

UNIVERSITY OF KENTUCKY ADMINISTRATIVE REGULATIONS	IDENTIFICATION AR II-1.1-4	PAGE 1
	DATE EFFECTIVE 11/15/06	SUPERSEDES REGULATION DATED 10/1/88, 7/1/98

UNIVERSITY OF KENTUCKY ALCOHOL POLICY

I. Policy

The University is committed to providing a healthy and safe workplace for all members of the University community. The possession and consumption of alcoholic beverages is controlled by Kentucky law, local ordinances, and University regulations. All members of the University community are expected to obey these laws and regulations.

For issues related to employee (student employees, faculty and staff) alcohol use or abuse, the applicable University policy is Human Resources Policy and Procedure Number 14.0. The policies and procedures related to student organizations and the students' use and abuse of alcohol are found in the Code of Student Conduct or applicable contracts such as housing contracts.

II. Use of Alcohol

A. Use of alcoholic beverages on University property shall not violate any law or any University regulation.

B. Alcoholic beverages are not permitted in classrooms, laboratories, and offices. Except as permitted in accordance with Sections III and IV of this policy, alcoholic beverages are not permitted in other buildings where the public has access, and outdoor areas of the campus.

C. Alcoholic beverages are not permitted in undergraduate housing leased from and supervised by the University. This includes residence halls, fraternities, sororities, and the undergraduate sections of University apartments. The intent of this regulation is the promotion and maintenance of an environment conducive to study for its residents, the vast majority of whom are under twenty-one years of age.

D. House corporations which supervise Greek chapter houses on property leased from the University shall establish house rules consistent with Kentucky law, local ordinances and University regulations and are responsible for ensuring compliance by house residents.

Violation of the terms of the lease and University regulations may result in termination of the lease.

E. Registered student organizations shall comply with University Regulations and with state and local laws regarding the conduct of members and guests at all times. For social

occasions, student organizations shall abide by University guidelines for event planning published by the Dean of Students.

During social events, student officers shall be accountable for compliance by members and guests. Violation of this regulation may result in discipline of the organization under the Code of Student Conduct or termination of student organization status.

F. Alcoholic beverages are not permitted at University athletic events, except as provided in Section III of this regulation.

G. Alcoholic beverages are permitted in graduate student apartments and houses, married student housing, and non-student residential housing, provided such use does not violate any law or University regulation.

H. Alcoholic beverages are permitted in University facilities for private events with permission of the Provost or appropriate executive vice president, provided such use does not violate any law or University regulation.

III. Serving of Alcoholic Beverages

Alcoholic beverages are permitted to be served on University property or in selected University facilities for private events with permission of the Provost or appropriate executive vice president, provided such use does not violate any law or University regulation. Written requests shall be directed to the Provost or appropriate executive vice president, with a copy sent to the Office of Legal Counsel.

A. Generally, alcoholic beverages are not served in academic facilities. For purposes of this policy, non-academic facilities include:

1. A facility leased by the University to a corporation holding a valid alcohol license, including but not limited to the Boone Center (formerly the Faculty Club) and Spindletop Hall Club.
2. Private residences such as Maxwell Place, the private homes of farm workers and managers, and residences at College of Agriculture Cooperative Extension Service off-campus property.
3. King Alumni House
4. Suites and leased spaces/facilities at Commonwealth Stadium
5. Multipurpose Room, Nutter Fieldhouse
6. UK and LFUCG Arboretum
7. Singletary Center for the Arts
8. Main Building
9. Coldstream Research Campus
10. E.S. Goodbarn

B. Events at which alcohol beverages are served shall meet the following requirements:

1. be a private event and not open to the public,
2. be an event for which tickets have been sold or invitation or membership is required,
3. be held at a designated space in one of the facilities listed above in section III. A. or inside another specifically designated and approved space, and
4. be an event where the majority of the attendees are age twenty one and above.

C. The sponsor of the event shall take affirmative steps to ensure that persons under the age of twenty one are not served alcohol.

D. A licensed business, in good standing with the Kentucky Alcohol Beverage Control Board, shall be responsible for the alcoholic beverages at the event.

E. The sponsor of the event shall present a copy of the alcohol license to the University official that is responsible for the facility.

F. The licensed business shall be insured for the event either through a rider to an existing policy or through the purchase of event insurance coverage. Such coverage shall include naming of the University as an additional insured party and shall be in an amount determined by the Executive Vice President for Finance and Administration.

G. If the sponsor of the event is an off-campus organization or business, the sponsor shall sign a statement that the University, its Board of Trustees, and the University's agents, officers, and employees shall be held harmless for any accident, death or injury to life or property that might be found attributable to the event.

IV. Sale of Alcoholic Beverages

Generally, alcoholic beverages shall not be sold, directly or indirectly, on University property. However, with permission of the Provost or the appropriate executive vice president, alcoholic beverages may be sold under limited and exceptional circumstances on University property or in certain facilities under the following conditions:

A. A request for the sale of alcoholic beverages on University property or in a University facility shall be directed to the Provost or appropriate executive vice president, with a copy sent to the Office of Legal Counsel.

B. A request is unnecessary for a facility leased to a corporation that holds a valid liquor license.

C. The location for sale of alcoholic beverages shall generally be for a facility that is considered as a non-academic facility. Non-academic facilities are those listed in Section III.A.1-10 above.

D. The sponsor of the event shall comply with Section III.B-G above.

Note: Appendix follows on next page.

Appendix

Kentucky Statutes Applicable to the Use of Alcoholic Beverages

1. It is unlawful for a retail licensee to sell, give, purchase, or procure any alcoholic beverage for anyone under twenty-one years of age.
(See KRS 244.080)
2. It is unlawful for a person to possess or consume alcoholic beverages when under twenty-one years of age. (See KRS 244.085)
3. It is unlawful for anyone under twenty-one years of age to misrepresent his or her age for the purpose of purchasing alcoholic beverages. (See KRS 244.085)
4. It is unlawful for anyone under twenty-one years of age to use or attempt to use any false, fraudulent or altered identification card, paper, or other document to purchase any alcoholic beverage. (See KRS 244.085)
5. It is unlawful for anyone to aid or assist any person under 21 years of age in purchasing, or having delivered or served to him or her, any alcoholic beverages. (See KRS 244.085)
6. It is unlawful for anyone to drink or be under the influence of any alcoholic beverage in public place(s). (See KRS 525.100)
 - (a) "Public place" means a place to which the public or a substantial group of persons has access and includes but is not limited to highway and transportation facilities, schools, places of amusement, parks, places of business, playgrounds, and hallways and lobbies and other portions of apartment houses and hotels not constituting rooms or apartments designed for actual residence. (See KRS 525.010)
 - (b) The Attorney General has written: A state university campus is a "public place" and the school buildings located thereon are public buildings, so that the drinking of alcoholic beverages on the campus or in the buildings is a violation of law. (OAG 74-39)
 - (c) The Attorney General also has written: A dormitory room on a state university campus is not a "public place" within the definition found in KRS 525.010. (OAG 87-11)
 - (d) The Attorney General has written further: It must be remembered that this opinion does not concern or affect the landlord tenant relationship between state universities and their student dormitory residents. As landlords, state universities continue to have the authority to include as a term of the dormitory room rental agreement a prohibition as to or restrictions on the consumption of alcoholic beverages within the premises leased, even though the student resident may be 21 years or older. (OAG 87-11)