

<b>Responsible Official (Title):</b>	Vice President for Administration
<b>Responsible Office:</b>	Office of the Vice President for Administration & CFO
<b>Responsible Division:</b>	Administration and Finance

## Alcohol Policy

### 1. Policy Statement

California State University, Fresno is committed to creating a safe and healthy learning environment for all members of the campus community. The University disapproves of alcohol abuse, intoxication, and any resulting unacceptable conduct.

While the moderate consumption of alcohol may be an acceptable part of certain social activities, alcohol abuse conflicts with the mission and values of the University. All students, faculty, staff, administrators, community guests and visitors are expected to respect, promote and support these values.

### 2. Authority

The University President has delegated authority and responsibility for this policy to the Vice President for Administration and CFO (VPA).

The President has designated the VPA or designee to act in all matters related to the serving of alcoholic beverages on campus. The VPA has designated the Environmental Health and Safety (EH&S) Director as the person responsible for these actions. The EH&S Director will consult with the Vice President for Student Affairs and Enrollment Management or designee when an event may involve students.

In the State of California, individuals twenty-one (21) years of age or older may legally purchase, possess, and consume alcoholic beverages.

The Business and Professions Code and related statutes control the sale, consumption, and possession of alcoholic beverages.

The California State Alcoholic Beverage Control (ABC) Board is responsible for the interpretation and enforcement of the laws regarding the consumption, sale, or possession of alcoholic beverages.

The Fresno State Police Department is responsible for exercising normal police powers in enforcing laws relating to alcohol.

### 3. Scope/Applicability

This policy applies to all members of the campus community including students, faculty, staff and administrators, and shall govern all activities involving the use, sale, and service of alcoholic beverages on CSU/University controlled property and at University-sponsored events.

### 4. Exclusions – Event Center (currently known as the Save Mart Center).

### 5. Supersedes: N/A

## 6. Definitions

- 6.1. **Alcoholic beverage:** includes alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.
- 6.2. **Public Area:** includes any exterior locations on University property, such as lawns, landscaping, paths, walkways, roads, parking lots, and garages. It also includes any interior location with general access for the public, such as classrooms, hallways, restrooms, labs, and any other room not specifically occupied as an office or residence on property owned, operated, or leased by the University or its auxiliaries.
- 6.3. **Intercollegiate Event:** NCAA sanctioned athletic event.

## 7. Policy Requirements

The sale and service of alcoholic beverages must be conducted in accordance with all federal, state and local laws and regulations; including the California Alcoholic Beverage Control Act and any regulations under the auspices of the California Department of Alcoholic Beverage Control (ABC); as well as California State University (CSU) and University policies and procedures. This policy shall govern all activities involving alcoholic beverages on University property and at University-sponsored events.

### 7.1 General

The use of alcoholic beverages is limited to the following conditions:

- 7.1.1 The California State University, Fresno Association, Inc. (Association) and the Agricultural Foundation of California State University, Fresno (Ag Foundation) are the only entities licensed by the ABC Board to sell, serve and pour alcoholic beverages on University property.
- 7.1.2 Alcohol shall not be served at any event held on University premises unless specifically authorized by the VPA or designee.
- 7.1.3 Organizations cannot utilize off-campus vendors to sell or serve alcohol at campus events without the prior written approval of the VPA.
- 7.1.4 Request for approval to serve alcoholic beverages must be obtained from the Office of EH&S and should be submitted at least 30 days prior to the event - [here](#).
- 7.1.5 Persons using a permanent or one-day ABC license must first have the approval of the University's Chief of Police. Violation of this prohibition is a misdemeanor pursuant to Education Code Section 89031.
- 7.1.6 Any advertising or promotion of alcoholic beverages must be in compliance with Section 7.6 of this policy.
- 7.1.7 Where appropriate controls cannot be satisfactorily established, authorization shall not be given for the serving of alcohol.
- 7.1.8 Organizations must provide verification of insurance coverage or, if eligible, obtain liability insurance from the Office of EH&S for events where alcohol is served.
- 7.1.9 Employees of the University may not consume alcoholic beverages while at their workstation or while on duty unless specifically authorized (e.g., an approved University-sponsored event). Furthermore, employees are not to be under the influence of alcohol while on duty.
- 7.1.10 Students living on campus in Student Housing, who are 21 years of age or older may possess and consume alcoholic beverages in the privacy of their residence hall rooms,

subject to the approval/permission of the Director of Housing. Consumption of alcoholic beverages is not allowed outside student rooms or in any public area of the residence halls. All alcohol brought onto the campus by residence hall students must be brought into the residence halls unopened and concealed from public view. Alcohol not transported in this manner shall be confiscated and disposed of by Student Housing staff.

- 7.1.11 Service must be limited to those 21 or over.
- 7.1.12 Persons who are intoxicated must not be served.
- 7.1.13 Servers of alcoholic beverages will be required to complete the appropriate training and other requirements of the California Department of ABC. Recognized student organizations shall not be permitted to serve or sell alcoholic beverages.
- 7.1.14 The Fresno State Police Department shall determine the guidelines for appropriate levels of security for any event where alcohol is being sold or served. Event sponsors may be required to pay for additional policing at events where alcohol is served or sold.
- 7.1.15 The Fresno State Police Department may terminate the serving of alcohol at any event if any of the above rules or laws are not followed.

## **7.2 On-Campus Events (including venues operated by the Athletic Corporation)**

### **7.2.1 For Non-Intercollegiate Events:**

For non-Intercollegiate events, individuals or groups sponsoring the event must meet the following procedures and requirements:

- 7.2.1.1 University Dining Services must be contacted in advance to work out the details of service for such events. California State University, Fresno Association, Inc. University Dining Services has exclusive rights to cater food and serve/sell alcohol beverages on campus (refer to Policy D-08).
- 7.2.1.2 Service is limited to wine and beer only.
- 7.2.1.3 Event organizers must complete an application form to request permission for alcohol to be served at an event. The document must be submitted to the Office of EH&S at least 30 days prior to the date of the event. If University Dining Services does not object, an authorization may be generated by the EH&S Director and will be forwarded to the event organizers. The authorization must be available for inspection by the Fresno State Police Department at the event site while alcohol is being served.
- 7.2.1.4 Where alcoholic beverages have been donated for an event, there can be no charge to event participants, either direct or indirect. University Dining Services must pour the alcohol and will assess a corkage fee.
- 7.2.1.5 Non-alcoholic beverages and high-protein foods must be readily available to event participants and as prominently displayed as beverages containing alcohol.
- 7.2.1.6 Direct access to the area where alcohol is being served must be restricted to event participants.
- 7.2.1.7 For Non-Intercollegiate Events held at venues operated by the Athletic Corporation, alcohol sales must be coordinated with the University Concessionaire. The provisions of 7.2.2 must be followed.

### **7.2.2 For Intercollegiate Events:**

This policy is intended to reduce alcohol-related disturbances and help limit levels of intoxication by the end of the game or event.

- 7.2.2.1 Alcoholic beverages may be served at intercollegiate athletic events. Alcoholic beverages will be limited to wine, beer, and canned spirits with one exception. Beverages with distilled spirits (hard liquor) may be served complimentary or sold, provided the provision

and consumption of such beverages is limited to VIP suites, skyboxes, or similar premium seating areas that are distinctly separate and secure from general admission seating and not predominantly used by students or minors.

- 7.2.2.2 The following procedures must be met for the sale of alcoholic beverages during intercollegiate athletic events:
- 7.2.2.2.1 The sale of alcoholic beverages during athletic events may commence up to 90 minutes prior to event start time/kickoff, but no sooner.
  - 7.2.2.2.2 The sale of alcoholic beverages during athletic events shall conclude prior to the end of competition, at a time determined by the Fresno State Police Department, the Department of Alcoholic Beverage Control (ABC), venue management, and the licensed concessionaire.
  - 7.2.2.2.3 For football games, alcohol sales shall end at the conclusion of the third quarter, and patron access to areas designated for beer and wine sales shall cease at that time.
  - 7.2.2.2.4 For other sporting events, the designated cutoff time for alcohol sales shall be established in consultation with the above parties and shall occur prior to the conclusion of the event.
  - 7.2.2.2.5 Current and valid ID must be presented for alcohol purchase and for entry into areas designed for beer/wine sales.
  - 7.2.2.2.6 The purchase of alcoholic beverages shall be limited to two (2) alcoholic beverages per person, per transaction.
  - 7.2.2.2.7 Persons who are thought to be intoxicated will not be served.
  - 7.2.2.2.8 Attendees are not permitted to bring alcoholic beverages into the facility and are not permitted to leave the facility with alcohol.

### **7.3 Approved Exemptions**

The sale or consumption of alcoholic beverages and/or open containers of alcohol is prohibited in all areas open to the public on University grounds, unless exempted below:

- 7.3.1 Scheduled and approved University and University-sponsored events.
- 7.3.2 "Tailgating" immediately preceding or immediately following intercollegiate athletic events or other approved university functions is permitted only in Athletics controlled and supervised parking lots, fields and designated outdoor areas approved in advance by the university. Campus policy prohibits consumption of alcohol in all other fields and parking lots.
- 7.3.3 Alcohol may not be sold, either directly or indirectly (as a price of admission), unless the sale is by the University Concessionaire, Food Services or holder of an ABC daily alcohol license and approved by the Fresno State Chief of Police.
- 7.3.4 Serving from kegs is not allowed unless by the University Concessionaire, Dining Services or the holder of an ABC daily license and approved by the Fresno State Chief of Police.
- 7.3.5 Unusual methods of alcohol consumption and/or drinking contests are not allowed.
- 7.3.6 Any University or auxiliary-sponsored retail business or catered event in possession of a valid ABC license to sell alcoholic beverages.
- 7.3.7 Any other event or function approved by the President or designee.

### **7.4. Student Off-Campus Events**

- 7.4.1. The consumption of alcohol during academic field trips, off-campus student group activities, and other student-oriented off-campus events is strongly discouraged. If alcohol is consumed during such activities, it must be done so in strict accordance with all

federal, state, local laws and regulations and the terms and restrictions outlined in this policy.

- 7.4.2. As a general practice, persons under the age of 21 should not be present in places where alcohol is being consumed.
- 7.4.3. Student groups must also comply with pertinent local and national organization guidelines as appropriate.
- 7.4.4. University employees are strongly advised not to provide or purchase alcohol for students at off-campus locations. Employees choosing to provide alcohol to students do so outside the scope of their employment and assume all liability and risk.

## **7.5. Policy Violations**

### **7.5.1. Students or Recognized Student Organizations**

7.5.1.1 Students (or student organizations) in violation of this alcohol policy will be referred to the Office of Student Rights and Responsibilities and/or the Office of Student Involvement for disciplinary action.

7.5.1.2 In addition, alcohol-related violations of the Business and Professions Code or the Penal Code will be forwarded to the appropriate State or County judicial agency by the Fresno State Police Department.

7.5.1.3 **Amnesty Policy** – Student health and safety are top priorities for Fresno State. We understand the fear of getting in trouble may deter students from seeking medical attention for themselves or others. “Amnesty” refers to students who proactively exhibit responsible behavior by seeking medical attention. If an individual or group seeks medical attention due to a medical emergency, the Office of Student Rights and Responsibilities will not pursue disciplinary action against the student for the consumption or possession of alcohol or drugs but will rather use it as an opportunity for educational and non-disciplinary intervention. This amnesty policy applies to:

- 7.5.1.3.1. Students seeking medical assistance for themselves due to the use of alcohol and/or other drugs.
- 7.5.1.3.2. Students seeking medical assistance for another person due to that person’s use of alcohol and/or other drugs, and
- 7.5.1.3.3. Student organizations seeking emergency medical assistance for their members or guests due to the member(s) or guest(s) use of alcohol and/or other drugs.

### **7.5.2. Employees**

Employees of the University who violate this policy may be subject to discipline pursuant to California law and the terms of any applicable collective bargaining agreement or employment agreement.

### **7.5.3. Non-University Employees and Guests**

The Fresno State Police Department is responsible for handling suspected violations of this policy by invitees, contracted workers, volunteers, visitors, or guests on University property and at University functions.

**7.6. Alcohol Advertising and Promotions**

The advertising of alcoholic beverages, including at university-sponsored intercollegiate athletic events in University/Auxiliary-owned or operated facilities, is permissible only with the prior approval of the campus President but must comply with the minimum policy guidelines as described in Executive Order 1109. Per Executive Order 1109 (Sale, Service and Advertising of Alcoholic Beverages), CSU campus presidents have the authority to permit the sale and service of alcoholic beverages at university-sponsored intercollegiate athletic events. Any alcoholic-beverage sponsorships, advertisements and/or promotions associated with the University or its auxiliary organizations should adhere to the highest standards of social responsibility.

Alcohol advertising and promotions may be permitted with prior written approval of the President and must comply with applicable CSU policy, California ABC requirements, trademark and licensing requirements, and responsible-consumption standards. Any such advertising or promotion must not target minors and must include appropriate responsible-drinking messaging.

- 7.6.1 Alcohol advertising must not encourage quantities or frequent alcohol consumption.
- 7.6.2 Advertising shall not portray drinking as a solution to personal or academic problems, or as conducive to personal, social, athletic, or academic success.
- 7.6.3 Alcohol advertising or promotion of alcoholic beverage companies may not be displayed at a University or auxiliary organization event or facility in a location, quantity, or size that, in the sole discretion of the University or its auxiliary organization, is deemed unreasonable, undesirable, or otherwise objectionable. Additionally, activities or promotional events may not be sponsored when it appears to the University, in its sole discretion, that a substantial purpose of the activity or promotional event is to benefit an alcoholic beverage company.
- 7.6.4 Advertisements from retailers or distributors that promote drink specials, refer to reduced price events, involve prizes, a giveaway of money, free items, coupons for free items, or discounts of any sort are not allowed. In no case may advertisements include drinking contests or promotions that offer uncontrolled sampling.
- 7.6.5 Advertisements may not include oral announcements referring to an alcoholic beverage company or its products.
- 7.6.6 Alcohol beverage promotions permitted by the University may not incorporate quotes from or photos or other likenesses of CSU students, student-athletes, employees (including coaches, faculty, etc.), or campus mascots as active participants in a promotional message, unless approved by the Trademark Licensing Office and the President. Prohibited examples: a promotion stating, "Professor Doe drinks XYZ Beer." Also prohibited: a promotion in which student-athletes pass under an alcoholic beverage banner when entering the playing field. This prohibition applies to all media, including print, broadcasts, posters, point-of-sale displays, and online advertising.
- 7.6.7 In all advertisements, alcoholic beverage trademarks or logos must be clearly subordinate to the University or auxiliary organization event itself.
- 7.6.8 The name of an alcoholic beverage product may not be connected to the name, logo, or mascot of the University or its auxiliary organizations for a University-sponsored event or facility (e.g., XYZ wine gold tournament, XYZ Beer Concert Series, etc.) unless approved by the Trademark Licensing Office and the President.
- 7.6.9 University departments and organizations may not distribute clothing, posters, or other promotional items that utilize a Fresno State or Athletic Department symbol, name, image, logo, or mascot in combination with an alcoholic beverage trademark or logo,

unless there is prior written approval by the Trademark Licensing Office and the President.

- 7.6.10 The University's name, a department name, or any nickname, logo, or mascot may not be used in a false, misleading, or unapproved manner that implies endorsement by the University. Approved sponsorship, licensing, and promotional uses, including 'official partner,' 'official sponsor,' 'official craft beer,' 'official vodka,' or similar approved category designations, may be permitted with prior written approval of the Trademark Licensing Office and the President. Prohibited: "XYZ Beer is the beverage of choice for Fresno State Bulldog fans".
- 7.6.11 Alcoholic beverage promotional activities are not to be associated with campus events or programs without the prior knowledge and written consent of the President.
- 7.6.12 The naming or associating the name of any University or Auxiliary building or property, including any individual rooms, limited areas, individual items, or features within a university facility, after an alcoholic beverage or an alcoholic beverage company must follow the CSU Policy on Naming of California State University Facilities and Properties.
- 7.6.13 The naming or associating the name of any school, college, program, or other academic or non-academic units, including athletic programs, centers, institutes, lecture series, or intramural sports programs after an alcoholic beverage or an alcoholic beverage company must follow the CSU Policy on Naming of California State University Schools, Colleges, Programs, and Other Academic and Non-Academic Units.
- 7.6.14 Alcohol beverage marketers/distributors must support and promote campus alcohol awareness programs that encourage and inform students about the responsible use of or non-use of alcoholic beverages. Advertising, promotional displays or messages shall incorporate clear language to encourage only responsible, low-risk and legal use of alcoholic beverages. These educational, social-responsibility messages shall be at least as prominently displayed as any other message content, such as product slogans or listed attributes of a particular product, within every venue that serves alcoholic beverages.

**7.6.15. Authorization**

Any alcohol promotional material connected with any University-sponsored intercollegiate athletic event (e.g., media guide game programs, off-campus billboards, etc.) must receive prior written approval by the Director of Athletics and the President.

Any alcohol promotional material or activity associated with a University event or program (other than intercollegiate athletics) must receive prior written approval by the Vice President for Student Affairs and Enrollment Management, or designee.

**7.6.16. Broadcasts**

This policy does not restrict the amount or content of alcohol advertising, purchased independently through commercial radio, or TV and media companies, during broadcasts of Fresno State events, except for such signs, promotions or announcements that are directed to the attendees of University or auxiliary organization events. However, broadcasters under contract with Fresno State are strongly urged to follow the above provisions when accepting commercials that promote alcoholic beverages.

**7.6.17 Student Media/Publications**

Student media should also be encouraged to follow the above provisions for any advertising messages by alcoholic beverage companies/distributors/products.

**7.7 Programs and Services**

- 7.7.1 The University provides a variety of services to encourage and promote responsible drinking and the prevention of substance abuse. Students in need of assistance due to alcohol related problems may be referred to alcohol education activities, counseling and/or community agencies. Such activities and assistance is available through existing University entities such as the Student Health and Counseling Center, or they may be offered in conjunction with community-based programs.
- 7.10.2 Employees in need of assistance due to alcohol related problems may be referred to campus services such as the Employee Assistance Program or to appropriate community services/agencies.

**8. Related Policies, Procedures, Information, Forms**

- 8.1. CSU Executive Order 1109, Sales, Service and Advertising of Alcoholic Beverages
- 8.2. Exclusive Rights of University Dining Services, Use of University Buildings and Grounds Policy, Section 7.3

**9. Contact Information**

Office of the Vice President for Administration

**10. Key Search Words:** Alcohol, drinking, wine, beer, sponsorship, advertising

**11. History/Revision Dates:**

- July 27, 2000            Approved by President
- October 24, 2011    Approved by President, as recommended by the Academic Senate, to change to an Administrative policy
- September 21, 2017   Revision approved by President
- May 26 2026            Revision approved by President

**12. Next Evaluation Date:**        **Five (5) years** from approval date

**13. Consultation with the Academic Senate:**

Yes         No

**Purpose:**        *This policy was revised to be in compliance with CSU Executive Order 1109; updated language was added regarding Tailgating, and new text added regarding Amnesty.*

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