



Kentucky State University Alcohol Policy

Effective September 7, 2017

This policy establishes Kentucky State University's ("KSU" or "University") policies and procedures for serving, selling, and using alcoholic beverages on property owned, leased, or controlled by the University and at University events.

Definitions

Alcoholic Beverages: Alcoholic beverages shall have the same meaning and definition as provided by the laws of the Commonwealth of Kentucky in the Kentucky Revised Statutes.

Caterer: KSU Catering or a vendor on KSU Purchasing Division's approved caterer list and holding an appropriate liquor license.

Employee: Any person defined as an employee in KSU Human Resources Policy including student employees, and shall mean employees acting within the course and scope of employment. Employee shall not mean a volunteer or independent contractor.

Registered Student Organization: A student group registered and in good standing with the Office of Student Engagement and Campus Life in accordance with student organization registration policies.

Student: An individual enrolled in any credit- or noncredit-bearing course or participating in any academic program administered by the University.

University Events: Functions, programs, and other activities that:

1. Occur on University property;
2. Are sponsored by the University;
3. Are promoted, advertised or recognized as a University activity;
4. Are paid for through use of any University funds; or
5. Are sponsored by a registered student organization and held on University property.

University Property: Any real property, buildings, and facilities under the primary control of the University through ownership, lease, or other means.

Visitor: Any person on University property who is neither an employee nor a student.

General Rules

The possession and/or consumption of alcoholic beverages on KSU property is subject to Kentucky law, local ordinances, and University policies developed in keeping with this policy. All members of the KSU community, including visitors, are expected to obey these laws and policies. KSU desires to provide an environment for underage students where alcohol is not made available, and alcohol education and counseling programs are promoted.

The University prohibits serving, selling, or using alcoholic beverages on KSU property and at KSU events and activities, except as specifically authorized by this policy. All KSU events where alcoholic beverages are served, sold, or used shall be approved in accordance with this policy.

The oversight, implementation, and enforcement of this policy is delegated to the Senior Vice President for Finance and Administration (SVPFA). The SVPFA may delegate those responsibilities to other University officers or officials as appropriate and as provided in this policy. The SVPFA has delegated approval of events involving students to the Vice President for Student Engagement and Campus Life.

Except as provided by this policy, alcoholic beverages are prohibited in:

1. Classrooms, laboratories, offices, and office suites;
2. Housing leased from or supervised by the University; and
3. KSU athletic facilities during student events.

Serving and Sales of Alcoholic Beverages

The SVPFA may authorize the serving or sale of alcoholic beverages on University property or at University events, provided that such use does not violate any law or University regulation and meets all of the requirements of this regulation. Written requests shall be directed to the SVPFA.

In addition, reservation of any facility is subject to approval of the University official responsible for the facility, and reservations are subject to University regulations on facilities.

Approved events at which alcohol beverages are served or sold 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 or areas listed below or inside another specifically designated and approved space; and/or
4. Be an event where the majority of the attendees are age twenty-one (21) and above.

KSU's designated caterer or a caterer officially approved by the KSU Purchasing Department, and licensed and in good standing with the Kentucky Alcohol Beverage Control Board, shall be responsible for the serving and sale of the alcoholic beverages on University property or at University events. The caterer 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 Office of Finance and Administration.

The sponsor of the event and the licensed, insured caterer shall take affirmative and appropriate steps to ensure that persons under the age of twenty-one (21) are not served alcohol.

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 Regents, 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.

Serving, selling, or using alcoholic beverages at any official University event that is held at a personal residence or other off-campus private facility, shall comply with all aspects of this policy. This includes using KSU's designated caterer or a caterer officially approved by the KSU Purchasing Department to serve or sell the alcohol. Direct payment or reimbursement to individuals will not be made for purchases or sales of alcohol in violation of this regulation.

The SVPFA may require security measures or security personnel for an event. Security personnel used shall have the approval of the University Police Department.

Alcoholic Beverages Permitted at Designated Facilities and Events

Generally, alcoholic beverages are not served or sold on KSU property or at KSU events. However, upon approval of the SVPFA, and in accordance with all the requirements of this policy, alcoholic beverages may be served or sold at the following University facilities and University and private events:

1. Facilities leased from the University to a corporation holding a valid alcohol license, including but not limited to the Exum Center, Bradford Hall, and Bell Gymnasium;
2. Property, buildings, or facilities leased by the University from a private company on a long-term lease, such as properties, in accordance with the terms of the lease agreement;
3. University events held at private residences such as Hillcrest Manor and homes owned by the University and furnished or leased to individuals;
4. The College of Agriculture Cooperative Extension off-campus property;
5. KSU Alumni House;
6. KSU athletic facilities during non-student events;

7. Areas surrounding Alumni Stadium for home football games;
8. Julian M. Carroll Academic Services Building;
9. Bradford Hall; and
10. Carl M. Hill Student Center

Kentucky Law Applicable to of Alcoholic Beverages

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).

It is unlawful for a person to possess or consume alcoholic beverages when under twenty-one years of age (See KRS 244.085).

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).

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).

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).

It is unlawful for anyone to drink or be under the influence of any alcoholic beverage in public place(s) (See KRS 525.100).

1. "Public place" is a place where 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).
2. 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 (See OAG 74-39).
3. 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 (See OAG 87-11).
4. The Attorney General has further written: 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).