



ADMINISTRATIVE PROCEDURES

Chapter 3 General Institution

3560

AP 3560 Alcoholic Beverages

The possession, sale, or 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 Campus Security. 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 Campus Security. Violators are subject to disciplinary action, criminal prosecution, fines, 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 Monterey Peninsula Community College District approval. Organizations or groups violating alcohol or substance policies or laws may be subject to sanctions by the District.

Alcoholic beverages on campus are permitted if:

- The alcoholic beverage is beer or wine 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 Superintendent/President.
- A student 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.
- 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.
- The alcoholic beverage is wine or beer produced by a bonded winery owned or brewery or operated as part of an instructional program in viticulture and enology or brewing.
- The alcoholic beverage is wine that is for use during an event sponsored by the District or the Monterey Peninsula College Foundation in connection with the District's instructional program in viticulture or the District's instructional program in enology.
- The alcoholic beverage is possessed, consumed, or sold, pursuant to a license or permit obtained for special events held at District facilities during the special event. "Special event" means events that are held with the permission of the District's Governing Board



ADMINISTRATIVE PROCEDURES

of Trustees 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.

- The alcoholic beverage is acquired, possessed, or used during an event sponsored by the District or the Monterey Peninsula College 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.
- The alcoholic beverage is for use during a fundraiser held to benefit a nonprofit corporation 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.
- The alcoholic beverage is acquired, possessed, or consumed pursuant to a license or permit obtained for special events held at District facilities at a time when pupils are not on the grounds. "Facilities" include, but are not limited to, office complexes, conference centers, or retreat facilities.

Alcoholic Beverage Control Daily License Application/Authorization

Form ABC-221 (Daily License Application/Authorization) must be completed and approved by all required authorities, including the Superintendent/President, prior to any event on District property at which alcoholic beverages may be served. Application requirements, instructions, and fees are published on the California Department of Alcoholic Beverage Control website (<https://www.abc.ca.gov>).

See Board Policy 3560 - Alcoholic Beverages

See also Board Policy 3550 - Drug-Free Environment and Drug Prevention Program

References: *Business and Professions Code Sections 24045.4, 24045.6, 25608, 25658, and 25668;*
34 Code of Federal Regulations Part 668.46 subdivision (b)

Approved: May 11, 2021