

ADMINISTRATIVE PROCEDURE 3560 ALCOHOLIC BEVERAGES

- A. The possession, sale or the furnishing of alcohol on campus is governed by California state law and these procedures. The possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control. However, the enforcement of alcohol laws on-campus is the primary responsibility of the District's campus police or responsible security officers. The campus has been designated "Drug free" and only under certain circumstances is the consumption of alcohol permitted. 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's campus police or responsible security officers. Violators are subject to disciplinary action, criminal prosecution, fine and imprisonment. 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. Organizations or groups violating alcohol or substance policies or laws may be subject to sanctions by the District.
- B. Alcoholic beverages on campus are permitted if:
- (1) The alcoholic beverage is for use in connection with a course of instruction, sponsored dinner, or meal demonstration given as part of a culinary arts program at a community college campus, and the instructor or individual has been authorized to acquire, possess, use, sell, or consume it by the College President.
 - (2) A student of at least 18 years of age tastes, but does not swallow or consume, an alcoholic beverage for educational purposes as part of the instruction in a hotel management, culinary arts, or enology or brewing degree program, and the alcoholic beverage remains in the control of the instructor.
 - (3) The alcoholic beverage is for use during a non-college event at a performing arts facility built on District property and leased to a nonprofit public benefit corporation.
 - (4) The alcoholic beverage is produced by a bonded winery owned or operated as part of an instructional program in viticulture and enology.
 - (5) The alcoholic beverage is for use during an event sponsored by the District or the Peralta Colleges Foundation in connection with the District's instructional program in viticulture or the District's instructional program in enology.
 - (6) The alcoholic beverage is possessed, consumed, or sold, pursuant to a license or permit obtained for special events held at the facilities of a public community college during the special event. "Special event" means events that are held with the permission of the governing board of the community college district as delegated for approval by the College President (if the special event is held at the college) or by the Chancellor (if the special event is held at the district office) that are festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the public community college and for which the principal attendees are members of the general public or invited guests and not students of the public community college.
 - (7) The alcoholic beverage is acquired, possessed, or used during an event sponsored by the District or the Peralta Colleges Foundation at a community college-owned facility in which any grade from kindergarten to grade 12, inclusive, is taught, if the event is held at a time when students in any grades from kindergarten to grade 12, inclusive, are not present at the facility.
- C. The alcoholic beverage is for use during a fundraiser held to benefit a nonprofit organization that has obtained a license under the Business and Professions Code to do so provided that no alcoholic beverage can be acquired, possessed or used at a football game or other athletic contest sponsored by the District.
- D. The alcoholic beverage is acquired, or consumed pursuant to a license or permit obtained for special events held at facilities of a community college district at a time when students are not on

the grounds. "Facilities" includes, but are not limited to- office complexes, conference centers, or retreat facilities.

Reference:

Business and Professions Code Sections 24045.4, 24045.6, 25608 and 25658;
34 Code of Federal Regulations Section 668.46(b)

Approved by the Chancellor: October 25, 2014

Revised and approved by the Chancellor: June 15, 2015

Revised and approved by the Chancellor: February 11, 2016

Revised and approved by the Chancellor: January 5, 2021