

UMBC ALCOHOLIC BEVERAGE POLICY

IN COMPLIANCE WITH/POLICY AUTHORITY: Board of Regents VI - 8.0 (Each President shall be responsible for adopting rules governing the use of alcoholic beverages at each institution and unit of the University System consistent with State regulations.)

RESPONSIBLE OFFICE: The Commons Administration

ORIGINAL: 9/15/82

REVIEWED FOR LEGAL SUFFICIENCY & AG APPROVAL:

REVISED: 11/13/84; 2/6/87; 8/88, 1/06

APPROVAL: Vice President for Student Affairs, President

REVIEW: Periodic review of this policy will occur as determined by the Vice President for Student Affairs and/or upon relevant changes in state/county/local liquor laws. The Vice President for Student Affairs will assign a review committee comprised of appropriate campus representation and will include The Commons Club Board of Directors, Office of Student Life, Office of Residential Life and others deemed appropriate by the Vice President for Student Affairs

TEMPLATE UPDATE: 1/4/93, 2/15/05, 1/4/06, 9/12/06

ALCOHOLIC BEVERAGE POLICY
University of Maryland Baltimore County

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I. STATEMENT OF PHILOSOPHY

The responsible use of alcoholic beverages is a major campus concern. At the same time, the University recognizes the diversity of opinion about alcohol use within the campus community. Therefore, it is the University's desire to have an alcoholic beverage policy which focuses upon education in and beyond the classroom, which gives information about alcohol and which aids in planning events which include alcoholic beverages. The University wishes to guide alcohol use and not be unnecessarily judgmental.

Toward this end, the intent of the UMBC Alcoholic Beverage Policy is to:

- A. recognize the role of alcohol in our culture and within the University setting
- B. establish reasonable guidelines and procedures for the use of alcohol within the academic community
- C. insure University and individual compliance with State and local laws governing the use and sale of alcohol on campus
- D. insure that the use of alcohol by some does not infringe upon the rights of others
- E. properly define and place responsibility for alcohol use and policy violations
- F. develop and reinforce responsible attitudes and habits related to alcohol use
- G. recognize that stress, a common problem among faculty, staff and students on a university campus, is a major cause of alcohol abuse
- H. establish a process for periodic review and evaluation.

The University realizes that college is a time of development for the students' self-concepts, which includes molding of attitudes which will influence their long-term behavior. Faculty, staff and other university community members influence students' judgments and students likewise influence them. Therefore, these individuals are expected to offer resources and role models when dealing with the concerns of alcohol abuse and stress. For this reason, participation and support of faculty, staff and students is an important part of the alcoholic beverage policy and program at UMBC.

II. ALCOHOL EDUCATION

A major goal of this policy is to promote the responsible use of alcoholic beverages. Alcohol education, therefore, plays an important role. A Health Educator from University Health Services coordinates a campus-wide education program to assist the campus community in developing responsible drinking practices. Also, The Commons, Residential Life, Food Services, Student Judicial Programs and University Counseling Services play a role in dealing with alcohol use and abuse.

The mission of the UHS program is to provide quality education for the university

community regarding responsible drinking habits, alcohol as a substance and the alcoholic beverage policy. This is accomplished through the following program components:

- o Peer Alcohol and Other Drugs Education Program
- o National Collegiate Alcohol Awareness Week
- o coordination of campus activities designed to increase awareness of alcohol and other drugs issues
- o participation in and/or promotion of alcohol-free activities.

Additional information can be obtained by contacting University Health Services (410-455-2542).

III. GENERAL POLICIES AND GUIDELINES

A. Preamble

University departments, eligible student organizations and related agencies in good standing shall have the privilege to have alcoholic beverages at social functions held in approved university locations, in accordance with the following policies and guidelines.

Because of the complexity of the laws regarding the use of alcoholic beverages, this policy cannot anticipate every situation or circumstance. Therefore, questions regarding the meaning or intent of the policy may be directed to the Commons Administration (410-455-3454) or University Police Department (410-455-3133).

B. Definitions

1. **Alcohol Event.** Any approved party, gathering, program or activity at which alcoholic beverages are to be available, dispensed, served, sold or consumed.
2. **Licensed Event.** Any alcohol event at which alcoholic beverages are to be sold directly or indirectly, through any admission or donation charge required, requested, suggested or accepted; and at which alcoholic beverages are to be provided in any manner by the sponsor; and which, therefore, requires an Alcoholic Beverage License.
3. **Sponsor.** Any university department, eligible student organization or related agency, and its chief executives, which is in good standing.
4. **Guest.** A non-UMBC person invited to or permitted attendance at an alcoholic beverages event by the sponsor with proper identification and conforming to age and policy restrictions of UMBC.
5. **In Good Standing.** Free from censure or restriction that would prohibit sponsorship of an alcohol event.

6. **Private Areas.** Generally offices, office suites, departmental conference rooms, are considered private areas.
7. **Private Residential Areas.** Residential rooms and apartments are considered private residential areas.
8. **Public Areas.** Generally classrooms, lounges, lobbies, meeting rooms, recreation rooms, dining rooms, cafeterias, hallways, gyms and any other area under university jurisdiction not specified above as private areas are considered public areas.

C. Private Events

1. Alcoholic beverages may be consumed by individuals in private areas and private residential areas, subject to all applicable alcohol and liquor laws.
2. Non-registered events are permitted in private areas, subject to all applicable alcohol and liquor laws, occupancy regulations, and residential life policy guidelines, listed below and in the residence hall and apartment contracts.

D. Facilities and Restrictions for Public Events

1. The designated public areas which may be requested for alcoholic beverage events, and the types of events which may be requested, are as follows:

Flat Tuesdays:

Pub Club events, Commons Programming team events, other events by special arrangement. This is the primary location on the UMBC campus for all alcohol related events.

Dining Halls:

Special banquets, parties, and receptions; alcohol events by arrangement through the authorized food services contractor.

University Center Ballroom:

Banquets, receptions, other large events.

2. The following areas may be requested for alcoholic beverage events **by special arrangement only:**

Amphitheater

Fieldhouse

Library 7th Floor

Quad

Commons Main Street

Other areas by permission of the Vice President for Student Affairs

Library Gallery

Fine Arts Gallery

The Commons Fireside Lounge

Commons Skylight Restaurant

Retriever Sports Zone

E. Scheduling and Registration

1. Any licensed or registered/non-licensed event to be held in designated or non-designated public areas must be registered and scheduled with the Campus Scheduling Office. Attendance at such events must be limited to members of the sponsoring group or departments, the university community and guests. Proper ID will be required.
2. Alcoholic beverages may not be possessed, consumed or distributed in any non-designated public area or property under university jurisdiction.
3. The sponsor(s) of a licensed event must submit an Application for Alcohol Event no later than twenty days prior to event date. The form must contain all necessary information and be signed by an authorized signatory who is a member of the sponsoring organization and of legal drinking age and be submitted with appropriate fees, if applicable.
 - a. Adequate police, security, or police aide coverage will be assigned by the University Police Department in consultation with the Coordinator of Campus Scheduling and/or Associate Director of the Commons.
 - b. If approved, the sponsor will receive a confirmed copy of the Alcohol Event Application, and for student organizations, the Office of Student Life will also receive a confirmed copy.
4. Any licensed event to be held in outdoor designated public areas must also be approved by the University Police Department. At such events security coverage will be required. Any music being played outside must cease by 10:00 p.m., or upon the direction of the University Police Department. Events occurring during the fall or spring semester may not have sound amplification except during free hour. Requests for events beginning after 5:00 p.m. on weekdays will be reviewed on a case-by-case basis scenario. Potential disruption to the academic schedule will be considered in this determination.
5. Generally, no more than two licensed events of expected attendance of 250 or more persons will be scheduled for one time period or in one facility.
6. Alcoholic beverages shall not be possessed by, served or sold to the public during or within the specific confines of a concert being held in the University Center or the RAC.
7. The University will not accept responsibility for the use or distribution of alcoholic beverages at off-campus events sponsored by university departments, organizations or related agencies or individuals.
8. The sponsor is responsible for the care and cleaning of a facility assigned for an alcohol event. Materials which will deface or damage a facility must not be used

to hang decorations, signs, etc. Facilities must be cleaned by the authorized campus contractor. Sponsors should contact Campus Scheduling for details and estimated charges.

F. Alcoholic Beverage License Application

Upon receipt of the Application for Alcohol Event, The Commons Administrative Offices will produce an Alcoholic Beverage License Application.

1. The Director of The Commons will review the application and the related scheduling and compliance forms and determine whether to reject the application or forward it to the Executive Director of The Commons and the Vice President of Student Affairs for review and approval signature.
2. The Commons Administration is responsible for attempting to secure an approved Alcoholic Beverage License from the Baltimore County Liquor Board in Towson, MD. When the authorized food services contractor is providing catering services, Food Services may obtain the License. Failure to obtain an approved license will result in the event's cancellation or conversion to a non-alcoholic event.
3. The original copy of the approved Alcoholic Beverage License must be displayed prominently in an accessible place at the event.

G. Insurance Requirements and Procedural Safeguards

The sponsor of an alcohol event must provide adequate assurance that the University and its officials are protected against criminal and civil liabilities which might result from the sponsor's failure to comply with applicable laws, policies and regulations.

1. Licensed Event
 - a. A non-university sponsor (contract client) of a licensed event must submit proof of required liability insurance coverage to Campus Scheduling prior to the approval of an Alcoholic Beverage License application. In lieu of such coverage, such a sponsor may elect to request that the authorized food service contractor provide alcoholic beverage service.
 - b. A university-budgeted sponsor of a licensed event must submit a disclaimer accepting full responsibility for the event.
 - c. Current recommended insurance requirements include host liquor liability insurance of \$1 million and the submission of an insurance certificate stating, "The University of Maryland Baltimore County, the Board of Regents of the University System of Maryland, their agents and employees are hereby made additional insured and loss payee as interests may appear."

2. If the event will not be occurring in The Commons (which has set procedural safeguards in place), the sponsor of a registered event must submit, for the approval of the Director of The Commons, or designee, a written statement indicating the proper procedural safeguards which will be taken to prevent violations of applicable laws, policies and regulations during the event. This is a requirement of the Baltimore County Liquor Board.
3. Non-compliance will result in the event's cancellation or conversion to a non-alcoholic event.

H. Advertising

1. Advertising of an alcohol event prior to its being approved and confirmed, as set forth above in Section III, Paragraph F(3), is prohibited and will result in the cancellation of an event.
2. Advertising for an alcohol event must include the name of the sponsor or sponsoring organization and a statement that proof of age will be required for admission to the bar area. Alcoholic beverages must not be advertised as the main attraction for any university event. This determination shall be made by the Director of the Commons, or designee.
3. No alcohol events occurring off campus may be advertised on campus.
4. No advertising by student groups for events off campus should occur without the express written permission of the Assistant Vice President for Student Affairs for Student Life or the Vice President for Student Affairs. No one else is authorized or shall be designated to approve such advertising.

I. Sales, Service and Age Restrictions

1. Any possession, use, distribution or sale of alcoholic beverages which is illegal under federal, state or local law is prohibited.
2. Funds generated by tuition or federal, state or local taxes cannot be used to purchase alcohol for events.
3. A non-authorized outside vendor may not, under any circumstances, cater or provide services for an alcohol event without written permission from the Director of The Commons or designee.
4. Alcohol can only be provided by The Commons or the current University food service contractor, without written permission from the Director of The Commons or designee.
5. Alcohol purchased for a licensed event must be sold for consumption at the event or stored for sale at another licensed event. It may not be given away in any quantity prior to, during, at the conclusion of or after a licensed event. Leftover alcohol will remain in the possession of the University as the license

holder.

6. Food Services' refrigerators may only be used to store alcohol for events being handled by the authorized food service contractor.
7. Legal age for possessing and consuming alcoholic beverages is 21. All those who illegally possess or consume alcoholic beverages will be evicted, criminally and/or civilly prosecuted, and/or referred to the Student Judicial Programs Office. In any such case, the sponsor(s), bartending staff may also be subject to prosecution and/or referral.
8. Bartending Staff or anyone serving or dispensing alcoholic beverages at a licensed event must have attended and passed a UMBC TIPS training course, and be 21 years of age.
9. Bartending staff or anyone serving or dispensing alcoholic beverages at a licensed event may not consume alcoholic beverages during the event.
10. Conspicuous signs, reading as follows, must be posted at the main entrance, entrance to the bar area and at the bar:

"Underage drinkers, anyone permitting underage drinking, and anyone bringing alcoholic beverages on the premises will be evicted from this event without refund and may be charged/prosecuted under any and all applicable campus and/or criminal or civil regulations and laws."
11. Admission to any bar area must be by valid governmentally issued photo identification supporting date of birth. Use of false identification will be charged/prosecuted.
12. All those of legal drinking age must present valid identification at the point of entry to the bar area and have wristbands and/or hand stamps applied indicating verification of proof of age.
 - a. Only wristbands and/or hand stamps provided by the Commons, for a nominal fee, are acceptable.
13. UMBC students and guests under legal drinking age may be permitted to attend alcohol events if proper safeguards are instituted and are approved by the Vice President for Student Affairs or his/her designate. However, the sponsor may at its discretion, elect to have an event at which only those of legal drinking age are permitted to attend. This section is subject to state and county law and ordinance, and to change by the by the Director of the Commons in consultation with the University Police Department and the Vice President for Student Affairs.
14. A separate bar and consumption area must be designated for selling, serving, dispensing or consuming alcoholic beverages at a licensed event which those under legal drinking age may attend. Alcoholic beverages may not be taken from the bar area.

15. All alcoholic beverages must be served or sold individually, by the drink. The use of pitchers is prohibited. Wine may not be sold by the bottle. Minimum charges are established based on the wholesale price and are maintained and available through the Commons Club Board of Directors. This applies to Commons controlled events only.
 - a. Only the current campus food service contractor may provide liquor at catered events. Only beer and wine may be served at all other alcohol events on campus.
16. Any licensed event must have sufficient lighting to allow free movement within the area.
17. Potato chips, crackers, pretzels, popcorn, other snacks or food of higher quality, as well as non-alcoholic beverages including coffee or sodas, must be served or sold throughout any licensed event. (Foods with high protein and moisture content such as cheese or vegetables are recommended.)
18. Alcohol must remain in the designated serving area. Signs must be posted at the entrance to the event/venue that states: "No Alcoholic Beverages beyond this point."
19. "Last call" must be at least 30 minutes prior to the end of an alcohol event. Service of alcoholic beverages must cease at this time. House lights will be turned on at least 10 minutes prior to the end of an alcohol event.

J. Legal Compliance

1. The sponsor of an alcohol event and its chief executives are responsible for complying with all applicable liquor laws and university regulations. Also, they are responsible for the following actions:
 - a. Assuring supervision of the conduct of those attending the event.
 - b. Paying all applicable and related expenses for security, cleaning and damage costs which might occur as a result of the event, including those for which individual responsibility cannot be ascertained and, in cases of cancellation, those for services or materials which may have been scheduled or purchased for the event.
2. The Commons and/or Food Service Contractor will be using accepted accounting procedures for sales and record keeping. A cash register or pre-numbered tickets must be used for all transactions.
3. The Commons and/or Food Service Contractor are responsible for paying all applicable license fees, state and local admission, amusement and sales taxes. A sign must be posted in the immediate sales area indicating "tax included".

4. Alcohol may not be given away as prizes or as inducements to participate in games or other types of entertainment at a licensed event. Drinking games or other inducements to over-consume alcohol are prohibited at all times.
5. Alcoholic beverages shall not be served to any person judged by the bartender, the University Police or other appropriate University official to be under the influence of alcohol, including, but not limited to being at a point of stupor, disorderly behavior, poor coordination or sickness. Persons judged to be unruly shall be evicted by the sponsoring organization or authorized University personnel.
6. The sponsor is prohibited from permitting the showing of X-rated films or any form of criminally-defined indecent exposure at a licensed event.

IV. RESIDENTIAL LIFE POLICIES AND GUIDELINES FOR THE USE OF ALCOHOLIC BEVERAGES IN INDIVIDUAL STUDENT ROOMS AND APARTMENTS

1. Students of legal drinking age and their guests of legal drinking age may possess and consume alcoholic beverages on an individual basis in the privacy of their residence hall room or apartment. Resident students who are not yet of legal drinking age may not host in their room or apartment anyone, regardless of age or relationship, who is possessing, consuming, selling, or serving alcohol.
2. The possession and consumption of alcohol shall not infringe upon the privacy and peace of others. Noise from room or apartment parties must be kept at a minimum so that others are not disturbed.
3. Residents of the room or apartment are responsible for assuring that the number of guests is small enough to be contained within the room, suite or apartment. (The residence hall/apartment contract specifies that the maximum number allowed is 14 in a residence hall room and 20 in an apartment.) Social gatherings will be considered in violation of policies if those in attendance spill over into hallways, balconies or stairwells.
4. Students of legal drinking age who host guests of legal drinking age are responsible for the behavior of their guests, including limiting attendance, paying for any damages which may occur in public areas or the individual room or apartment as a result of guests' behavior and insuring that federal, state and local laws, as well as university policies, are upheld.
5. University personnel will respond to policy violations. Violators are those who violate Residential Life rules and regulations as well as the UMBC Code of Conduct. Failure to follow the rules and the Code of Student Conduct could lead to university judicial referral and/or charges for contract termination and/or criminal arrest.
6. Students of legal drinking age, who plan social gatherings with alcohol in their

- individual rooms or apartments, may not advertise these events publicly. Invitations should be extended only to legal drinking age individuals whom the resident specifically wants to attend the function.
7. Residents who host guests in their rooms or apartments must be with their guests at all times.
 8. Residents must take necessary action to respond to any complaints received as a result of their guests or social gathering. Should problems arise which cannot be handled by the resident host, initiative must be taken to gain assistance from members of the Residential Life staff and/or the University Police Department.
 9. The sale of alcoholic beverages in individual student rooms or apartments is prohibited.
 10. Possession of an open container or consumption of alcoholic beverages in any areas other than individual rooms or apartments is forbidden.
 11. Kegs and multi-quart containers of beer and ale are not permitted in residence facilities (student rooms, apartments and public areas) or on the grounds (including balconies of apartments) around the residential areas. Brewing and/or distilling alcohol is not permitted in or around any residential facility.

V. EXEMPTION FOR UNIVERSITY OPERATIONS

University alcoholic beverage services operated by the authorized food service contractor are governed by specific federal, state and county laws and regulations and must abide by all policies and guidelines contained herein.

VI. ENFORCEMENT

As with most regulatory policies, individuals and groups are expected to comply with UMBC's alcoholic beverage policy and support its intent. A copy and/or a summary of the policy will be distributed as part of the alcohol event planning and scheduling process. Faculty, staff and students should exercise caution when planning alcohol events: to properly monitor the event, to insure consideration of others and to comply with the policy.

Violation of federal, state, county or university laws or regulations will subject violators, individually or as a group, to eviction, prosecution and/or referral to the appropriate law enforcement or campus agencies. Campus agencies include, but are not limited to, the Student Judicial Programs Office, University Police Department, Office of Residential Life and the Commons. Sanctions could include closing an event, issuance of warnings, and prohibition from sponsoring alcohol events for up to one year, judicial charges, legal action and requiring restitution and/or counseling.

Statutes governing the possession, use, consumption and sale of alcoholic beverages include the following:

- a. Article 2B and 27 of the Annotated Code of Maryland
- b. Baltimore County Liquor Code

Violations of these statutes are punishable by a fine and/or imprisonment. Copies of these statutes may be obtained from the University Police Department. As the center for registering and scheduling alcohol events, the Commons Administration monitors the implementation of this policy. Exceptions regarding the policy may be authorized by the Vice President for Student Affairs or Director of The Commons or designee. Questions and appeals regarding the policy should initially be directed to that office (410-455-3454). Complaints or reports of policy violations should be directed to the Student Judicial Programs Office (410-455-2453), the University Police Department (410-455-5555) or the Commons Administration. For residential events, questions or complaints should be directed to the Office of Residential Life (410-455-2591) or the University Police Department.

VII. REVIEW

Periodic review of this policy will occur as determined by the Vice President for Student Affairs and/or upon relevant changes in state/county/local liquor laws. The Vice President for Student Affairs will assign a review committee comprised of appropriate campus representation and will include The Commons Club Board of Directors, Office of Student Life, Office of Residential Life and others deemed appropriate by the Vice President for Student Affairs