Policy: **Possession and Consumption of Alcoholic Beverages**	
Issuing Department**:** **Office of the President**	
Date last revised: **September 2006**	

PURPOSE

This policy provides the guidelines for the approved serving and use of alcohol at Western Oregon University functions.

Western Oregon University prohibits:

1. The illegal or unauthorized possession, consumption or sale of alcoholic beverages, or the furnishing or possession of alcoholic beverages to persons under the age of 21 years on property owned or controlled by WOU or as part of any university event, or possession and consumption of alcoholic beverages in unauthorized areas by those over 21.

2. The consumption of alcoholic beverages by all WOU students, faculty and staff to the degree that it a) adversely affects academic or job performance, b) endangers the physical well-being of others/oneself, and/or c) leads to damage of property.

3. The possession, sale, distribution, promotion or consumption of an alcoholic beverage in a manner that constitutes a violation of federal, state or local laws, including the sale, directly or indirectly, of any alcoholic beverages at a premise or by an entity not licensed for such sales on WOU property or as part of any WOU event.

4. The use of state funds (including university and student fees) to purchase alcohol.

POLICY

Western Oregon University provides an environment in which there is an awareness of both the freedom and the responsibility involved in the exercise of personal choice. This policy on the possession and consumption of alcoholic beverages has been developed with that in mind and with concern for the health, safety and welfare of the students, faculty, staff and guests of WOU. The policy guidelines are structured to comply with applicable State of Oregon and local community laws and regulations.

PROCEDURES

Definitions

"Insured Licensed Vendor" means a business entity that holds an annual liquor license issued by the Oregon Liquor Control Commission for selling and/or dispensing alcoholic beverages that carries public liability and liquor liability insurance at limits satisfactory to Finance and Administration.

“Approved Server” means someone holding an OLCC Special Dispenser and/or Caterer Dispenser licenses (ORS 471.542).

“Alcoholic beverages” means beer and wine only.

“Food” means at least three different types of food (protein, carbohydrate and vegetable, i.e., cheese and crackers and a vegetable tray) must be provided as long as alcoholic beverages are sold, served or consumed.

“Non-alcoholic beverages” means beverages such as coffee, juices, soft drinks and bottled water for those that request them.

“Observer” means the non-drinking university employee(s) designated to monitor the alcohol vendor’s performance and compliance with all requirements, and to assist in observing guests' behavior.

University Sponsored Events with Alcohol (on or off campus)

In order to minimize the risk of alcohol abuse, promote compliance with the law, and encourage all campus constituents to make responsible decisions about alcohol, the following rules are designed to control the volume and nature of alcohol products available, and, ultimately, reduce the risk of alcohol-related problems.

1. All events with alcohol available must first be approved by the appropriate vice president and subsequently registered by the president or his/her designated representative by following the procedures outlined in this policy.

2. An Insured Licensed Vendor must be used to serve alcoholic beverages, unless an Approved Server is used.

3. At any event at which alcohol is available, sufficient quantities of non-alcoholic beverages must be available. Food must also be available at no additional charge.

4. Advertisements of social events with alcohol shall not promote or describe (text or graphics) the availability of alcoholic beverages nor promote the consumption of alcohol by minors.

5. The service of alcohol at all on-campus events must stop one hour prior to the event's ending time, but no later than 10:00 p.m.

6. The organizers of the social event must properly dispose of any partially filled and empty alcohol containers at the conclusion of the event.

7. Violators of this policy will be subject to university disciplinary actions.

For alcohol use in Residence Halls, University Residences policies are to be followed.

For alcohol use at Gentle House, Gentle House policies are to be followed.

Locations

Alcoholic beverages may be consumed only in designated areas and with prior approval in accordance with the procedures listed in this policy.

Athletics

Individuals wishing to picnic prior to a varsity football game ("tailgate") and to serve alcoholic beverages may do so only at their individual vehicles parked in areas designated by Campus Public Safety. Food and non-alcoholic beverages must be available. No kegs or other bulk dispensing of alcoholic beverages is permitted in the parking areas. Any group of 25 or more people wishing to serve and consume alcoholic beverages must register the event in accordance with this policy and have the alcoholic beverages served by an Insured Licensed Vendor or Approved Server. Prior approval must be secured in accordance with this policy.

Alcoholic beverages sold or provided at group or individually sponsored events which require an Insured Licensed Vendor may not be sold or served after the close of halftime or intermission of athletic competitions.

No alcoholic beverages are permitted inside the stadium or gymnasium. Any person violating this policy may be subject to removal from the premises.

Werner University Center

1. The serving and/or consumption of alcohol are allowed only in meeting rooms and the Pacific Room.
2. Campus Dining Services will have the first right of refusal for providing alcohol service in the Werner University Center.
3. WOU student sponsored events may be required to hire WOU Campus Public Safety in addition to a university employee to observe performance of the vendor and assist in observing guests' behavior (WOU Alcohol policy - Responsibility of Sponsoring Groups).

4. All other WOU guidelines outlined in the Possession and Consumption of Alcoholic Beverages policy will be followed.
5. Private rentals of the WUC must agree and sign the WUC usage policy and rental contract.

Other

Alcoholic beverages (limited to beer and wine) may be served at events at The Cottage and Rice Auditorium when prior approval is secured following the process described in this policy.

Exceptions

The president of the university may make exceptions to this policy by permitting the service of alcohol on university property or authorizing consumption by an employee for purposes of employment, e.g., WOU Foundation events. Exceptions are for specific purposes and do not release the event sponsor from conforming to all other aspects of this policy and all federal, state and local laws. A request for an exception should be submitted to the president a minimum of 30 days in advance of the event following the procedure outlined in this policy.

<u>Responsibility of Sponsoring Groups</u>

Sponsors of events must comply with the following risk control standards:

1. Hire a vendor licensed and insured to sell and/or serve alcoholic beverages. The OLCC Special Dispenser and Caterer Dispenser license are equally acceptable (ORS 471.542).

2. Verify that all alcohol servers hold service permits and have passed the Server Education Course.

3. Appoint a university employee to observe the performance of the vendor and assist in observing guests' behavior.

4. Inform the servers of the university's standards and expectations for alcohol service and control. Empower servers to cut off drinkers. Make clear that the licensee must adhere to its responsibilities.

5. Share this policy and any specific risk control plan with vendors and co-sponsors.

6. Assure that the vendor’s plan to deal with alcohol over-service problems is adequate.

7. Ensure that a contract with a vendor includes the following:

- Require that the vendor indemnify and hold harmless the agency for any claim made against the agency due to the vendor's negligence. Use the following wording in contracts: "*Vendor shall indemnify, defend, and hold harmless the State of Oregon, the Oregon University System, and Western Oregon University, its officers, divisions, agents and employees from all claims, suits or actions of any nature arising out of the activities of the contractor, its officers, subcontractors, agents or employees under this contract*."

- Require the vendor to have worker's compensation insurance and general liability insurance (including contractual liability). The latter must include a liquor liability endorsement with a coverage limit of at least $1 million. The liability insurance must be endorsed to name the agency and the State of Oregon as additional insureds.

- Prior to the event, obtain certificates of insurance from the vendor to verify all required insurance coverages. Provide the vendor with the *following wording to be used by their insurer on the certificate: "It is agreed that the State of Oregon, the Oregon University System, and Western Oregon University, and their divisions, officers, and employees are Additional Insureds but only with respect to the vendor's activities under this contract."*

8. Prohibit open, self-service bars.

9. Alcohol service may be limited at the discretion of the licensed server, the host and/or designated observer. No service will be provided to visibly intoxicated people.

10. Limit alcohol consumption to the immediate premises where the alcohol is being served.

CONSEQUENCES FOR POLICY INFRACTIONS

All members of the WOU community are required to comply with the provisions of this policy. (If attendance at an event is not university or state business, i.e., you are attending a private party as a private citizen, this policy does not apply.)

A. Any student who violates this policy or applicable laws may be subject to disciplinary actions and/or referral for prosecution. Disciplinary actions for students may range from warning to expulsion as provided by the Code of Student Responsibility and may include referral to the Student Health and Counseling Center or another agency for evaluation and treatment. The severity of action will depend, in part, on whether this is a first incident or a repeat violation, the seriousness of the misconduct, and the student's attitude.

B. Any employee who violates this policy or applicable laws may be referred to an employee assistance program or alcohol treatment program through the Office of Human Resources, and is subject to disciplinary action, which may include termination from employment and/or referral for prosecution. By law, employee health coverage provides for some treatment for alcohol dependency.

C. Oregon Revised Statutes related to alcohol include:

1. ORS 471.410 Providing liquor to a person under 21 or to an intoxicated person is illegal, and may result in the following penalties: up to one year in prison; restitution; community service; fine in the amount of $350 (first conviction), $1000 (second conviction), and jail time plus $1000 fine (third conviction).

2. ORS 471.430 Purchasing or possessing alcohol by a person under 21 or entering a licensed premise by a person under 21 is illegal, with a fine of not more than $250. A person under 21 years of age who misrepresents his/her age may be required to perform community service and his/her driving privileges and right to apply for driving privileges may be suspended by the court for up to one year.

3. ORS 813.100 Driving under the influence of intoxicants and the person is subject to criminal penalties if a test indicates the person is under the influence (.08 blood alcohol content), with fines up to $2500 plus one year in jail. A person under 21 years of age that is driving under the influence violates this statute with blood alcohol content over zero.

AUTHORITY

Applicable OAR and ORS 164.205, 471.410, 471.430, 471.542.

RESPONSIBILITY

The president and vice presidents of Western Oregon University or their designees, as detailed in this policy.

Approved by President's Staff on June 19, 2006.

Date of next review: **September 2011**

Alternate formats of this policy are available from the Office of Human Resources.

REGISTRATION FORM FOR EVENTS WITH ALCOHOL

All WOU events, both those on and off campus, must obtain prior authorization from the appropriate vice president **at least three weeks prior to the scheduled event**. Please complete all sections of this form and obtain the required signatures for approval. Refer to the university policies on alcohol or to the alcohol policies specific to the event venue.

Sponsoring Group: _____ ___WOU GROUP ___OFF-CAMPUS

Group Contact Person: _____

Phone #: _____ Address: _____

Event (title):_____

Target Audience: _____

Description: _____

Estimated Number of Participants (check all that apply):
___Students ___Faculty / Staff ___Other: please specify: _____

_____

Percent of participants 21 years of age and older? _____ (Must have at least 51% for alcohol to be served.)

Date of Event: _____

Start Time: _____ End Time: _____

Location: _____ ___ON CAMPUS ___OFF CAMPUS

Security Issues (please answer each question thoroughly, using additional paper if necessary):

1. Provide a diagram of the event, indicating where the alcohol will be served and the access points.

_____

_____

2. Describe how access to alcohol will be controlled to ensure only those 21 or older will have access to alcohol (ID verification, bracelets distributed, etc.). For events involving

students who are under 21 years of age, the access to and consumption of alcohol must be in a contained area.

_____

_____

3. Describe how access will be monitored to limit consumption within reasonable health guidelines and legal intoxication limits.

_____

_____

4. List those who will be serving the alcohol and the vendor's OLCC number.

_____

_____

5. List designated observer(s).

_____

_____

6. Describe what other beverages and food will be provided.

_____

_____

7. Describe method of disposal for partially full and empty containers.

_____

_____

EVENTS WITH ALCOHOL CHECKLIST

1. All events with alcohol available must first be approved by the appropriate vice president and subsequently registered by the president or his/her designated representative by following the procedures outlined in this policy.

2. An Insured Licensed Vendor must be used to serve alcoholic beverages, unless an Approved Server is used.

3. At any event at which alcohol is available, sufficient quantities of non-alcoholic beverages must be available. Food must also be available at no additional charge.

4. Advertisements of social events with alcohol shall not promote or describe (text or graphics) the availability of alcoholic beverages nor promote the consumption of alcohol by minors.

5. The service of alcohol at all on-campus events must stop one hour prior to the event's ending time, but not later than 10:00 p.m.

6. The social event organizers must properly dispose of any partially filled and empty alcohol containers at the conclusion of the event.

7. Violators of this policy will be subject to university disciplinary actions.

I have read and understand the WOU Possession and Consumption of Alcoholic Beverages Policy. The information I have provided on this form is true and correct to the best of my knowledge. If any rules are not adhered to, the event may be cancelled, and/or alcohol service may be immediately terminated.

I agree to abide by the guidelines and rules of this policy, OLCC regulations, and the laws of the State of Oregon.

Group Representative: _____ Date: _____

Vice President Approval: _____ Date: _____

Distribution of Approved Form: ___ President's Office

___ WUC Facility Manager

___ Campus Public Safety

___ Sponsoring Group's Contact Person

___ Applicable Vice President

___ Public Relations