

# Alcohol at University Events

Policy 106.1

## 1 Purpose

Appalachian State University's policy on alcohol shall comport with the laws and regulations that govern the use or possession of alcohol that faculty, staff, students, alumni, and guests must comply with for events held at the University.

## 2 Scope

This policy applies to all events hosted on University property.

## 3 Definitions

### 3.1 ABC Permit

Any document, issued by the North Carolina Alcoholic Beverage Control Commission ("ABC Commission"), that authorizes the serving or selling of alcohol for a specific date and at a particular location.

### 3.2 Fortified Wine

Means any wine, of more than sixteen percent (16%) and no more than twenty-four percent (24%) alcohol by volume, made by fermentation from grapes, fruits, berries, rice, or honey; or by the addition of pure cane, beet, or dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice, or honey that is contained in the base wine and produced in accordance with the regulations of the United States.

### 3.3 Malt Beverage

Means beer, lager, malt liquor, ale, porter, and any other brewed or fermented beverage containing at least one-half of one percent (0.5%), and not more than fifteen percent (15%), alcohol by volume.

### 3.4 Spirituous Liquor or Liquor

Means distilled spirits or ethyl alcohol, including spirits of wine, whiskey, rum, brandy, gin and all other distilled spirits and mixtures of cordials, liqueur, and premixed cocktails, in closed containers for beverage use regardless of their dilution.

### 3.5 Unfortified Wine

Means any wine of sixteen percent (16%) or less alcohol by volume made by fermentation from grapes, fruits, berries, rice, or honey; or by the addition of pure cane, beet, or dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice, or honey that is contained in the base wine and produced in accordance with the regulations of the United States.

## 4 Policy and Procedure Statements

### 4.1 General Policy

The University supports and complies with all state and federal laws and regulations that pertain to the use and possession of alcohol.

Possession or use of alcoholic beverages on University property is generally prohibited, unless specifically approved in writing by the Chancellor or the Chancellor's designee. The Chancellor or the Chancellor's designee shall pre-approve any event held on campus and establish procedures for approval of alcoholic beverage service, provided, that use of the facility must be approved and scheduled prior to approval of alcohol use for a specific event.

### 4.2 Events Requiring Approval

1. Events requiring approval fall into one of the following categories:

1. Malt beverages and/or unfortified wine will be served but not sold to guests (including members of the public). Neither fortified wine nor spirituous liquor will be served or sold. A Retail Permit must exist.
  2. A BYOB event, at which individuals may not enter or participate with more than a six-pack of 12 oz containers of beer or wine coolers (72 oz) or 750 ml of unfortified wine. Individuals may not enter or participate with spirituous liquor or fortified wine. No ABC Permit shall be necessary.
  3. Spirituous liquor and/or fortified wine will be served but not sold to invited guests at a reception, party, or other special occasion held on campus by a third party. The third party seeking to use a University facility for such a special occasion must obtain a permit that is issued by the ABC Commission.
  4. Malt beverages, unfortified wine, or fortified wine will be sold at a single fund-raising event of the University. A permit must be issued by the ABC Commission.
  5. Brown-bagging (allowing each patron to bring up to eight liters of fortified wine or spirituous liquor, or eight liters of the two combined, onto the premises and to consume those alcoholic beverages on the premises) will be permitted at a single fund-raising event of the University. A permit must be issued by the ABC Commission.
  6. Wine, malt beverages, and/or spirituous liquor will be served but not sold to patrons at a ticketed event held to allow the University to raise funds. A permit must be issued by the ABC Commission.
2. **ABC Permit Required.** For any event listed above where an ABC Permit is required, approval of the event is contingent upon the receipt of such a permit prior to the event.

### 4.3 Alcohol Approval Process

1. Any University event, that includes alcoholic beverages which are not provided through University Catering, must be approved in advance by the Executive Director of University Events. Events including alcoholic beverages, provided through University Catering, are approved through University Events as University Catering is the only campus pre-approved provider for alcoholic beverages.
2. The host must submit the Request for Alcohol Approval form to Office of University Events no less than ten (10) business days prior to the event date.
3. The advisor for a Recognized Student Organization seeking to host an event that includes alcoholic beverages shall submit the Request for Alcohol Approval form on behalf of the Recognized Student Organization. The advisor must certify on the form that the advisor has supervised the planning of the event and will be present for the entire event.
4. Event participants shall only consume alcoholic beverages within the approved area designated for the event in the Request for Alcohol Approval form. University Catering staff shall serve all alcoholic beverages at any approved event unless the event host applies for and receives an Off-Campus Catering Permit prior to the event. Any event organizer may request an Off-Campus Catering Permit by completing the Off-Campus Catering Permit form and submitting the form to University Events.
5. University Catering staff shall be responsible for ensuring any individual consuming alcoholic beverages at an approved event provides proper identification indicating they are at least 21 years of age. Proper identification shall be limited to a government issued picture ID displaying date of birth of the individual. University Catering must also receive Training for Intervention Procedures.
6. Event participants shall not aiding or encouraging anyone under the age of 21 to possess or consume alcoholic beverages.

#### 4.3.1 Legends and Plemmons Student Union

The use and consumption of alcoholic beverages at Legends or the Plemmons Student Union shall conform to applicable law. Events conducted at Legends or the Plemmons Student Union under the supervision of Student Affairs staff are not subject to the Request for Approval requirements of this policy.

#### 4.3.2 Performing Arts Centers

Each performing arts center intending to sell malt beverages or unfortified wine must obtain an "On-Premises Malt Beverage Permit" and/or an "On-Premises Unfortified Wine Permit," depending on which alcoholic beverage is to be sold. In addition, spirituous liquor may not be sold at a performing arts center. For events at which an ASU performing arts center will sell malt beverages or unfortified wine pursuant to an On-Premises Malt Beverage Permit or an On-Premises Unfortified Wine Permit, such events are not subject to the Request for Approval requirements of this policy.

#### 4.3.3 Residence Halls

Only persons twenty-one (21) years of age or older **may possess** alcoholic beverages in their own residence hall rooms. Housing & Residence Life has adopted restrictions on the amounts of alcoholic beverages that residents who are twenty-one (21) years of age or older may bring into a residence hall or maintain in their residence hall rooms. **Guests**, regardless of age, **may not bring** alcoholic beverages into residence halls.

#### 4.3.4 Yosef Club Hospitality Events

The sale, use, and consumption of alcoholic beverages at the Yosef Club Hospitality Events shall conform to applicable law. Because the Yosef Club operates under an ABC permit, a Yosef Club Hospitality Event is not subject to the Request for Approval requirements of this policy.

#### **4.3.5 Athletics Complex at Kidd Brewer Stadium**

- **Club Level** - Alcoholic beverages (malt beverages and unfortified or fortified wine) will be made available for purchase for individuals over twenty-one (21) years of age on the club level of the Athletics Complex during publicly ticketed events. Appropriate permits must be obtained from the ABC Commission for alcohol to be present during events. A Request for Approval form must be completed prior to any non-football game events.
- **Suite Level** - Suite holders may bring their own unfortified wine, fortified wine, spirituous liquor and malt beverages into their suite for football games. Suite holders will be allowed to access their suites on the Friday prior to home football games by arrangement with Athletics Department staff. No alcohol may be brought into the Athletics Complex on game day. Suite holders are responsible for controlling distribution of alcoholic beverages to their guests and for ensuring that individuals consuming alcohol are over twenty-one (21) years of age.

#### **4.4 Responsibilities of Sponsors or Hosting Organizations for On-Campus Events Where Alcoholic Beverages are Allowed**

1. All University students, employees, units and recognized organizations hosting activities, events, and programs where possession, consumption or sale of alcohol is to be allowed must complete the Request for Approval, unless the event is to be held at Legends, the BICC, or another facility (such as a performing arts center) operating under its own ABC Permit, and comply with the following requirements:
  1. Any participant who consumes alcoholic beverages at such events must produce for University officials, upon request, a valid driver's license or other photographic identification that reflects the person's age.
  2. All recognized University clubs, organizations, departments, and officially sanctioned activities must abide by all laws and policies of the State of North Carolina and the University.
  3. Hosts must ensure that only individuals twenty-one (21) years of age possess or consume alcoholic beverages and that intoxicated individuals are not served alcohol. Also, only persons eighteen (18) years of age or older may be employed to serve, dispense or sell alcoholic beverages, including mixed beverages, pursuant to their employment duties.
  4. Individuals may not enter or participate in a BYOB event on campus with more than a six-pack of 12 oz containers of beer or wine coolers (72 oz) or 750 ml of unfortified wine. Neither spirituous liquor nor fortified wine is permitted at a BYOB event. Facility managers may adopt more stringent limitations for specific events.
  5. Except as otherwise required by law, regulation or ordinance, no University student or employee shall be denied access to any benefit or opportunity that the University provides on the basis of age. The University wishes to ensure that no University student or employee shall be prohibited from attending an event or participating fully in the program benefits offered, within the limits of the law, solely on the basis of his or her age. University units and recognized organizations are responsible for arranging supervision of an event where alcohol is served to assure access for all eligible participants, and that no underage consumption of alcoholic beverages occurs.
  6. Drinking games or other activities that encourage excessive consumption of alcohol will not be tolerated and are prohibited.
  7. Alternative beverages must be available at each event in sufficient quantities for those participants who cannot legally drink and for those who choose not to drink alcoholic beverages.
  8. A sufficient amount of food products (based upon number of participants) must be available at all times.
  9. Adequate restroom facilities are required and must be in close proximity to these events.
  10. A copy of the completed Request for Approval must be delivered to the University Police at least seventy-two (72) hours in advance. When the nature and size of the event require greater than normal staffing on a given date, as determined in the sole discretion of the University Police Chief or that official's designee, the sponsor or host will be required to pay the expense of University Police officers to be in attendance.
  11. It is the responsibility of the University departments as well as the organizations' sponsors and/or advisors to inform their constituents of North Carolina law and University Policy in regard to events where alcohol is allowed. It is also the responsibility of sponsors to recognize their individual and/or group liability if violations of state law or University policy occur.
  12. Non students and/or guests of members of the community are subject to all state laws and University policies while on University premises. Failure to abide by the laws and policies may result in a state citation and/or appropriate disciplinary action by the University.
  13. Except as otherwise specified herein, this policy applies to all on-campus University functions at which alcohol is served or consumed, including faculty, staff, student, athletic, alumni, and other University events
2. The Chancellor or the Chancellor's designee may supplement these requirements upon assessment of the special circumstances of a specific event.

#### **4.5 Special Provisions Concerning Tailgating**

Tailgating at University events, including tailgating involving alcoholic beverages, may be conducted only in accordance with the University's Tailgating Policy. This policy specifies the locations, times, and other conditions under which tailgating is permitted.

## 4.6 Sanctions

- Individuals or event organizers who fail or refuse to comply with the requirements of this policy may be subject to legal sanctions and/or University discipline, as appropriate.
- Any individual who violates the law or any University policy while intoxicated shall be fully responsible for his or her action and the consequences thereof.
- The University shall not permit any Sponsor or Hosting Organization that does not comply with the requirements of this policy to apply to host events where alcoholic beverages are served in the future.

## 4.7 Exceptions

The Chancellor reserves the right to change, alter, or grant exceptions to this policy to best fulfill the mission, purpose, and processes of the University.

## 5 Additional References

[Off-Campus Catering Permit Form](#)

[Tailgating Policy \(Policy 106.2\)](#)

[Employee Abuse of Alcohol and Other Drugs \(Policy 602.3\)](#)

## 6 Authority

North Carolina General Statutes, §§ 18B 101, et.seq., § 95-25.5(j)(2)

North Carolina Administrative Code, Chapter 4, § 02S.0205

Town of Boone, NC Code of Ordinances, Title VIII: Public Nuisances, Chapter 89 § 89.35 – 89.99

## 7 Contact Information

University Police Department | (828) 262-2150 | [Appalachian Police Department](#)

Office of General Counsel | (828) 262-2751 | [Office of General Counsel](#)

Finance and Operations | (828) 262-2030 | [Finance and Operations](#)

Office of University Events | (828) 262-8485 | [Office of University Events](#)

## 8 Original Effective Date

August 2, 2006

## 9 Revision Dates

June 25, 2007

July 16, 2009

December 5, 2012

September 30, 2015

August 29, 2018

December 1, 2021