



05.303 ALCOHOL POLICY

Authority:	Chancellor
History:	Reformatted and revised May 15, 2008; Updated February 2011 on tentative basis, finalized July 1, 2011; Updated May 23, 2016; Revised October 2019
Source of Authority:	UNC Code, Section 502, N.C.G.S. § 18B-1006(a)
Related Links:	Alcohol Beverage Permit ; Code of Student Life Alcohol Marketing Policy ; Facilities Use Policy
Responsible Office:	Business Services

I. Purpose

The University of North Carolina Wilmington permits alcohol to be consumed at special activities and programs and in the privacy of residence hall rooms subject to applicable law. This policy is designed to promote the positive use or nonuse of alcoholic beverages in a responsible manner.

II. Scope

University policies concerning the possession and consumption of alcoholic beverages do not contravene federal, state or municipal law regarding their purchase, possession or consumption. This policy is applicable to all property owned or leased by the university.

III. Prohibited Behavior

- A. In accordance with North Carolina law, it is illegal for any person under 21 years of age to purchase, possess or consume, or for anyone to aid or abet such a person in purchasing or consuming any alcoholic beverages.
- B. Alcoholic beverages are not permitted to be sold by any person, organization or corporation on the campus of the university, including property leased by the university, except as set forth in Sections V and VI below.
- C. It is unlawful for any person to drink alcoholic beverages or to offer a drink to another person or persons, whether accepted or not, on any public road or street, parking lot, sidewalk or other publicly owned or leased place within the city of Wilmington. Refer to Section IV.C. for the special events exclusion allowed for access-controlled areas.

- D. State funds and student fees collected by the university cannot be used to purchase alcoholic beverages.
- E. Employees of the university may not consume alcohol during regular working hours, unless they take leave and do not return to work.

IV. Approval and Guidelines for University Events

- A. The availability of alcoholic beverages at a university event shall be subject to the approval of the Chancellor or designee. "Designee" indicates the Provost, the Vice Chancellor for Business Affairs, or as specifically indicated, the Associate Vice Chancellor – Business Services.
 - 1. The Alcohol Beverage Permit must be filed with the Associate Vice Chancellor – Business Services seven (7) business days prior to the event.
 - 2. An authorized representative of the UNCW department or sponsoring organization must sign the Alcohol Beverage Permit, acknowledging that all regulations stated in the Alcohol Policy are understood.
- B. Student events at which alcoholic beverages may be consumed can be held only under circumstances in which the sponsoring organization demonstrates reasonable means of ensuring the safety of participants and adherence to state law.
 - 1. The advisor or authorized representative to a sponsoring student organization must have supervised the planning.
 - 2. An advisor or authorized representative to a sponsoring student organization must be present for the entire event.
- C. Special events at which alcoholic beverages may be brought in by participants (*e.g.*, athletics tailgating events) are only permitted by departments or department-sponsored programs, within guidelines established by the department representative, in coordination with Office of Risk Management and Insurance, UNCW Police, and Environmental Health and Safety. Permits and/or waivers will be reviewed and approved in advance by the Chancellor's Designee, or the Associate Vice Chancellor – Business Services, at least fourteen (14) business days prior to the event.
- D. Consumption of alcoholic beverages is only permitted within the approved area designated for the event.
 - 1. Possession and consumption of alcoholic beverages at approved events on the university campus shall be restricted to areas which are not in the public view of students attending classes or students attending planned undergraduate

activities, events or programs. Exceptions will be subject to approval of the Chancellor or designee.

2. Use of an Event Manager is encouraged for events that permit alcohol to be served.
 3. Use of an approved Event Manager is required for events in which alcohol will be present, but not served by the university's food service contractor. The area must have controlled access.
- E. Consumption of alcoholic beverages during regular working hours of the university (e.g., 4-5 PM) is only permitted when the majority of event participants are not university employees. Exceptions will be subject to approval of the Chancellor or designee.
- F. Non-alcoholic beverages and sufficient quantities of food must be available at the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages. Quantities of alcoholic beverages purchased for an event shall be in compliance with guidelines set forth by the National Institute on Alcohol Abuse and Alcoholism.
- G. Alcohol shall only be served by the university's food service contractor, except for events as noted in Section IV.C.
1. The university's food service contractor is responsible for ensuring proper identification is provided at the time of the event. Only a governmental-issued picture ID displaying date of birth will be accepted as valid identification.
 2. A student, 21 years of age or older, may purchase, possess or consume alcohol within the approved area designated for the event, but is prohibited from aiding or encouraging anyone under the age of 21 to possess or consume alcoholic beverages on campus.
 3. Alcohol shall not be served to those exhibiting unusual behavior or impaired speech or motor coordination when such behavior appears to be the result of substance abuse.
- H. Individuals and/or sponsoring organizations or units who fail to comply with this policy and the guidelines for alcohol consumption on campus will be subject to disciplinary action. For employees, such disciplinary action would follow the pertinent misconduct procedures. Students who violate this policy will be referred to the Office of the Dean of Students for disciplinary action.
- I. The signing of the Alcohol Beverage Permit by an authorized person of a UNCW department or sponsoring organization acknowledges that breaking of this

agreement may justify revocation of privileges to seek future permission to hold activities where alcoholic beverages can be consumed.

- J. The university shall hold any person who violates the law or any university policy while intoxicated fully responsible for his or her action and the consequences thereof.

V. The Sale of Unfortified Wine and Malt Beverages at Performing Arts Events

In addition to all applicable conditions as set forth in sections III and IV above, the sale of unfortified wine and/or malt beverages at performing arts events is allowed but are subject to all of the following restrictions:

- A. Sales can only be approved by the Chancellor or designee. Permits and/or waivers will be reviewed and approved in advance by the Chancellor's Designee, or the Associate Vice Chancellor – Business Services, at least fourteen (14) business days prior to the event. Each permit request shall have the endorsement of the Director of the Office of the Arts or the Provost.
- B. Sales are limited to events being held either in Kenan Auditorium or in a performing arts space in the Cultural Arts Building;
- C. Eligible events must meet both of the following criteria:
 - 1. The event begins after 5:00 PM; and
 - 2. The majority of the performers are 21 years of age or older.
- D. Sales must be for on-premises consumption.
- E. Sales of unfortified wine and/or malt beverages must be conducted by the university's food service contractor with the appropriate permit.
- F. Sales must be made in accordance with North Carolina law.

VI. The Sale of Unfortified Wine and Malt Beverages in Athletics Facilities

In addition to all applicable conditions as set forth in sections III and IV above, the sale of unfortified wine and/or malt beverages in athletics facilities is allowed, subject to the following restrictions:

- A. The sale of unfortified wine and/or malt beverages may occur only in athletics facilities for which the university has been issued permits by the Alcoholic Beverage Control Commission.

- B. The university may restrict sales within permitted athletics facilities to certain events.
- C. The university may establish specific times for alcohol sales during the event.
- D. The university may establish limits on the number of alcoholic drinks purchased per transaction and/or per event.
- E. The sales must be for consumption on-premises.
- F. Any such sale of unfortified wine or malt beverage must be conducted by the university's food service contractor.
- G. All sales must be made in accordance with North Carolina law.