

UNIVERSITY OF NEBRASKA-LINCOLN POLICY ON SERVING ALCOHOLIC BEVERAGES

Revised August 11, 2017

The following policy regarding the service of alcoholic beverages on the University of Nebraska-Lincoln campus is adopted pursuant to Board of Regents Policy 6.4.1, *Dispensing Alcoholic Beverages on University Property*. In addition to this policy, any service or dispensing of alcohol on the UNL campus shall also comply with the Nebraska Liquor Control Act and any applicable local liquor ordinances. This includes, but is not limited to, a prohibition against any alcoholic beverage dispensed to or consumed by an individual under the age of 21, at any event covered by this policy.

There are three categories of events, where the service of alcohol on the UNL campus may be allowed. They are:

- (1) Category #1: Private social events where attendees are not directly or indirectly charged for the alcohol served;
- (2) Category #2: Events at which the attendees are not limited to a specific guest list or any event where attendees are charged, directly or indirectly, for the alcohol served, and
- (3) Category #3: An academic course in which the consumption of alcohol is part of the learning curriculum.

These categories and related rules are more fully discussed below. All three categories of events require an application for UNL approval, as will be discussed, and Category #2 events require a Special Designated License (“SDL”) issued by the city or county within which the event takes place.

Licensed Beverage Caterer

Event sponsors (whether an individual or organization) of most Category #1 events and all Category #2 events shall select an “Approved Caterer” from a list of caterers approved by the Vice Chancellor for Business and Finance. Approved Caterers must have the necessary licensure from the Nebraska Liquor Control Commission and appropriate liability insurance, as determined by the Vice Chancellor for Business and Finance. Approved Caterers must have no less than five years’ experience in beverage catering and no confirmed violation(s) of the Nebraska Liquor Control Act or local liquor ordinances for the three years prior to UNL approval. Approved Caterers will be removed from the list and their eligibility to serve alcoholic beverages at UNL revoked, if UNL determines that they have engaged in any activity, on or off campus, which would constitute a violation of the Nebraska Liquor Control Act or local liquor ordinances. Approved Caterers must also demonstrate sufficient financial resources to serve as a beverage caterer at the type of events held at UNL. Within the limits imposed herein, the process for inclusion on the list shall follow UNL procedures for contracting with outside vendors.

Obtaining a UNL Permit and/or a Special Designated License

A sponsor of any of the three categories of events, regardless of where or in which UNL facility the event takes place, must first complete an *Application for an Alcohol Services Permit* (“UNL Permit”), a copy of which may be obtained from the Office of the Vice Chancellor for Business and Finance (472-4455, alcoholpermit@unl.edu).

UNL Permit Process, Approving Officials, Permit Posting

- The UNL Permit approval process begins with the individual event sponsor or an authorized representative of the event sponsoring group (“Event Sponsor”) completing and signing the UNL Permit. The administrator directly responsible for the facility proposed as the event venue, or that administrator’s designee (“UNL Facility Administrator”), shall review the UNL Permit to ensure that the proposed event is consistent with the policies of the Board of Regents, the UNL campus and the proposed event venue.
- When hosting private social events that involve alcohol, UNL campus units shall, when possible, use the Designated Facilities (as defined below). However, these venues are not always available or optimal as a location for an event. Requests to serve alcohol in other campus buildings must demonstrate a University purpose for holding the event in such location. The campus unit requesting permission to serve alcohol in other campus buildings will be responsible for ensuring that the specific location is away from where students under the legal drinking age congregate and no individuals under the legal drinking age will be admitted.
- If the UNL Facility Administrator determines that the proposed event is in compliance, he or she shall sign the UNL Permit. The signed form is then forwarded to the cognizant Dean/Director for review and approval or disapproval. If the Dean/Director approves the event, the UNL Permit is then forwarded to the cognizant Vice Chancellor, or the Chancellor or the Chancellor’s designee for review and may be approved, if the reviewer determines the proposed event is consistent with all institutional policies relating to the service of alcohol.
- Finally, all UNL Permits must be approved by the Vice Chancellor for Business and Finance. Should the UNL Permit applicant be a line report to the Vice Chancellor for Business and Finance, then the Chancellor or the Chancellor’s designee must also approve the event.
- The UNL Facility Administrator shall post the approved UNL Permit at every event. For Category #2 events, the Approved Caterer is responsible for obtaining the Special Designated License (SDL) from the city or county in which the event will be held. The UNL Facility Administrator shall verify that the Approved Caterer has publicly posted the SDL at each Category #2 event.

Approval Timeline

- **Category #1 Events** - The final approval of the event must occur no later than one week prior to the time and date of the proposed event.
- **Category #2 Events** – In light of the time necessary to secure the required SDL from the government entity, the UNL Permit must be received by the Vice Chancellor for Business and Finance at least four (4) weeks prior to the scheduled event.
- **Category #3 Events** - Faculty teaching courses or conducting research involving alcoholic beverage tasting must complete the UNL Permit and receive all required approvals no less than four (4) weeks prior to the start of each term in which the courses are offered or the beginning of the research project.

Category #1 Events

Category #1 events shall be those private events where guests do not pay directly or indirectly for alcoholic beverages, food, or admission to the event. Private events will be defined as those events in which a pre-identified and pre-existing group of individuals are invited to a specific event. No individual may attend such an event unless specifically invited in advance, except for UNL or caterer’s employees working at the event. Category #1 events do not include serving alcohol to students during scheduled classes or other experiences that are required as part of a degree program, whether or not all students are over the age of 21 (with the exception of courses that fall under Category #3).

- Category #1 events require an approved UNL Permit.
- For Category #1 events, any alcoholic beverage served must be provided by the Event Sponsor. The alcoholic beverages shall remain the property of the Event Sponsor and shall be removed from UNL property immediately upon conclusion of the event.
- Actual service of the alcoholic beverages shall be provided only by an experienced bartender hired through an Approved Caterer.
- UNL has designated the following campus buildings for event rentals (the “Designated Facilities”). Campus departments are strongly encouraged to use only these approved venues. No alcohol permit will be issued in academic buildings where undergraduates or minors under the age of 21 will be in attendance.

Champions Club
Gaughn Multicultural Center
International Quilt Study Center
Lied Center

Nebraska East Union
Nebraska State Museum
Nebraska Union
NIC Conference Center

Schorr Suite
Sheldon Museum of Art

Visitors Center
Wick Alumni Center

- Non-alcoholic beverages and some food service must also be provided.
- Seventy five percent (75%) or more of the attendees must be over the age of 21, and effective methods for ascertaining which guests may legally consume alcoholic beverages must be implemented.
- Those persons responsible for ascertaining which guests may legally consume alcoholic beverages (e.g. checking IDs, overseeing alcohol service or entrance) must be employees of the Approved Caterer, or in extraordinary pre-approved circumstances when an employee of an Approved Caterer is not used, the department chair/ head or designated tenured professor. The consumption of alcohol is not permitted by any person prior to or while he or she is engaged in those duties related to ascertaining which guests may legally consume alcohol.
- The authorized leadership representative of the Event Sponsor (e.g. the Greek Advisor or Corporation Board Representative) and the UNL Facility Administrator shall be in attendance for the duration of the event and the immediate post-cleanup period. Neither shall consume alcohol prior to or while on duty.
- The number of attendees in the event venue may not exceed maximum occupancy, as determined by the Nebraska State Fire Marshall, Lincoln Fire Department or other authority with jurisdiction.
- For events without a sit-down dinner and with more than 150 attendees, the Approved Caterer and/or Event Sponsor shall provide one security person for every 150 attendees. Security personnel, whether paid or volunteer, shall have no duties other than maintaining order and enforcing all liquor laws and license conditions, including prohibiting minors and intoxicated attendees from consuming or possessing alcohol. All security personnel shall be dressed in distinctive clothing with visual markings identifying them as security personnel. This requirement may be waived or modified by the Vice Chancellor for Business and Finance by showing that such condition is not necessary for the promotion of health and safety.
- Unless otherwise approved by UNL Police, outdoor events must be contained within a 6' wall or chain link fence, a double row of plastic or wood snow fence materials, or an approved equivalent. The double row of fence materials shall be at least 4' apart. Sufficient toilet facilities and garbage disposal must be identified for or provided at outdoor events. Event Sponsors are encouraged to work with UNL Police before submitting a UNL Permit to ensure that the proposed event venue complies with the Nebraska Liquor Control Act and any local liquor laws. These requirements in this paragraph may be waived or modified by the Vice Chancellor for Business and Finance, if in the discretion of the Vice Chancellor, the Event Sponsor has clearly demonstrated that the requirement is not necessary

for the promotion of health and safety. Permit requests by campus units requesting permission to serve alcohol outside on the days of football home games may be allowed as long as the event has a clear University purpose and such event meets the requirements of this paragraph.

- The approved UNL Permit shall be prominently displayed where the alcohol is being served.
- Alcohol must be served and consumed only in the areas listed on the UNL Permit.
- Alcoholic drinks must be served in containers distinct from those in which non-alcoholic drinks are served. Non-alcoholic drinks must be served in transparent containers.
 - All law enforcement officers with jurisdiction, including UNL Police, must be allowed access for inspection without restrictions to all areas listed in the UNL Permit.
 - Permit requests for outdoor events shall not be approved where the requested area is outside of any fully enclosed structure or building, unless the area is attached or immediately adjacent to a building. The facility must provide adequate restroom facilities. Since the Sheldon Gardens and the Wick Alumni Center garden meet this requirement, they are recommended sites for outdoor events.
 - Alcoholic beverages may not be served before 12:00 noon or after 12:00 midnight on Monday through Friday. For Saturday events, alcoholic beverages may not be served before 10:00 a.m. or after 12:30 a.m. (the following Sunday morning). On home football game days, alcoholic beverages may not be served more than three hours prior to kickoff, or after 12:30 a.m. (the following Sunday morning.) For Sunday events, alcoholic beverages may not be served before 10:00 a.m. or after 10:00 p.m. UNL's hours of service may not exceed hours of service permitted by applicable law, but may be more limited.

Category #2 Events

Category #2 events are those events for which there is no specified, identifiable guest list, or any event at which the cost of alcoholic beverages is directly or indirectly assumed by the guests in attendance, regardless of the manner in which such charges are levied.

- Category #2 events require a UNL Permit and a SDL from the municipality in which the event is held.
- The Approved Caterer must obtain a SDL and provide all alcoholic beverages served in accordance with the SDL issued pursuant to the Nebraska Liquor Control Act, any

regulations promulgated in relation to the Act, and any applicable ordinances of any government entity with jurisdiction.

- The approved UNL Permit and SDL must be prominently displayed where the alcohol is being served.
- Actual service of the alcoholic beverages shall be provided only by an experienced bartender hired through an Approved Caterer.
- Campus departments are strongly encouraged to use only the Designated Facilities (as defined herein). No alcohol permit will be issued in academic buildings where undergraduates will be in attendance.
- Non-alcoholic beverages and some food service must also be provided.
- Seventy five percent (75%) or more of the attendees must be over the age of 21, and effective methods for ascertaining which guests may legally consume alcoholic beverages must be implemented.
- Persons checking IDs or checking alcohol service, entry or minor identification must be employees of the Approved Caterer and shall not consume alcohol prior to or while on duty.
- The Event Sponsor and UNL Facility Administrator shall not consume alcohol prior to or while on duty and shall be in attendance for the duration of the event and the immediate post-cleanup period.
- The number of attendees in the event venue may not exceed maximum occupancy, as determined by the Nebraska State Fire Marshall, Lincoln Fire Department or other authority with jurisdiction.
- For events without a sit-down dinner and with more than 150 attendees, the Approved Caterer and/or Event Sponsor shall provide one security person for every 150 attendees. Security personnel, whether paid or volunteer, shall have no duties other than maintaining order and enforcing all liquor laws and license conditions, including prohibiting minors and intoxicated attendees from consuming or possessing alcohol. All security personnel shall be dressed in distinctive clothing with visual markings identifying them as security personnel. This requirement may be waived or modified by the Vice Chancellor for Business and Finance by showing that such condition is not necessary for the promotion of health and safety.
- Unless otherwise approved by UNL Police, outdoor events must be contained within a 6' wall or chain link fence, a double row of plastic or wood snow fence materials, or an approved equivalent to restrict access of non-attendees to the licensed area (as required by the State of Nebraska). The double row of fence materials shall be at least 4' apart. Sufficient toilet facilities and garbage disposal must be identified for or

provided at outdoor events. Event Sponsors are encouraged to work with UNL Police before submitting a UNL Permit to ensure that the proposed event venue complies with the Nebraska Liquor Control Act and any local liquor laws.

- Alcohol must be served and consumed only in the areas listed on the UNL Permit.
- Alcoholic drinks must be served in containers distinct from those in which non-alcoholic drinks are served. Non-alcoholic drinks must be served in transparent containers.
- All law enforcement officers with jurisdiction, including UNL Police, must be allowed access for inspection without restrictions to all areas listed in the UNL Permit.
- Permit requests for outdoor events shall not be approved where the requested area is outside of any fully enclosed structure or building, unless the area is attached or immediately adjacent to a building. The facility must provide adequate restroom facilities. Since the Sheldon Gardens and the Wick Alumni Center garden meet this requirement, they are recommended sites for outdoor events.
- Alcoholic beverages may not be served before 12:00 noon or after 12:00 midnight on Monday through Friday. For Saturday events, alcoholic beverages may not be served before 10:00 a.m. or after 12:30 a.m. (the following Sunday morning). On home football game days alcoholic beverages may not be served more than three hours prior to kickoff or 10:00 a.m. or after 12:30 a.m. (the following Sunday morning.) For Sunday events, alcoholic beverages may not be served before 10:00 a.m. or after 10:00 p.m. UNL's hours of service may not exceed hours of service permitted by applicable law, but may be more limited.

Category # 3 Events

Category #3 events shall be those where the evaluation of beverages, such as wine tasting, are an integral part of academic courses and research and where such activity has been approved by the responsible dean or director to be part of the curriculum for the courses or where the consumption of alcoholic beverages is part of a research project.

Approval

Faculty teaching courses or conducting research involving alcoholic beverage tasting must file a UNL Permit four (4) weeks prior to each term in which the courses are offered or before the research project begins.

Class Procedures

The cost of alcoholic beverages consumed as part of an academic course shall be covered by a special course fee paid by the students and not from tuition or state appropriations. The student fee and associated expenses for the course must be retained in a unique UNL cost object within UNL's accounting records. The cost of alcoholic beverages consumed as part of a research project must be paid for by the research project.

In no event shall alcoholic beverages be served before 12:00 pm. or after 10:00 p.m. Monday through Friday, or before 10:00 a.m. and after 10:00 p.m. on Saturday.

Age

All students enrolled in the courses or participating in a research project must present identification (valid driver's license or equivalent age verification which has a photo identification on the face of it) verifying they are at least 21 years of age by the sixth day of the term. The identifications must be copied and maintained with the course records or research project records. If students are participating in a UNL sponsored class outside the State of Nebraska, the laws of the state or country where the student is present govern the legal drinking age and shall be enforced.

Students must sign and submit waiver and hold harmless agreements before they can participate in courses with an alcoholic beverage tasting component (Exhibit A). The signed agreements must be maintained with course records.

Serving

- For designated courses, at least one lecture preceding the alcoholic beverage tasting session(s) will cover responsible consumption.
- Actual service of the alcoholic beverages shall be provided only by the head or chair of the department offering the course, the full-time faculty member teaching the course, or an Approved Caterer. For research projects, actual service of the alcoholic beverages shall be provided only by the research project's principal investigator or by others associated with the research project with written permission by the Vice Chancellor of Business and Finance.
- For each alcoholic beverage being evaluated, each student will be poured no more than a one ounce sample. No more than four beverages (four samples) will be evaluated in a two-hour laboratory class, nor may any student participate in more than one class session in a 24-hour period.
- Food and water must be available to students during the beverage tasting session(s) to mitigate the effects of consumption.
- Alcoholic beverages that have been opened, but not served, must be properly disposed of immediately following the alcoholic beverage tasting laboratory or class (i.e., poured down the drain). Unopened alcoholic beverages must be stored in a

locked cabinet and in an office that is always locked. The location of this locked cabinet must be provided to UNL Police.

- A monthly inventory of alcoholic beverages must be completed by the academic department with dual signatures of the department head and college dean.

Class I License Licenses

Upon approval by the Chancellor, select UNL non-academic venues may contract with an existing alcohol license holder to obtain a Class I License for the sale and consumption of alcohol in a designated location at that venue. This is an annual license which requires the Licensee to comply with all applicable statutes and Nebraska Liquor Control Commission Regulations pertaining to establishments selling alcohol at retail. Special Designated licenses are not required for venues holding a Class I License.

The venue is required to notify University Police of events being held which would include alcohol sales or service.

Please Print or Type

**UNIVERSITY OF NEBRASKA-LINCOLN
WAIVER FOR STUDENTS PARTICIPATING IN
COURSE#/Name _____
During _____ (Semester/Year)**

WAIVER & HOLD HARMLESS AGREEMENT FOR _____
(course prefix and number)

I, _____, being of at least twenty-one years age and
(name of student)
acting under no mental or physical disability whatsoever, do hereby and here ever after
freely and voluntarily waive, relinquish and surrender any and all causes of action of any
kind, nature or description that I or any one acting by, through or on behalf of me may
ever have against Professors _____, and/or guest lecturers,
and/or The Board of Regents of the University of Nebraska, a public body corporate, or
any of its board members, officers, administrators or employees, as a result directly or
indirectly of my consumption of any alcoholic beverages in _____ class or
the laboratory portions of said class and any resulting intoxication of myself.

I further hereby freely and voluntarily agree to fully save and hold harmless Professors
_____, and/or guest lecturers, and/or The Board of
Regents of the University of Nebraska, a public body corporate, and its board members,
officers, administrators and employees for any expenses, including legal fees and any and
all damages and costs arising out of any law suit filed against any of said parties on my
behalf or for or by anyone acting by, through or under my authority including but not
limited to suits filed by spouse, children, parents, guardians, my estate or any other
person which suit or suits may be filed as a result of any alleged intoxication on my part
and any and all damages allegedly caused as a result of said intoxication.

I hereby represent and affirm that I am of full legal age, and understand that the signing
of this document is mandatory for my participation in consumption of alcoholic
beverages in this class. I further represent and affirm that to the best of my knowledge I
have no known physical or mental condition or am I taking medications that would

render my consumption of alcoholic beverages medically inadvisable. I further represent and affirm that I have never been diagnosed with any substance dependency.

Executed at Lincoln, Nebraska, this _____ day of _____, 20__.

_____ (Name printed)

_____ (Signature)

_____ (Witness name printed)

_____ (Witness signature)