

AP 3560 Alcoholic Beverages

References:

***Business and Professions Code Sections 24045.4, 24045.6, and 25608;
34 Code of Federal Regulations Section 668.46(b)***

The possession, sale or the 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 the event coordinator. 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 the event coordinator. Violators are subject to disciplinary action, criminal prosecution, fine 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 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 Office of the President.
- A student at least 18 years of age tastes, but does not swallow or consume, beer or wine for educational purposes as part of the instruction in an enology or brewing degree program, and the beer or wine 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 produced by a bonded winery owned or operated as part of an instructional program in viticulture and enology.
- The alcoholic beverage is wine that is for use during an event sponsored by the district or Gavilan Educational Foundation in connection with the district's instructional program in viticulture or the district's instructional program in enology.
- The alcoholic beverage is for use at a professional minor league baseball game played at a college stadium pursuant to a contract between the district and a professional sports organization.
- The alcoholic beverage is possessed, consumed, or sold pursuant to a license or permit obtained for special events held at the facilities of a public community college during the special event. "Special event" means events that are held with the permission of the governing board of the community college district that are festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the public community college and for which principal attendees are members of the general public or invited guests and are not full-time students of the public community college.
- The alcoholic beverage is acquired, possessed, or used during an event sponsored by the district or Gavilan College Educational 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 Gavilan College Educational Foundation 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 facilities of a community college district at a time when pupils are not on the grounds. "Facilities" includes, but are not limited to, office complexes, conference centers, or retreat facilities.

ALCOHOL ON CAMPUS

ABC-221 (Special Daily License to Serve Beer and Wine" must be filled out.

- ABC-certified pourers must be available at event. Four-hour training from the ABC office in San Jose is available (no fee) at 100 Paseo de San Antonio, room 119, San Jose, CA 95113 (408) 277-1200. Call ahead to schedule and have an estimate number of people attending event. Once certification is received, it is valid indefinitely.
- Gavilan College Director of Security acknowledgement indicating adequate security will be available on campus during the event must accompany application
- Sheriff's Office approval must accompany application

Once form comes back from Sheriff's Office, completed paperwork is sent to ABC. The ABC requires no less than two weeks' notice before the event.



5055 Santa Teresa Blvd., Gilroy, CA 95020 www.gavilan.edu (408) 848-4800
Steven M. Kinsella, DBA, CPA, Superintendent/President

Application for Permit to Serve Alcoholic Beverages

Applicant and Sponsoring Organization _____

Date of Application _____ Date of Event _____

Location of Event _____ Time of Event _____

Type of Alcoholic Beverages to be Served _____

Serving Hours _____ Food Served _____

Number of People attending _____ ___Faculty ___Staff ___Other (specify): _____

Alcohol Beverage Control Permit Completed: YES (attached) / NO

ABC-Trained Pourers: YES (attach copy of ABC card) / NO
ABC Training: 100 Paseo de San Antonio, Room 119, San Jose, CA (408277-1200)

Adequate Campus Security Available: YES(attach Security acknowledgement) / NO

Sponsor Representative Signature Date

OFFICIAL USE ONLY

Permission Denied _____ Permission Granted _____

Permission Granted with Conditions: _____

Steven M. Kinsella, Superintendent/President Date

PLEASE NOTE: After Gavilan College permission is granted, applicant must obtain approval from Sheriff's Office and send completed paperwork to ABC no less than two weeks before event. A copy of the approved ABC license must be filed in the President's Office.



Amended by the Board of Trustees: December 8, 2015
Amended by the Board of Trustees: October 14, 2014
Amended by the Board of Trustees: July 10, 2012
Approved by the Board of Trustees: August 9, 2011