

UNIVERSITY OF WEST FLORIDA

**NOTICE OF PROPOSED AMENDMENT TO REGULATION
UWF/REG 5.017**

REGULATION TITLE: UWF/REG 5.017 Alcoholic Beverages on Campus

PURPOSE AND EFFECT: The purpose and effect of this regulation is to enable the University of West Florida to provide an environment that enhances and supports intellectual and individual development. The University community - including faculty, administrators, staff and students - has the collective goal to see that this environment is conducive to healthy intellectual growth. The use of alcoholic beverages on campus may pose a threat to the educational environment and the University's mission. Thus, it is necessary to promulgate this regulation to assist members of the University community in the maintenance of a safer environment.

SUMMARY: The proposed regulation outlines the possession, use, and distribution of alcoholic beverages on campus property.

AUTHORITY: Florida Board of Governors Resolution dated January 7, 2003; Florida Board of Governors Regulation Development Procedure.

NAME OF UNIVERSITY OFFICIAL INITIATING PROPOSED REGULATION AMENDMENT: Dr. Deborah Ford, Vice President of Student Affairs.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS: James Felder, Assistant General Counsel, jfelder@uwf.edu, Phone (850) 474-3420; FAX (850) 857-6058; Bld. 10/Rm 128; 11000 University Parkway; Pensacola, FL 32514-5750. Any comments regarding the proposed regulation amendment must be sent in writing to the contact person on or before February 17, 2009 to receive full consideration.

THE DATE THIS NOTICE WAS POSTED ON THE UWF BOARD OF TRUSTEES WEBSITE:
February 3, 2009

THE FULL TEXT OF THE PROPOSED AMENDMENT TO THIS REGULATION IS SET FORTH BELOW:

University of West Florida Regulations

UWF/REG-5.017 Alcoholic Beverages on Campus Property

- 1) Any individual serving, possessing, using, consuming, distributing or selling alcohol on any UWF campus must abide by all applicable federal, state, local laws and regulations and University regulations and policies including this regulation. The University of West Florida prohibits the unlawful sale, possession, use, consumption, distribution or service of alcohol on all of its campuses. For provisions regarding the sale of alcoholic beverages, see paragraph (6) of this regulation.
- 2) Alcoholic beverages may only be served or consumed:
 - a. At a properly scheduled event or public gathering for which authorization to serve alcohol was obtained, in accordance with paragraph (4); or
 - b. At a departmental event for which authorization to serve alcoholic beverages was obtained, in accordance with paragraph (5); or
 - c. By a student resident over age 21 in his or her residence hall room or campus apartment and his or her guests who are over age 21, in accordance with paragraph (1) and all Residence Life policies. Such service or consumption is limited to beer and wine.
- 3) Alcoholic beverages may only be served at one of the following locations:
 - a. On the Pensacola main campus:
 - (i) The University Commons- service must be through a licensed vendor. Alcohol may not be served, consumed, or distributed in any individual offices within the Commons building;
 - (ii) The Alumni Room in Building 12 on the UWF main campus;
 - (iii) Crosby Hall conference rooms;
 - (iv) The Center for Fine and Performing Arts (lobbies and gallery areas, not backstage or in instructional or office areas);
 - (v) Argonaut Athletic Club;
 - (vi) The Oak Grove Picnic Area;
 - (vii) Other appropriate locations with the specific authorization of the President or applicable Vice President.
 - b. At the other UWF campuses or the Santa Rosa Island property in a manner that is consistent with this regulation, unless there is a more specific UWF regulation or policy for that location.

- 4) Alcoholic Beverages may be served without charge to individuals over age 21 at public gatherings or events as long as such service is in compliance with paragraph (3) and the following provisions, as applicable:
 - a. The public gathering or event has been authorized by the appropriate Vice President or designee and is held in accordance with all applicable laws, regulations and policies.
 - b. The alcohol beverages served in accordance with this section must be consumed at the gathering or event.
 - c. No individual may consume alcohol or possess open containers of alcohol at any outdoor locations of the University including grounds, parking lots, roads or sidewalks (“University grounds”), except at outside public gatherings for which alcohol service and consumption has been authorized.
 - d. Non-University entities hosting events or public gatherings in University facilities may serve beer, wine or liquor as long as the alcoholic beverages are served by a licensed vendor and the event is authorized by University Commons Student Activities Conference Services.
 - e. Student Organizations (including fraternities and sororities), may host events or public gatherings on campus at which beer and wine are served, as long as all applicable event registration guidelines and approval procedures of the University Commons Student Activities Department and the Office of Greek Affairs are followed. Student Organizations may not serve liquor.
 - f. University departments hosting public events or gatherings in University facilities may serve beer, wine or liquor as long as the alcoholic beverages are served by a licensed vendor and the service of alcoholic beverages and the event are approved by the appropriate Vice President.

- 5) University departments hosting gatherings or events in University facilities may serve beer, wine or liquor without a licensed vendor if:
 - a. The alcoholic beverages are not offered for sale or “sold,” as defined in paragraph (6);
 - b. The approval of the appropriate Vice President has been obtained;
 - c. The department has a plan in place to take precautionary measures to ensure that alcoholic beverages are not served to persons under the legal drinking age, to persons who appear intoxicated, or to persons known to be addicted to alcohol;
 - d. Sufficient quantities of food and soft drinks are made available; and
 - e. The event is not centered around drinking alcohol, and drinking games are not advertised.

- 6) Sale of Alcoholic beverages.
 - a. Alcoholic beverages may be sold by a licensed vendor in the Argo Galley and in Pelicans Park on the Pensacola main campus.
 - b. Alcoholic beverages may be sold at University events if the sale of alcohol at the event is authorized by the appropriate Vice President, and either:
 - (i) The alcohol is sold through a licensed vendor, or
 - (ii) The University obtains a license to sell alcohol for the event.
 - c. For purposes of this policy, alcoholic beverages will be considered for “sale” or “sold” at any event at which alcoholic beverages are served and for which an admission fee is charged, cups are sold, tickets are sold, donations are collected, or cash or anything else of value is exchanged for alcoholic beverages.
- 7) Specific exceptions to any provision of this policy may be made by the University President or by a divisional Vice President, as appropriate.
- 8) University policies governing the use of alcohol in marketing activities and the alcohol policy for student sponsored events are located on the President’s website.

Specific Authority: Board of Governors Resolution 1/7/03; New_____.