**Alcoholic Beverage Policy and UPPS No. 05.03.03**

**Procedure Issue No. 15**

**Effective Date: 11/21/2019**

**Next Review Date: 09/01/2024 (E5Y)**

**Sr. Reviewer: Vice President for Finance and Support Services**

**01. POLICY STATEMENTS**

01.01 This policy sets forth Texas State University’s procedures regarding the sale, purchase, service, and consumption of alcoholic beverages on university campuses and at university-sponsored events. The [Texas Alcoholic Beverage Commission Cash Sale Type Operation Guidelines as adopted by Texas State University](http://gato-docs.its.txstate.edu/jcr:d57da83f-a17f-4670-bc1d-ce21d4c3388a/AlcoholicBeverageCashSales-UPPS%2005.03.03) contains separate policy statements for the pub operation in George’s in the LBJ Student Center and all applicable Athletic Department facilities where alcoholic beverages are served.

01.02 Texas State promotes healthy, responsible living, respect for laws, campus regulations, the individual’s responsibility within the community, and the intellectual, social, emotional, ethical, and physical well-being of its community members.

01.03 This policy should be interpreted consistently with state law and [The Texas State University System (TSUS) Rules and Regulations](https://gato-docs.its.txstate.edu/jcr:3886f00c-3e13-496d-a28f-d1eee580775a/TSUS_Rules_and_Regs_thru_05-23-19.pdf).

01.04 University approvers for the sale or consumption of alcoholic beverages on our campuses are:

a. provost and vice president for Academic Affairs, or designee;

b. vice president for Finance and Support Services, or designee;

c. vice president for University Advancement, or designee;

d. vice president for Information Technology, or designee;

e. vice president for Student Success, or designee;

f. director of Athletics, or designee; and

g. vice president for University Administration, or designee.

**02. GENERAL POLICIES**

02.01 On-Campus Events – Approval for alcoholic beverages at on-campus events must at a minimum meet the following conditions:

1. the event is held in a special use facility (see Section 02.03);

b. the event is sponsored by:

1) a recognized faculty, staff, or chartered or registered student organization;

2) a department, college, or division; or

3) an off-campus agency or person as approved by the respective vice president, or designee;

c. the faculty or staff sponsor assumes responsibility for the event and is present for the duration of the entire event;

d. most of those attending are at least 21 years of age;

e. food is served, and an alternate non-alcoholic beverage is provided;

f. the sponsor assumes responsibility for the university facility, as well as the conduct of persons attending the event; and

g. the host must employ security officers (see Section 02.04), a licensed caterer (see Section 02.05), and a TABC-trained bartender.

02.02 Approval for alcoholic beverages to be served at off-campus events is subject to the rules and guidelines of the venue at which the event is held.

02.03 Special Use Facilities – Texas State will not sell, serve, or permit the sale or service of alcohol on its campuses except in special use facilities.

a. All special use facilities designated by the university president can be found in the [Special Use Facilities List](https://gato-docs.its.txstate.edu/jcr:d3431d94-366b-4e21-9075-d3fa92185ac3/SpecialUseFacilitiesUPPS%2005.03.03). The president may amend this list, as appropriate, and may designate a university facility as a special use facility on a temporary basis. Questions regarding the special use facility list should be directed to the Office of the Vice President for Finance and Support Services at 512.245.2244.

b. Persons may sell, serve, and consume alcoholic beverages in special use facilities in accordance with applicable law. The [Texas Alcoholic Beverage Commission (TABC) Guidelines for Serving Wine and Beer](https://gato-docs.its.txstate.edu/jcr:019f6141-1907-4bc1-847b-7949ea1e4594/TABCGuidelines-UPPS%2005.03.03) contains wine and beer serving guidelines as recommended by the TABC.

1) The vice president, or designee, of each division must approve in advance all sales or consumption of alcoholic beverages at events in special use facilities initiated by employees from within their respective divisions.

2) The Athletic director, or designee, must approve the sale or consumption of alcoholic beverages at NCAA-sponsored events or events held in any athletic facility.

3) Chartered or registered student organizations must have approval from the vice president for Student Success, or designee.

4) Approval of requests from individuals external to the university (i.e., weddings, associations, etc.) come from the divisional vice presidents, or designees, who have oversight or authority over the facility where the event is to take place.

02.04 Security – The University Police Department (UPD) will determine the number of uniformed officers who must be present at events where alcoholic beverages are consumed unless the approving vice president, or designee, director of UPD, or designee, and facility manager all agree that such security is unnecessary.

1. Event sponsors will pay UPD officers in accordance with fees that UPD establishes.

b. When university funds are used, UPD officers will be paid through university payroll.

02.05 [Caterers](https://www.auxiliaryservices.txstate.edu/services/dining/catererlist.html) – Because of its license, the university’s food service contractor is the only caterer permitted to serve alcohol in the LBJ Student Center (see [UPPS No. 03.01.18](UPPS%20No.%2003.01.18,%20Purchase%20of%20Alcohol), Purchase of Alcohol).

a. However, the university’s food service contractor or any other caterer may serve alcoholic beverages at events at other special use facilities if done in accordance with laws and university policy and if the caterer has:

1. a license to serve alcoholic beverages;
2. a permit to serve alcoholic beverages at the event;
3. liability insurance of at least $500,000; and
4. TABC-trained bartenders to serve the alcoholic beverages.

b. The university encourages using the same caterer to serve food and drinks. Although using different caterers for food and drinks may be legal, most caterers are reluctant to agree to serve only drinks when another caterer serves only the food because of the confusion it often causes.

02.06 Prohibited Areas – Persons may not possess or consume alcoholic beverages in classrooms or campus public areas such as campus grounds, streets, sidewalks, parking lots, the Quad, or intramural fields unless the president has designated such areas as special use facilities.

02.07 University Housing – Alcohol is prohibited in all university housing facilities, except university apartments to the extent permitted by Department of Housing and Residential Life policy.

02.08 Kegs – Texas State discourages the use of keg beer at on-campus events because keg use encourages consumption until the keg is empty. However, the divisional vice president, or designee, may approve keg beer at on-campus events if the conditions described in Section 02.01 are met.

02.09 Donated Alcoholic Beverages – A Texas State office, department, college, or division, or a recognized faculty, staff, or student organization hosting an on-campus event may dispense alcoholic beverages that have been donated to the host, provided no charge is made for the alcoholic beverages and the conditions described in Section 02.01 are met.

02.10 Funds – University personnel may not use state-appropriated funds to purchase alcoholic beverages.

a. University personnel are responsible for complying with state and federal laws, [TSUS Rules and Regulations](https://gato-docs.its.txstate.edu/jcr:3886f00c-3e13-496d-a28f-d1eee580775a/TSUS_Rules_and_Regs_thru_05-23-19.pdf), and university policies regarding purchasing, serving, and consuming alcoholic beverages. [UPPS No. 03.01.18](http://policies.txstate.edu/university-policies/03-01-18.html), Purchase of Alcohol sets the guidelines for the purchase of alcohol for allowable activities at Texas State.

b. The use of a university-issued procurement card (P-Card) to purchase alcoholic beverages is prohibited.

02.11 The divisional vice president, or designee, reserves the option to disapprove any request to serve or sell alcoholic beverages at an event if that disapproval is deemed to be in the best interest of the university community.

02.12 In consultation with the director of UPD and the facility manager, the divisional vice president, or designee, reserves the option to grant exemption to this policy (e.g., a licensed TABC bartender, food caterer, and security officer may not be required for small events involving graduate students, faculty, and special events, such as seminar speakers).

**03. PROCEDURES**

03.01 The sponsor must obtain the written approval on the [Alcoholic Beverage Activity form](https://gato-docs.its.txstate.edu/jcr:ee9a0546-343e-4827-a2f8-48dfa2601e03/AlcoholicBeverageActivityForm-UPPS%2005.03.03) from the following persons at least 10 working days before the event:

1. the director or coordinator of the facility where the event will occur;

b. the director of UPD, or designee, who will assign the appropriate number of security officers and calculate the expected costs;

c. the university food service and alcoholic beverage contractor (for information about the university food service or alcoholic beverage contractor, please refer to the [[[[[Catering Services website](http://www.auxiliaryservices.txstate.edu/services/dining)](https://www.auxiliaryservices.txstate.edu/services/dining/catering.html)](https://www.auxiliaryservices.txstate.edu/services/dining/catererlist.html)](https://www.auxiliaryservices.txstate.edu/services/dining/catering.html)](https://www.auxiliaryservices.txstate.edu/services/dining/catering.html)); and

d. the divisional vice president, or designee.

03.02 If a planned event is cancelled, the sponsor must (at least 24 hours in advance) notify the director or coordinator of the facility where the event was to occur, the director of UPD, the food service and alcoholic beverage contractor, and the divisional vice president, or designee.

03.03 For events with alcohol purchases in excess of $1,000, the divisional vice president, or designee, will submit the form to the vice president for Finance and Support Services for final approval. When the event is sponsored by the division of Finance and Support Services, then the vice president for Finance and Support Services will submit the form to the provost and vice president for Academic Affairs, or designee for final approval.

**04. AVAILABLE EDUCATIONAL PROGRAMS**

04.01 The [checklist risk of liability](https://gato-docs.its.txstate.edu/jcr:e1271fb3-9ff2-4c2a-b0d0-b744de59db7d/LiabilityRisk-UPPS%2005.03.03) contains information to help reduce liability exposure and health risks associated with the consumption of alcoholic beverages.

04.02 Throughout the year, Texas State will provide free educational programs for its university community for the purpose of preventing alcohol and drug abuse.

04.03 The following support services are available to members of the university community with questions and concerns about the use or misuse of alcoholic beverages and controlled substances:

a. Counseling Center;

b. Health Promotion Services in the Student Health Center;

c. Alcohol and Drug Compliance Services;

d. Attorney for Students;

e. Bobcat Balance;

f. Work Life; and

g. Employee Assistance Program.

**05. PROCEDURES FOR PUBLICIZING THIS POLICY**

05.01 During September of each year, the vice president for Finance and Support Services will publicize this policy by:

a. a notice in the [Student Handbook](http://www.dos.txstate.edu/handbook.html);

b. a memorandum or electronic notification to student organizations and their sponsors; and

c. a memorandum or electronic notification to all faculty and staff.

**06. REVIEWERS OF THIS UPPS**

06.01 Reviewers of this UPPS include the following:

Position Date

Vice President for Finance September 1 E5Y

and Support Services

Director, University Police September 1 E5Y

Department

Director, Auxiliary Services September 1 E5Y

Director, Athletics September 1 E5Y

Provost and Vice President for September 1 E5Y

Academic Affairs

Vice President for Information September 1 E5Y

Technology

Vice President for Student September 1 E5Y

Success

Vice President for University September 1 E5Y

Advancement

Vice President for University September 1 E5Y

Administration

**07. CERTIFICATION STATEMENT**

This UPPS has been approved by the following individuals in their official capacities and represents Texas State policy and procedure from the date of this document until superseded.

Vice President for Finance and Support Services; senior reviewer of this UPPS

President