

ALCOHOL POLICY

3R.01 Alcohol Policy (Approved by President 12/05/01; approved by President 12/4/03; approved by President 8/7/07; approved by President 8/29/13; approved by President 8/18/21; approved by President 8/2/22.)

1. Upon approval of the President, Emporia State University permits the service or consumption of alcoholic liquor on campus subject to the following guidelines. For purposes of this policy, alcoholic liquor includes all beverage alcohol, unless otherwise specified herein. The form to request permission to serve/consume alcohol is available in the ESU Memorial Union Conference and Scheduling Office and must be completed in order to initiate the request for approval process. A 30-day lead time is required.
2. The sale of alcoholic beverages is prohibited, except in the Memorial Union as described in Paragraph 10 (below) and at ESU home athletic events as described in Policy 3R.0103 Sale of Alcohol at ESU Home Athletic Events.
3. For organizations or individuals desiring to serve alcohol, (1) events must be by invitation only; (2) those served must be at least 21 years of age; and (3) alcohol must be included in the price of the ticket for the event. The ESU Third Party Food Service Vendor is responsible for obtaining the permits and/or licenses necessary for that event from appropriate governmental agencies. Service or consumption of alcohol is intended to be limited to specific events, i.e., luncheons, dinners, or receptions which honor individuals and which occur in connection with official University programs, by special permission of the President, or pursuant to 3R.0101 Home Game Athletic Fundraising Events, 3R.0102 Sale of Alcohol in the Memorial Union, or 3R.0103 Sale of Alcohol at ESU Home Athletic Events.
4. Promotional materials and/or invitations must state the actual times the bar will be open. The bar will close at least 30 minutes prior to the scheduled conclusion of the event.
5. The ESU Third Party Food Service Vendor of any event involving alcoholic beverages shall implement precautionary measures such as checking ID or refusing to serve to reasonably assure that alcoholic beverages is not accessible or served to persons under the legal drinking age or persons who appear intoxicated.
6. ESU follows all Kansas, federal, and local laws regarding the service and consumption of alcohol. The ESU Third Party Food Service Vendor as well as the individual consumers are to adhere to the law. The ESU Third Party Food Service Vendor, and not ESU, will be responsible for determining and fulfilling all federal, state, and local requirements for their event.
7. The ESU Third Party Food Service Vendor are responsible for the purchase of beverage alcohol to be served.
8. Non-alcoholic beverages and food shall be available in the same place as the beverage alcohol and featured as prominently as the alcohol.
9. Consumption of alcohol is permitted only in the following non-classroom areas and outside grounds immediately adjacent thereto.
 - A. Plumb Hall (1st and 2nd floor lobbies and Presidential Office Suite only)
 - B. Visser Hall Atrium and Patio.
 - C. King Hall (Bruder Theatre lobby and Gilson Room only)
 - D. Beach Hall Rotunda and Shepherd Music Center Rotunda
 - E. Cremer Hall Lobby (Koch Lounge and Roe R. Cross Room)

- F. Sauder Alumni Center
- G. Hutchinson Family Pavilion
- I. Memorial Union
- J. The Breidenthal University House
- K. Prophet Aquatic Outreach and Research Center
- L. Kossover Tennis Center

10. Related Policies for the Memorial Union

- A. The ESU Third Party Food Service Vendor holds the applicable liquor license for the service and/or sale of beer, wine and spirits and must provide the bartending service.
- B. All non-University events at which alcohol is served:
 - 1. Will be assessed a \$100 charge.
 - 2. Will be required to pay for security staff for the duration of the event with the number of security personnel to be determined by the Chief of ESU Police.
 - 3. Will pay a refundable deposit of \$250.00 to cover the costs of any damages or clean-up beyond that of normal use.
- C. The Memorial Union Corporation reserves the right to intervene, control, prohibit, or stop any event or activity it deems unlawful or hazardous to the health, safety, or security of its students, patrons, or clients, or may cause damage to the building or premises.
- D. Organizations may not use the Memorial Union building for the promotion of alcoholic beverages.

11. Consumption of alcohol is permitted in conformity with 3R.0101 Home Game Athletic Fundraising Events policy, in non-classroom areas on grounds properly approved and designated by the President.

12. Related Policies for Breidenthal University House, Sauder Alumni Center, and Hutchinson Family Pavilion.

- A. For organizations or individuals desiring to serve alcohol in the Breidenthal University House or the Sauder Alumni Center, (1) events must be by invitation only; (2) those served must be at least 21 years of age; and (3) if alcohol is included in any manner in the price of the ticket for a reception, or dinner. The ESU Third Party Food Service Vendor must be utilized for service.
- B. Alcohol may be consumed during events in the Hutchinson Family Pavilion Skybox in conformity with University rules and all applicable laws. Alcoholic beverages possession and consumption is restricted to the Skybox area and such beverages are not permitted to be consumed or possessed in other areas of the Hutchinson Family Pavilion.

13. The President may authorize the sale or service of alcoholic beverages at an event on campus if all event sponsors: (a) are a recognized university organization, school or college, or the ESU Foundation, Inc., or the Alumni Association of Emporia State University; (b) comply with all applicable federal, state, and local laws; (c) all sales and service must be provided by the ESU Third Party Food Service Vendor; and, (d) the specific plan prepared by the sponsors for conducting the event at which alcoholic beverages will be sold is approved in writing by the President. This does not include the sale of alcohol at the Memorial Union or at ESU home athletic events.

This policy shall be reviewed annually by the alcohol advisory committee.

3R.0101 Home Game Athletic Fundraising Events (approved by the President 8/7/07; revised 8/9/2017; 8/2/22)

Alcohol will not be consumed or possessed near the athletic home game premises except as set forth in this section. See the following section for the sale of alcohol at ESU Home Athletic Events.

1. Certain fundraising events benefitting Emporia State University programs may be conducted in conjunction with home football games and concurrent with traditional tailgating activities in non-classroom outdoor areas designated and approved by the President. No authority is granted under this section for individual organizations to serve beer as part of tailgate fundraisers.
2. Beer in original non-glass containers, not to exceed 16 oz. may be possessed and consumed during such activities, only within designated areas. Drinking games of any sort are prohibited. Consumption must cease no later than the beginning of the game and all beer must be removed from campus within 1 hour after the end of the home game.
3. Sale of beer is prohibited, except as described in the following section. Non-alcoholic beverages and food must be available anywhere that beer is consumed.
4. Participants consuming or possessing beer at such events must be of the legal drinking age (21 years of age) and must have valid identification in their possession. Individuals are responsible for their conduct and that of their guests.
5. Participants must comply with all applicable laws governing the consumption of alcoholic beverages. The legal drinking age will be enforced. Failure to abide by applicable laws or this policy will result in the loss of the privileges provided by this policy, and potential citations for violations of all applicable laws.
6. Areas designated for fundraiser tailgate activities shall be marked prior to the event. Alcoholic beverages will not be possessed or consumed outside of the designated areas, within Welch Stadium, or Zola Witten Track. This policy does not abrogate Alcohol Policy sections applicable to the Hutchinson Family Pavilion, nor the sale of alcohol as described in the next section.

This policy section shall be reviewed annually by the alcohol advisory committee.

3R.0102 Sale of Alcohol in the Memorial Union (approved by the President 8/2/22)

The sale of alcohol is permitted in the Memorial Union pursuant to the policies of the Memorial Union.

3R.0103 Sale of Alcohol at ESU Home Athletic Events (approved by the President 8/2/22)

As described in this policy, the sale of alcohol is permitted at ESU home athletic events.

1. The sale of alcohol is permitted only at home football games in Welch Stadium and at home baseball and softball games in Trusler Sports Complex.

2. The sale of alcohol is limited to beer, wine, and similar alcoholic beverages. The sale of spirits is prohibited.
3. All alcohol laws apply to the sale of alcohol and will be enforced. Alcohol will be sold in Welch Stadium and in Trusler Sports Complex (stadiums) at their concession locations by an ESU approved third-party food service vendor that is a licensed seller of alcoholic beverages. This third-party food service vendor will obtain its own license to sell alcoholic beverages pursuant to this policy and will comply with all laws that govern the sale of alcoholic beverages. ESU and this third-party food service vendor will have a written agreement describing how alcohol sales will be handled, payment of all costs, expenses, fees, and taxes, and division of revenues from alcohol sales, among other relevant terms and conditions of the agreement.
4. The following conditions apply to the sale of alcohol at ESU home athletic events:
 - a) Alcohol must be purchased only from the authorized ESU Third Party Food Service vendor in the stadiums.
 - b) Alcohol cannot be brought into the stadiums and cannot be carried out of the stadiums. The sale and consumption of alcohol is permitted only within the stadiums. Persons consuming alcohol may do so in their seats or in common areas within the stadiums.
 - c) Alcohol will be sold only to individuals who are at least 21 years old and cannot be shared with anyone who is under 21 years old.
 - d) Alcohol sales will begin when concession sales begin at each game. Alcohol sales at football games will end at the end of the third quarter. Alcohol sales at baseball and soft ball games will end at the end of the 6th inning.
 - e) Individuals desiring to purchase and drink alcohol must wear a wristband, to be provided in the stadium, before they can purchase alcohol and at all times while they are consuming alcohol.
 - f) Any advertising involving alcoholic beverages will be handled by the Athletic Department pursuant to existing advertising procedures.
 - g) An individual can be refused the sale of alcohol for cause, to include but not necessarily limited to: cannot verify their age as at least 21 years old, does not have a wristband, appears to be intoxicated, or acting inappropriately. The decision by the third-party Food Service Vendor handling alcohol sales to refuse the sale of alcohol to any individual will be enforced, as necessary, by security officers and/or Campus Police and Safety.
 - h) Individuals acting inappropriately may be removed from the stadium by security and/or Campus Police and Safety. Other and/or additional action may be taken based on the circumstances of an individual situation.