UNIVERSITY OF KENTUCKY®
Regulations

Administrative Regulation 6:4

Responsible Office: Exectutive Vice President for Finance and Administration / Student Affairs

Date Effective: 6/19/2015

Supersedes Version: 8/14/2012

University Alcohol Policy

Major Topics

Entities Affected

Policy

Definitions

General Rules

Prohibited Uses of Alcohol

Serving and Sale of Alcoholic Beverages

University Facilities and Events where Alcohol is Permitted

- University Facilities and Events where Alcoholic Beverages May be Served, Sold, or Used
- University Facilities and Events where Alcoholic Beverages are Permitted for Private Use

Guidelines for Event Planning - Students

Appendix - Applicable State Laws

I. Introduction

This regulation establishes the University's policies and procedures for serving, selling, and using alcoholic beverages on property owned, leased, or controlled by the University, and at University events.

The University is committed to providing a healthy and safe workplace for all members of the University community. The possession and consumption of alcoholic beverages is controlled by Kentucky law, local ordinances, and University regulations. All members of the University community shall abide by these laws and regulations.

The oversight, implementation, and enforcement of this Administrative Regulation is delegated to the Executive Vice President for Finance and Administration (EVPFA). The EVPFA may in turn delegate those responsibilities to other University offices or officials as appropriate and as provided in this regulation. The EVPFA has delegated approval of events involving students to the Vice President for Student Affairs.

The policies and procedures for issues related to employee (student employees, faculty and staff) substance abuse are found in *Human Resources Policy and Procedure Number 14.0*. The policies and procedures related to student organizations and student substance abuse, including alcohol abuse, are found in the *Code of Student Conduct* and applicable contracts such as housing contracts.

II. Entities Affected

This Administrative Regulation applies to all members of the University community, including faculty, staff, students, and visitors.

III. Policy

The University prohibits serving, selling, or using alcoholic beverages on University property and at University events and activities, except as specifically authorized by this regulation.

IV. Definitions

A. 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.

B. Caterer

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

C. Employee

Employee means any person defined as an employee in Human Resources Policy Number 4.0, including student employees, and shall mean employees acting within the course and scope of employment. Employee shall not mean a volunteer or independent contractor.

D. Registered Student Organization

Registered student organization means a student group registered and in good standing with the Office of Student Affairs in accordance with *Administrative Regulation 4:1, Registration of Student Organizations.*

E. Student

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

F. University Events

University events means 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 Univeristy property or at the organization's off-campus facility.

G. University Property

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

H. Visitor

Visitor means any person on University property who is neither an employee nor a student.

V. General Rules

A. Serving, selling, or using alcoholic beverages on University property and at University events shall be in compliance with all applicable Kentucky laws, local ordinances, and University regulations.

B. All University events where alcoholic beverages are served, sold, or used shall be approved in accordance with this regulation.

C. House corporations which supervise fraternity and sorority chapter houses on property leased from the University shall be responsible for ensuring that the organization complies with all applicable Kentucky laws, local ordinances and University regulations concerning alcoholic beverages. Violation of University regulations may result in termination of the lease. Events held at such fraternity and sorority chapter houses shall be subject to the policies and procedures established by this regulation. (See in particular, Section VII and Section VIII.A.12)

VI. Prohibited Uses of Alcohol

Except as provided in Sections VII and VIII of this Regulation, alcoholic beverages are prohibited in:

A. Classrooms, laboratories, offices, and office suites.

B. Undergraduate housing leased from or supervised by the University. This includes residence halls, fraternity and sorority houses (on or off campus), and the undergraduate sections of University apartments. This restriction promotes and maintains an environment conducive to study for residents, the majority of whom are under twenty-one (21) years of age.

C. University athletic facilities and events.

VII. Serving and Sales of Alcoholic Beverages

A. The EVPFA 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 EVPFA.

B. 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.

C. 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 in Section VIII.A below or inside another specifically designated and approved space; and

4. Be an event where the majority of the attendees are age twenty-one (21) and above.

D. UK Catering or a caterer officially approved by the UK Purchasing Division, 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.

E. 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 Risk Management.

F. 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.

G. 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 Trustees, 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.

H. 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 regulation. This includes using UK Catering Services or a caterer officially approved by UK Purchasing Division 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. (See *BPM E-7-10, Discretionary Policy*, and *BPM B-3-2, Payment Request Document (BPM B-3-2*)

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

VIII. University Facilities and Events where Alcoholic Beverages are Permitted

A. University Facilities and Events where Alcoholic Beverages May be Served or Sold (**Subject to Section VII of this Regulation**)

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

1. Facilities leased by the University to a corporation holding a valid alcohol license, including but not limited to the Hilary J. Boone Center (formerly known as the Faculty Club) and Spindletop Hall Club;

2. University events held at private residences such as Maxwell Place, homes owned by the University and furnished or leased to individuals, and residences of the College of Agriculture Cooperative Extension Service off-campus property;

3. King Alumni House;

4. UK Athletics Department Facility Rentable Spaces;

5. UK/LFUCG Arboretum;

6. Singletary Center for the Arts;

7. Main Building;

8. Coldstream Research Campus;

9. E.S. Goodbarn;

10. Student Center (in accordance with the facility regulations on alcohol or as approved by the Student Center Executive Director);

11. Dining facilities (in accordance with the dining facilties regulations on alcohol as approved by UK Dining Services);

12. Designated *outdoor* common areas of fraternity and sorority houses (on or off campus), and other registered student organization affiliated houses or facilities, in accordance with the following:

    (a) Outdoor common areas shall be designated by the Event Management Office (within the Office of the Executive Director of the Student Center) and the individual or office responsible for the facility;

    (b) Outdoor common areas are limited to outdoor spaces that are connected to, or near, the facility;

    (c) Events shall be approved by the Event Management Office (within the Office of the Executive Director of the Student Center) and the Office Student Involvement or Fraternity and Sorority Affairs Office, as applicable;

    (d) Events shall comply with the Guidelines for Event Planning at the University of Kentucky published by the Dean of Students and other policies published by the approving offices;

    (e) Events are limited to the members of the organization and their invited guests; and

    (f) Registered student organizations shall comply with all Kentucky laws, local ordinances, and University regulations regarding the conduct of members and guests at such events at all times. Student officers shall be accountable for compliance by members and guests during social events. Violation of this regulation may result in discipline of the organization under the Code of Student Conduct, including withdrawal of student organization registration.

13. Designated *indoor* common areas of fraternity and sorority houses (on or off campus) and other registered student organization affiliated houses or facilities for the purpose of hosting an alumni-focused event, and in accordance with the following:

    (a) Indoor common areas shall be designated by the Event Management Office (within the Office of the Executive Director of the Student Center), the individual or office responsible for the facility, and the alumni chapter of the fraternity, sorority, or other registered student organization hosting the event;

    (b) Events shall be approved by Event Management Office (within the Office of the Executive Director of the Student Center) and the Office of Student Involvement or the Fraternity and Sorority Affairs Office, as applicable;

    (c) Events shall comply with the Guidelines for Event Planning at the University of Kentucky published by the Dean of Students and other policies published by the approving offices;

    (d) Events are limited to the members of the organization and their invited guests; and

(e) Events are limited to two (2) events per semester for each organization.

14. Designated common *outdoor* areas of residence halls, in accordance with the following:

    (a) Outdoor common areas shall be designated by the Event Mangement Office and the Office of Residence Life;

    (b) Common areas are limited to outdoor spaces that are adjacent to, or near, the facility;

    (c) Events shall be approved by Event Management Office and the Office of Residence Life; and

    (d) Events shall comply with the Guidelines for Event Planning at the University of Kentucky published by the Dean of Students.

15. The following designated areas of UK HealthCare:

    a. Chandler Hospital Courtyard and pre-function area adjacent to auditorium;

    b. Markey Board Room and adjacent area;

    c. Conference Room 317A, Wethington Building, after 5:00 pm, or weekends and holidays;

    d. Good Samaritan Board Room, after 5:00 pm, or weekends and holidays; and

    e. Conference Room 1st floor, College of Medicine Dean's Office, 138 Leader Avenue, after 5:00 pm or weekends and holidays.

16. Additional on-campus spaces, as designated and approved by the Event Management Office in consideration of the appropriateness of the location, time, and purpose of the event.

B. University Facilities and Event where Alcoholic Beverages are Permitted for Private Use (**Not Subject to Section VII of this Regulation**)

The private use of alcoholic beverages is permitted on the following University properties, provided such use does not violate any law, local ordinance, or University regulation:

1. Private residences such as Maxwell Place, homes owned by the University and furnished or leased to individuals, and residences of the College of Agriculture Cooperative Extension Service off-campus property;

2. Graduate student apartments and houses, married student housing, and non-student residential housing;

3. Property, buildings, or facilities leased by the University to a private company on a long-term lease, such as properties on Coldstream Research Campus, or UK Athletic facility premium spaces, in accordance with the terms of the lease agreement; and

4. Areas surrounding Commonwealth Stadium for home football games and the Blue/White Game. Additional policies for tailgating are issued by UK Athletics.

   (See: https://ukathletics.com/football-gameday-information/ and https://events.uky.edu/)

IX. Guidelines for Event Planning - Students

The Guidelines for Event Planning published by the Dean of Students are applicable to all registered student organzations and other students or groups who hold events in accordance with Section VIII.A.14 of this regulation.

Event Planning | Get Involved (uky.edu)

For questions regarding the Guidelines for Event Planning, please contact the Dean of Students Office at (859) 257-3754.

References and Related Materials

KRS 244.080; KRS 244.085, KRS 525.100

OAG 74-39

OAG 87-11

HRP&P 4.0, Employee Status

HRP&P 14.0, Substance Abuse

BPM E-7-10, Discretionary Policy

BPM B-3-2.III.D, Payment Request Document

Code of Student Conduct

Revision History

10/1/1988, 7/1/1998, 11/15/2006, 8/14/2012, 6/19/2015; 8/1/2023 updated links

For questions, contact: Office of Legal Counsel

Appendix

Kentucky Statutes Applicable to the Use of Alcoholic Beverages

1. 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)

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

3. 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)

4. 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)

5. 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)

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

   (a) "Public place" means a place to which 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)

   (b) 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. (OAG 74-39)

   (c) 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. (OAG 87-11)

   (d) The Attorney General has written further: 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)