform and voluntarily performs services for the College without promise, expectation, or receipt of compensation, future employment, or other tangible benefit, including academic credit. A Volunteer is not an Employee of the College for any purpose.

“Wine” means any beverage obtained by the fermentation of grapes or other agricultural products containing natural or added sugars, excluding agricultural products used on the production of Beer, consisting of not more than twenty-four percent (24%) alcohol by volume (24% ABV).