



Idaho State University

POLICIES AND PROCEDURES

Alcoholic Beverage Permitting

ISUPP 1040

POLICY INFORMATION

Policy Section: *Governance and Legal*

Policy Title: *Alcoholic Beverage Permitting*

Responsible Executive (RE): *Vice President for Campus Operations*

Sponsoring Organization (SO): *Office of the General Counsel*

Dates: Effective Date: *November 2, 2021*

Revised: *N/A*

Annual Review: *November 2024*

I. INTRODUCTION

The possession, consumption, and sale of Alcoholic Beverages is generally prohibited on Idaho State University property except in accordance with applicable law and State Board of Education policy. In an effort to ensure that alcohol is used only in a responsible manner within the University's academic and social environment, this policy, which applies to both University and non-University groups, establishes the requirements and exceptions to this prohibition.

II. POLICY STATEMENT

The University and its employees have a responsibility to ensure Alcoholic Beverages are consumed legally and responsibly at all University events. No University or third-party event on University property may include the possession, consumption, or sale of Alcoholic Beverages unless the Event Organizer has received approval in accordance with this policy. Under no circumstance may any person bring their own Alcoholic Beverages to a University owned, leased, or controlled property unless officially permitted, authorized, and legally served in accordance with this policy. The requirements of this policy do not apply to property owned by the University but leased or provided in-kind to other parties, including the President's official residence, except for University-sponsored or affiliated events held on those properties.

Decisions to allow possession, consumption, sale, and service of Alcoholic Beverages must be consistent with the proper image and mission of the University. Additionally, the following guidelines will generally apply to requests for an Alcoholic Beverage Permit:

- A. Alcoholic Beverages must be complementary to a University social or business event and cannot be the sole purpose or focus of the event.
- B. Because Idaho imposes a minimum drinking age and a substantial portion of the undergraduate student body cannot legally consume alcoholic beverages, the University will generally not approve an Alcoholic Beverage Permit for an event primarily attended by undergraduates.
- C. If event attendees are anticipated to include individuals below the minimum drinking age, then adequate procedures must be in place to prevent consumption of Alcoholic Beverages by these individuals.
- D. Advertisements or invitations to University-sponsored events where Alcoholic Beverages are being served should emphasize the nature of the event and not Alcoholic Beverages.

III. AUTHORITY AND RESPONSIBILITIES

Upon proper application, the President, or designee, may grant an Alcoholic Beverage Permit for the possession, consumption, or sale of Alcoholic Beverages at events held on campus and at properties owned, leased, or controlled by the University. All Alcoholic Beverage Permits must be reviewed and approved by the President and General Counsel, or their designees, for compliance with this policy prior to the possession, consumption, sale, or service of any Alcoholic Beverage.

An Event Organizer must submit an Alcoholic Beverage Permit Application in accordance with procedures and timelines established by the Office of the President. When a University unit is hosting an event, the unit must designate an individual responsible for completing the Alcoholic Beverage Permit and ensuring compliance with this policy throughout the Permitted Event.

When a non-University entity is the sponsor or host of a Permitted Event, the non-University entity must complete the application and is responsible for compliance with all applicable law and University policy.

IV. DEFINITIONS

- A. **Alcoholic Beverage:** Any beverage containing alcoholic liquor as defined in Idaho Code § 23-105.

- B. **Alcoholic Beverage Permit:** A permit issued to allow the possession, consumption, sale, or service of Alcoholic Beverages on campus and at properties that the University owns, leases, or controls.
- C. **Event Organizer:** The entity responsible for the Permitted Event, which includes creating and enacting a process to ensure the event is in compliance with this policy. This includes University-affiliated and non-University affiliated entities requesting to hold Permitted Events on University property.
- D. **Legal Drinking Age:** Twenty-one (21) years of age or when a person is legally allowed to purchase or consume Alcoholic Beverages in the State of Idaho.
- E. **Permitted Event:** An event that has received an Alcohol Beverage Permit and is authorized for the possession, consumption, sale, or service of Alcoholic Beverages.

V. PROCEDURES

- A. Alcoholic Beverage Permits
 - 1. Alcoholic Beverage Permit applications and the procedures established by the Office of the President for the submission of Alcoholic Beverage Permits are available online at <https://dineoncampus.com/isu/catering-files> or in the Bengal Dining Office.
 - 2. The application must include the following:
 - a. A description of the activity being planned. An Alcoholic Beverage Permit may only be granted for a specifically designated event and location.
 - b. The time at which the sale, service, possession, and consumption of Alcoholic Beverages will be permitted must be preplanned and strictly enforced. The service and sale of Alcoholic Beverages must stop in advance of the event's closure time to sufficiently allow an orderly and temperate consumption of the balance of the Alcoholic Beverages then in possession of the event participants. This time will be no less than thirty (30) minutes prior to the end of the event. The University reserves the right to cease the serving of Alcoholic Beverages at any time. The time period for the activity should be limited to one contiguous event (such as a dinner, conference, reception, concert, or sporting competition), unless specifically stated in the permit request. The University reserves the right to limit the length of time for Alcoholic Beverage service at Permitted Events.
 - c. A description of the area or location the event will take place. The area or location must be defined with particularity and must encompass a restricted space or area

suitable for properly controlling the possession, consumption, sale, and service of Alcoholic Beverages.

- d. An acceptance by Event Organizers to comply with this policy and all applicable laws of the State of Idaho and the local jurisdiction for the sale and consumption of Alcoholic Beverages.
- e. For donated Alcoholic Beverages, the Event Organizer must also submit an application to the Director of the Idaho State Police who may grant a permit to the Event Organizer for dispensing of donated Alcoholic Beverages consisting only of wine and/or beer for benevolent, charitable, or public purpose. The Idaho State Police Director prescribes the form of the application for such permit.

B. Additional Food and Activity Requirements:

Food and non-alcoholic beverages must be planned and readily available at the Permitted Event.

C. Designation of Alcoholic Consumption Areas

1. Event Organizers must designate a confined and defined area where Alcoholic Beverages will be possessed and consumed. The defined area must be confined to the area described in the Alcohol Beverage Permit. Event Organizers must ensure the defined area is clearly marked and separated in a fashion that entry into and exit from the area is controlled to ensure that only those authorized to enter do so and that no Alcoholic Beverages leave.
2. Under no circumstance will the general public or participants in a Permitted Event be allowed to bring Alcoholic Beverages into the event or leave the defined area while in possession of an Alcoholic Beverage.

D. Event Security:

The University is authorized to require security officers and/or law enforcement officers at a Permitted Event. The cost of any security requirements may, in the university's discretion based on viewpoint-neutral criteria, be passed on to the Event Organizer.

E. Copy of Alcohol Beverage Permit:

The Alcohol Beverage Permit must be conspicuously displayed in the authorized area where Alcoholic Beverages are being sold and consumed.

F. Alcohol Provider and Training:

Alcoholic Beverages must be served by authorized institutional employees or a University-approved third-party food and beverage provider. The University may require exclusive use of a predetermined food and beverage provider. TIPS or a similar training approved by the

University is required of all individuals responsible for the sale and service of alcohol, including employees of any third-party beverage provider.

G. No Service to Individuals Intoxicated or Under Legal Drinking Age:

The Event Organizer and any Alcoholic Beverage provider contracted for the Permitted Event assume full responsibility for ensuring no individual visibly intoxicated and no individual under the Legal Drinking Age is supplied with or allowed to consume an Alcoholic Beverage at the Permitted Event.

H. Event Organizer Insurance

1. A third-party Event Organizer and any Alcoholic Beverage provider must provide proof of liability insurance coverage, including host liquor liability and liquor legal liability, in amounts and coverage required by the University's Office of Risk Management. Insurance coverage must be no less than \$1,000,000 minimum coverage per occurrence and \$2,000,000 general aggregate.
2. Such insurance must list Idaho State University, the food service contractor for the Permitted Event, the Idaho State Board of Education, and the State of Idaho as additional insureds.
3. Proof of insurance must be in the form of a formal endorsement and Certificate of Insurance to the policy evidencing the coverage and the required additional insureds.

I. Student Hosted or Sponsored Events

1. No student events (including but not limited to intramural student athletic events or any events sponsored by or operated in conjunction with student organizations) shall be Permitted Events.
2. Official NCAA sporting events may be a Permitted Event so long as the University is the Event Organizer.

J. Tailgating

1. The President may authorize University-sponsored tailgating on properties the University owns, leases, or are controlled by the University in conjunction with NCAA athletic competitions. Individuals of Legal Drinking Age may consume Alcoholic Beverages in designated locations as defined by the University. The sale of Alcoholic Beverages in designated tailgating areas is not allowed unless a University-sponsored Alcohol Beverage Permit is approved.
2. When authorized by the President, game patrons and their private guests may consume alcohol on the same day of the event, using opaque containers, in tailgating areas, and

in accordance with all applicable law and any additional requirements imposed by the University.

K. Donated Alcoholic Beverages

1. Upon proper application, the Director of the Idaho State Police may grant a permit to the Event Organizer for the dispensing of donated Alcoholic Beverages consisting only of wine and/or beer for benevolent, charitable, or public purposes.
2. Eligible Event Organizers shall include recognized University departments, affiliates, and 501(c)3 organizations.
3. Copies of all applicable Alcohol Beverage Permits shall describe dispensing of donated Alcoholic Beverages per Idaho State Police requirements and University or City requirements.
4. The food and beverage service provider may receive or store the wine and/or beer to be used at the Permitted Event, and dispense such wine and/or beer to attendees of the benevolent, charitable, or public purpose event for which the permit has been issued. Fees for service shall be assessed according to the food and beverage service provider.
5. If Alcoholic Beverages are donated to support an organization's activities through an event, the name of the Alcoholic beverage manufacturer or distributor must be not connected to the name of the event itself. The Alcoholic Beverage manufacturer or distributor may be recognized and publicly thanked as an organization supporter along with other supporters of the organization.

L. Alcohol Advertising:

Alcoholic Beverages may not be advertised on campus grounds or in any University facility. With pre-approval from the Office of the President, responsible drinking campaigns or advertising may be conducted on University property.

M. Possession or Consumption of Alcohol in University Residential Facilities:

Individuals of legal drinking age may possess or consume Alcoholic Beverages in the living quarters of residential facilities owned, leased, or operated by the University in accordance with applicable law and State Board of Education Policy. Consumption of alcohol is prohibited in the general use areas of any residential facility.

VI. RELATED LAW, RULES, AND POLICIES

- A. Idaho Code § 23-105
- B. Idaho Code § 23-1336

- C. Idaho Code § 23-1007
- D. IDAPA 08.01.08
- E. Idaho State Board of Education Policy, Section I.J.2
- F. ISUPP 5000 *Student Code of Conduct*
- G. ISUPP 3180 *Drug and Alcohol Free Workplace*