TO: Deans, Directors and Department Chairs

FROM: Melany S. Newby, Vice Chancellor, Legal and Executive Affairs

RE: Required Permits For Alcohol Beverage Consumption On Campus

This memorandum reviews the regulations and procedures that are applicable to possession and consumption of alcohol beverages on university lands, university facilities, and at all university programs, events or activities, regardless of location. All regulations and procedures referenced in this memorandum are currently in effect.

The rule adopted by the Board of Regents as part of the Wisconsin Administrative Code generally prohibits possession of open containers of alcohol beverages and consumption of any alcohol beverage (wine, wine coolers, beer, hard liquor) on campus unless specifically permitted. Possession and consumption under "decorous" circumstances is not presumptively permissible.

The rule was recommended by a system wide task force on alcohol consumption, and reflects an intent to regulate alcohol beverage consumption more closely. Under the rule, each university in the system is required to establish institution-specific regulations for permitting alcohol beverage possession and consumption.

Copies of the Regent rule (UWS 18.06(13), Wis. Adm. Code) and the UW-Madison Specific Regulations A through E are attached. In addition, the University Committee approved changes to the UW-Madison Policy on Alcoholic Beverage Consumption on January 31, 1994, which expanded the reach of the policy to include university facilities, and university events, programs, or activities, regardless of location, when conducted under the supervision of a university employee or agent. The policy also extends to all modes of transportation used for a university program, event or activity where the university controls the arrangements for and the transportation used.

Features of the rule and regulations include:

• Consumption of alcohol beverages and possession of any open container of alcohol beverages is prohibited unless specifically permitted by either Regent rule or institutional regulations. The prohibition extends to laboratories and individual offices. [Regulation A.]
Permits (Alcohol Beverage Permits) allowing service and consumption, but not sale, of alcohol beverages may be issued under prescribed circumstances by Authorized University Officials. A University employee must agree to be present at and supervise any event where alcohol beverages are served. [Regulation B.]

Sale of alcohol beverages is prohibited except when catered by certain university units, or when sale is specifically permitted by the chancellor. The definition of "sale" is from state alcohol beverage law, and includes events where the cost of alcohol beverages is part of the registration or admission fee. [Regulation C.]

Special regulations apply to the Arboretum, University Housing, the Wisconsin Union, and University Hospitals and Clinics. [Regulation D.]

IMPLEMENTATION

Applications for Alcohol Beverage Permits should be submitted to an Authorized University Official as follows:

1. For facilities under the immediate jurisdiction of the Directors of the Wisconsin Union, the Arboretum, University Housing, Intercollegiate Athletics and the Superintendent of University Hospitals and Clinics:

   The Directors and Superintendent shall establish procedures for facilities under their jurisdictions. These shall include events which are serviced by the Wisconsin Union and University Housing in other University facilities. They may use the general Alcohol Beverage Permit form or establish comparable special forms for their units.

2. For offices, laboratories, classrooms and lounges assigned to academic departments and other academic units, and related outdoor areas immediately adjacent to buildings in which these rooms are located:

   Applications for Alcohol Beverage Permits should be submitted to the academic dean (in the case of the Institute for Environmental Studies, the Director) immediately responsible for the academic department or academic unit in whose space the alcohol beverages are proposed to be served. Before issuing a permit for outdoor service, such as in an adjacent courtyard area, the dean is to consult with the Director of the Division of Physical Plant.

   A permit is not required for consumption of alcohol beverages as part of a research protocol which has been approved by the appropriate university committee, such as a human subjects committee.
3. **For all other indoor and outdoor areas:**

   a. **General assignment classrooms.** Serving of alcohol beverages is normally not permitted in general assignment classroom space. The Space Management Office should be consulted for alternatives.

   b. **Other areas, including administrative and service units.** Applications for an Alcohol Beverage Permit for facilities, including administrative and service units not covered by 1. or 2., above, should be submitted to the Office of the Chancellor, 161 Bascom Hall.

   c. **Additional Authorized University Officials.** In addition to the Chancellor and others designated in 1. and 2., above, Vice Chancellors are also considered Authorized University Officials with respect to issuing Alcohol Beverage Permits.

   A permit application must be signed by a "Responsible University Employee." For Permit purposes, this is a person with a faculty, academic or classified staff appointment, or a project or teaching assistant; the term does not include student hourly employees, except those employed and supervised by the Wisconsin Union or University Housing.

Attachments
(13) ALCOHOL BEVERAGES. (a) The use or possession of alcohol beverages is prohibited on all university premises, except in faculty and staff housing and as permitted by the chief executive officer, subject to statutory age restrictions. The chief executive officer may generally permit the use or possession of alcohol beverages by promulgating institutional regulations in consultation with appropriate staff and students, or in specific instances by written permission.

(b) No person may procure, sell, dispense or give away alcohol beverages to any person contrary to the provisions of ch. 125, Stats.

(c) In this subsection, "alcohol beverages" means fermented malt beverages and intoxicating liquors containing 0.5% or more of alcohol by volume.

(d) Notwithstanding s. UWS 18.09, institutional regulations developed pursuant to this subsection shall be reported to the president of the system for review and approval.

UW-MADISON POLICY STATEMENTS ON ALCOHOL BEVERAGES

In adopting and administering UW-Madison--Specific Alcohol Beverage Regulations, the following policy statements provide guidance concerning the circumstances in which consumption of alcohol beverages may be considered appropriate:

--Alcohol beverages are considered an amenity for a social or business occasion and never the purpose or focus of the occasion.

--Alcohol beverages normally are not served or consumed in academic, administrative, or research areas during usual business hours.

--The preferred locations for service and consumption of alcohol beverages are social, recreational and dining facilities, such as program facilities of the Wisconsin Union, the Division of University Housing, the University Club, and UW-Extension Conference Centers.

--With the increase in the legal drinking age to 21, a substantial portion of the student body cannot legally consume alcohol beverages, and therefore it may not be appropriate to permit service and consumption of alcohol beverages at an event where a significant number of those present will be underage.
A. Unless expressly permitted under Regulations B, C, or D, use or consumption of alcohol beverages and possession of an open container which contains alcohol beverages is prohibited on all University lands, in all University-owned or leased facilities, and at all University programs, events or activities, regardless of location, conducted under the supervision of a University employee or agent. This prohibition extends to all areas within University-owned or leased buildings such as laboratories, individual and group offices, meeting facilities, and public areas. In buildings or locations where the University does not own or lease the space used, the prohibition extends to the areas and period of time used by the University for the program, event or activity. The prohibition also extends to all modes of transportation used for a University program, event or activity where the University controls the arrangements for and the transportation used.

B. Subject to statutory age restrictions, a person may use, possess and consume alcohol beverages, as follows:

1. In officially posted picnic areas on Picnic Point between the hours of 10 a.m. and 10 p.m.

2. In faculty, staff and student family housing. (See Regulation D.3.)

3. In University-owned parking areas, provided the person has purchased a Special Events Parking Permit or is a guest of such person, but only during the period covered by the Special Events Parking Permit.

4. At organized functions, subject to an Alcohol Beverage Permit issued by the Chancellor or designee, or an Authorized University Official. (See Regulation E.) In issuing an Alcohol Beverage Permit, the Chancellor or designee, or Authorized University Official shall require that:

   a. Possession and consumption of alcohol beverages be limited to the time period and to the room or location specified in the Permit.

   b. A responsible University employee be identified on and sign the Permit application; the employee's duties shall be:

      i. to be present at all times during which alcohol beverages are served or consumed,

      ii. to assure that the conditions of the Permit are observed by all persons in attendance at the function, and

      iii. to assure that underage and intoxicated person do not consume alcohol beverages.
c. An appropriate selection and quantity of non-alcohol beverages must be available and, depending upon the nature of the function and its duration, that an appropriate selection and quantity of food be available.

d. Such other conditions as may be specified by the Chancellor or designee, or Authorized University Official, to insure that alcohol consumption, consistent with institutional policy, is appropriate to the occasion.

5. At events where alcohol beverages are sold as permitted under Regulation C. below, subject to conditions consistent with this Regulation which are established for the event or activity by the Chancellor or designee, or the director of the unit selling the alcohol beverages.

C. Sale of alcohol beverages is prohibited on all University lands, and in all University-owned or leased buildings, except:

1. where the sale of alcohol beverages is a service of the Wisconsin Union or the Division of University Housing;

2. where the sale of alcohol beverages is a service of University Hospitals and Clinics or the University Club within their respective facilities; or

3. where the sale is specifically permitted by the Chancellor or designee.

"Sale" means any transfer of alcohol beverages with consideration or any transfer without consideration if knowingly made for purposes of evading this regulation relating to the sale of alcohol beverages or any shift, device, scheme or transaction for obtaining alcohol beverages, including the solicitation of orders for, or the sale for future delivery of, alcohol beverages.

D. Special Division or Unit regulations.

1. University Hospitals and Clinics: Patients may possess and consume alcohol beverages as prescribed by a physician.

2. Wisconsin Union: Alcohol beverages may not be carried onto facilities under the control of the Wisconsin Union, except as permitted by its Director.

3. University Housing:

   a. Single Student Housing:
i. Unless otherwise permitted under these Regulations, a resident who has attained legal drinking age may possess an open container of and consume alcohol beverages only within his or her own room.

ii. Subject to statutory age restrictions and conditions governing time and manner established by the Director of University Housing, a guest(s) of a resident may possess an open container of and consume alcohol beverages within the resident's private room.

iii. For purposes of this section, "open container" does not include kegs.

b. Student and Staff Family Housing: Subject to statutory age restrictions, residents and their guests may possess and consume alcohol beverages in student and staff family housing areas and facilities; except that only fermented malt beverages and wine may be served and consumed, but not sold, in the Eagle Heights Community Building.

c. Conference Groups: conference attendees may possess and consume alcohol beverages in individual rooms and dens or, subject to conditions established by the Director of University Housing, at scheduled events in University Housing facilities or areas.

E. Authorized University Officials:

University Officials in addition to the Chancellor or designee who are authorized to issue Alcohol Beverage Permits under Regulation B are:

1. Vice Chancellors;

2. Academic Deans, including the Deans of the Graduate School and of the Libraries (for facilities, programs, events or activities within their respective jurisdictions); and

3. Directors of the Wisconsin Union, the Arboretum, University Housing, Intercollegiate Athletics, and the Superintendent of University Hospitals (for facilities within their respective jurisdictions).