

BARUCH COLLEGE of the CITY UNIVERSITY OF NEW YORK

CAMPUS POLICY ON ALCOHOLIC BEVERAGES

ISSUING AUTHORITY: Office of the President

RESPONSIBLE OFFICERS: Offices of the Vice President of Administration and Finance and Executive Legal Counsel to the President

DATE ISSUED: February 2, 2012

- I. **PURPOSE OF POLICY:** The purpose of this policy is to ensure the safe and responsible consumption of alcoholic beverages and to manage the service of alcoholic beverages on the Baruch Campus.
- II. **TO WHOM THIS POLICY APPLIES:** This policy applies to all members of the Baruch community including administrators, staff, faculty, students, alumni, vendors, licensees, and visitors to the Baruch campus.

III. **POLICY DEFINITIONS:**

Baruch College – A senior college within the City University of New York public university system.

City University of New York (CUNY) - The nation's leading urban public university system.

Baruch Campus – Includes all academic and administrative buildings and facilities and residence halls whether owned and/or managed by CUNY, or operated by a private management company on behalf of CUNY.

Alcoholic Beverages - A beverage that contains ethanol, or “alcohol.” Such beverages include beer, wine, liquor (i.e., vodka, gin, rum, etc.) and hard cider.

Caterer’s Permit (or Special Event Permit) – This permit authorizes an on-premises licensee (other license categories do not apply) to furnish alcoholic beverages allowed by their license at functions or events located off the licensed premises (i.e. retirement dinner, receptions, private party) to which the general public is not admitted.

Event or Function – An organized social, educational, or fundraising occasion.

Event Organizer/Sponsor - For the purposes of this policy, an Event Organizer or Sponsor is any individual, department, or college organization that plans and organizes and/or funds an event or function to take place on the Baruch Campus or off-campus as a Baruch-sponsored event or function.

The New York State Liquor Authority (SLA) - The New York State governmental entity responsible for enforcing the laws of the State of New York in regards to alcohol. The Authority's website is located at <http://www.sla.ny.gov/>.

IV. CAMPUS POLICY ON CONSUMPTION, SERVICE, and POSSESSION of ALCOHOL

New York State Law prohibits the sale, giving and serving of alcoholic beverages to those persons under the age of 21 and prohibits the possession and consumption of alcoholic beverages by persons under the age of 21. Furthermore, New York State Law prohibits the consumption of an alcoholic beverage or possession of an open container of an alcoholic beverage in public and prohibits the sale, giving, and serving of alcoholic beverages to anyone over the age of 21 without the proper liquor license or permit. Therefore:

1. The sale, giving and serving of alcoholic beverages to those persons under the age of 21 on the Baruch campus, residence, and at any Baruch-sponsored off campus event is prohibited;
2. The consumption of alcoholic beverages on the Baruch campus, residence, and at any Baruch-sponsored off campus event is prohibited by anyone under the age of 21;
3. The consumption or possession of an open container of an alcoholic beverage is prohibited in all public areas on the Baruch campus and at any Baruch-sponsored off campus event; and
4. The sale, giving, and serving of alcoholic beverages to anyone over the age of 21 on the Baruch campus and at any Baruch-sponsored off campus event without the proper New York State site license or permit from the State Liquor Authority is prohibited.

V. CAMPUS POLICY ON LIQUOR LICENSES AND PERMITS

A. Caterer's Permit

Baruch College does not have a site license and does not apply for permits allowing for the purchase and service of alcoholic beverages. Therefore, any Event Organizer/Sponsor that plans to serve alcoholic beverages at an event or function either on the Baruch campus or off-campus at a Baruch-sponsored event *must hire a caterer who will apply for and obtain the proper caterer's permit from the New York State Liquor Authority to serve alcoholic beverages at the event or function.* Under New York State Law, the holder of the Caterer's permit may only serve alcoholic beverages that it has provided. Therefore, the Caterer *cannot* serve any alcoholic beverages purchased by someone other than the Caterer.

The Vice President for Administration and Finance and the Assistant Vice President for Facilities are the authorized signatories in the space provided for "Landlord" on State

Liquor Authority (SLA). The caterer must fill out the application completely before forwarding it to the authorized signatories.

Caterers must apply for a “Caterer’s Permit” not a “Temporary Beer and Wine Permit.”

B. Event Organizer/Sponsor’s Obligations

The Event Organizer/Sponsor is fully responsible for insuring that the service and consumption of alcohol complies with this policy and all applicable CUNY/College rules and guidelines, including obtaining proper permission to hold the function or event, where required.¹ In furtherance of this obligation, the Event Organizer/Sponsor is required to:

- (1) obtain a copy of the caterer’s permit from the Caterer at least two days before the event and check the permit for accuracy;
- (2) ensure that the Caterer provides proof of insurance coverage;
- (3) ensure that the Caterer is following standard identification procedures at all campus functions and at off-campus establishments where alcoholic beverages are available;²
- (4) confirm with the Caterer that all bartenders and ID checkers provided by the Caterer at events and locations where alcohol is served have been trained in the acceptable standards of practice³ for serving alcohol at concessions;⁴ and
- (5) ensure that the permit is displayed at the event.

VI. RELATED POLICIES

Please review these related policies on the service and consumption of alcohol:

¹ Student organization must comply with the approval procedures set forth in the Student Life website at http://www.baruch.cuny.edu/studentaffairs/pdf/The_Informer_Handbook_2011-12.pdf

² Acceptable forms of identification include: U.S. or international passport; valid driver’s license; NYS non-driver’s ID; selective service registration card; and resident alien identification card. An individual must be proofed each time s/he requests an alcoholic beverage or enters the alcohol service area. College staff may spot check the legal age of any persons in the area of consumption. The use of false ID is prohibited. All false IDs will be confiscated and a disciplinary referral will be made.

³ New York State offers a program called Training for Intervention Procedures by Servers of Alcohol or “TIPS,” however any comparable course is acceptable.

⁴ Bartenders, managers, supervisors and ID checkers at events and locations where alcohol is served may refuse entry or service to substance-impaired individuals.

Baruch College Student Alcohol Policies and Procedures -

http://www.baruch.cuny.edu/studentaffairs/pdf/Baruch_Handbook2010.pdf

CUNY Policy of Drugs and Alcohol -

<http://www.cuny.edu/about/administration/offices/ohrm/cohr/drug-alcohol2011.pdf>

VII. SANCTIONS

Any violations of this policy may result in disciplinary action.

VIII. DISCLAIMER

This Policy does not form an agreement of any kind. It is for internal purposes only and may be altered, modified, or rescinded at the discretion of Baruch College and/or the City University of New York.