

**CHAPTER 2: Administration and General Institution
ADMINISTRATIVE PROCEDURE NO. 2.26.2 (AP 3560)**

**ADMINISTRATIVE PROCEDURE
San Mateo County Community College District**

Subject: AP 2.26.2 Alcoholic Beverages
Revision Date: 12/12; 4/15; 9/19
References: Business and Professions Code Sections 24045.4, 24045.6 and 25608; 34 Code of Federal Regulations Section 668.46(b)

1. The District has been designated “drug free” and only under certain circumstances defined in law is the consumption of alcohol permitted. See “District Events and Facility Rentals: Alcohol Use Procedures” below for details.
2. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of this policy for anyone to consume or possess alcohol in any public or private area of campus without prior District approval.
3. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the District Public Safety Department. Violators are subject to disciplinary action, criminal prosecution, fine and imprisonment.
4. Organizations or groups violating alcohol or substance policies or laws may be subject to sanctions by the District. The enforcement of alcohol laws on campus is the primary responsibility of the District Public Safety Department.

District Events and Facility Rentals: Alcohol Use Procedures

The following procedures will be followed when alcoholic beverages are permitted at District or College sponsored events or functions, regardless of whether the event is held on or off campus. These procedures also apply to special events held at the facilities of the District during the special event. A “special event” means events that are held with the permission of the Chancellor or his/her designee including festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the District and for which the principal attendees are members of the general public or invited guests and not students of the District.

1. Alcoholic beverages will not be permitted without the specific authorization of the Chancellor or his/her designee and will not be permitted without a license or permit obtained by San Mateo County Community College District Auxiliary Services from the California Department of Alcoholic Beverage Control (ABC).
2. The California Department of Alcoholic Beverage Control (ABC) oversees the licensing of alcohol service in California. In order for alcohol to be possessed, sold, consumed or furnished at an event, the District must have a license or permit obtained under the Business and Professions Code. The

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District can apply for a 1-day permit (ABC 221), which acts as a one-day liquor license. The actual cost of the permit will be billed to the person/organization holding the event. Alcohol permits/licenses must be obtained by the District on behalf of the person/organization holding the event, and may not be obtained by the person/organization holding the event on its own behalf, unless the District expressly agrees otherwise in writing.

3. In addition to the license/permit requirement above, all events where alcohol is served require insurance, which will be provided by the District. The event sponsor/facility renter will pay the cost of this insurance.
4. District funds may not be used to purchase alcohol unless the purchase is part of a specifically defined and approved academic curricular program or class.
5. Under no circumstances will individuals be allowed to possess, sell, consume or furnish their own alcoholic beverages. All alcohol must be served by on site by staff under contract with the District. Under no circumstances is alcohol "self-serve". If individuals are found to have their own alcohol, said alcohol will be confiscated and that guest will be escorted off campus at the discretion of on-duty public safety officer and/or event supervisor.
6. Alcoholic beverages will only be permitted at events, functions and/or activities that are not intended to be "student related" functions unless the function is part of a specifically defined and approved academic curricular program or class.
7. Events that are authorized to serve alcoholic beverages should be held at a time and/or location that minimizes contact or interaction with students. Access to the event is restricted to members of the sponsoring organization and their invited guests. A majority of the participants attending the event must be 21 years of age or older."
8. Servers of alcohol must be 21 years of age or older; shall be trained to serve alcohol (Licensee Education on Alcohol and Drugs Program or Responsible Beverage Service Training Program) and must have received orientation on responsible beverage service techniques. Servers are prohibited from consuming any alcoholic beverages at the event and shall be familiar with the system being used at the event for verifying that only persons 21 years of age and older are being served alcohol.
9. Alcoholic beverages will not be served without food also being served.
10. Functions at which alcoholic beverages are served require appropriate security personnel arranged by the District through the District's Public Safety Department, the cost of which will be paid by the person(s)/organization holding the event.
11. Approval of rental requests that include the serving of alcoholic beverages is conditioned upon compliance with all facets of this procedure. In addition, a separate damage deposit may be required and will be based upon the size of the event. Any damages incurred will be billed at the actual cost of repair/replacement, less the deposit amount. The District reserves the right to refuse an alcohol permit to any person(s) or organizations.
12. California law generally prohibits a retail licensee from donating alcoholic beverages. The exceptions are:

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- a. A member-supported television station, which is also a non-profit charitable corporation, holding a temporary off-sale beer and wine license OR a non-profit charitable corporation that receives and administers donations for public television holding a temporary package off-sale beer and wine license. In either case, the temporary license only entitles the temporary license to sell the donated beer and wine at auction. (Section 24045.2 Business & Professions Code)
 - b. A women's educational and charitable organization, which holds a temporary off-sale beer and wine license, "that is a part of a national organization having at least 10 chapters in California, at least one of which has been incorporated since 1928, whose purpose is to foster interest among its members in the social, economic and civic conditions of their community and to give effective volunteer service. "In addition, the temporary license only entitles the women's organization to sell the donated beer and wine at auction for charitable purposes." The law further states, "None of the funds realized from this auction shall be used for administrative expenses of the auction and all funds shall be placed in trust for a charitable purpose." (Section 24045.3 Business & Professions Code)
 - c. Certain non-profit corporations who have a special temporary on-sale or off-sale wine license. The temporary licensee may only sell the donated wine to a consumer and to any person holding a license authorizing the sale of wine. This license is good for up to 15 days. If the license is issued for a period more than two days, then it can be used "solely for retail sales in conjunction with an identifiable fundraising event sponsored or conducted by the licensee and all bottles of wine sold under this license shall bear a label prominently identifying the event." The ABC may only issue three of these special licenses to any corporation in a calendar year. (Section 24045.6 Business & Professions Code)
 - d. A member-supported television or broadcasting station who has a temporary on-sale beer and wine license. The retail licensee may also serve that beer or wine he/she donated at any event so licensed. The ABC may only issue one such temporary license (valid for 30 days) to the television or broadcasting station per calendar year. (Section 24045.9 Business & Professions Code)
13. If wine or beer is donated for an event, the District reserves the right to charge to the person/organization holding the event a fee for each item, i.e. each can/bottle/etc., of alcohol served, and may require additional fees for service.
 14. Federal law, state law and local ordinances shall be strictly enforced at all times on all property owned, leased or controlled by the District with regard to the possession, sale, consumption or furnishing of alcoholic beverages.
 15. All parties serving alcoholic beverages must comply with District policy, local ordinances, the rules and regulations of the California Department of Alcoholic Beverage Control, laws of the State of California and federal law, including but not limited to the Drug-Free Schools and Communities Act and the Drug-Free Workplace Act.
 16. In addition to the procedures outlined herein, all items and restrictions noted in any proposals and contracts apply.
 17. Additional requirements may be imposed at the discretion of the Chancellor or his/her designee.