

Chapter 172-64 WAC
ALCOHOL POLICY AT EASTERN WASHINGTON UNIVERSITY

Last Update: 5/25/22

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

172-64-110	University enforcement of alcohol policy. [Statutory Authority: RCW 28B.35.120(12). WSR 03-18-070, § 172-64-110, filed 8/29/03, effective 9/29/03.] Repealed by WSR 14-24-037, filed 11/24/14, effective 12/25/14. Statutory Authority: RCW 28B.35.120(12).
172-64-120	Violations of local, state, and federal law. [Statutory Authority: RCW 28B.35.120(12). WSR 03-18-070, § 172-64-120, filed 8/29/03, effective 9/29/03.] Repealed by WSR 14-24-037, filed 11/24/14, effective 12/25/14. Statutory Authority: RCW 28B.35.120(12).
172-64-130	Student violations of the university alcohol policy. [Statutory Authority: RCW 28B.35.120(12). WSR 03-18-070, § 172-64-130, filed 8/29/03, effective 9/29/03.] Repealed by WSR 14-24-037, filed 11/24/14, effective 12/25/14. Statutory Authority: RCW 28B.35.120(12).
172-64-140	Employee violations of the university alcohol policy. [Statutory Authority: RCW 28B.35.120(12). WSR 03-18-070, § 172-64-140, filed 8/29/03, effective 9/29/03.] Repealed by WSR 14-24-037, filed 11/24/14, effective 12/25/14. Statutory Authority: RCW 28B.35.120(12).

WAC 172-64-010 Policy. Alcoholic beverages may be possessed, sold, served, and/or consumed on university owned or operated property and/or at university sponsored events and activities only as provided for in this chapter.

EWU prohibits the unlawful possession, use, consumption or distribution of alcohol by students, employees, or visitors on university property or during any university-sponsored program or activity, whether held on or off campus. Members of the university community are responsible for complying with these rules as well as all state laws regarding the use, possession and/or distribution of alcohol.

The university will respond to reported or suspected violations of these rules and take appropriate action, up to and including referral to law enforcement agencies for criminal prosecution.

University employees, students, and student organizations are subject to disciplinary action for violations of these rules and associated state laws, local ordinances, and university policies.

[Statutory Authority: RCW 28B.35.120(12). WSR 21-07-005, § 172-64-010, filed 3/4/21, effective 4/4/21; WSR 14-24-037, § 172-64-010, filed 11/24/14, effective 12/25/14; WSR 03-18-070, § 172-64-010, filed 8/29/03, effective 9/29/03.]

WAC 172-64-020 Alcohol use in university residence halls. (1) Applicability. This section establishes rules for alcoholic beverages in residence halls that are owned or operated by Eastern Washington University.

(2) General policy. Persons, who are at least twenty-one years old, may possess and consume alcoholic beverages in the privacy of in-

dividual residence hall rooms subject to the requirements of this section.

(3) Restrictions.

(a) Consumption of alcoholic beverages is prohibited in any areas of residence halls outside of individual rooms including, but not limited to, hallways, entrances, corridors, lounges, and reception areas.

(b) Doors to individual residence hall rooms must remain closed while alcohol is being consumed.

(c) Kegs, common source containers, and nonalcoholic brews such as "near beer" are prohibited.

(d) Selling or providing alcohol to minors is prohibited.

(e) Alcohol is prohibited in any residence hall room where any student living in the room is under twenty-one years old, regardless of whether the under-age student is present or not.

(f) Alcohol may not be consumed in any room where any person present is under twenty-one years old.

(g) Alcohol may not be consumed in any area designated as alcohol-free housing.

(h) Residents in Brewster Hall or the apartments, who are at least twenty-one years old, may have alcohol in their individual room but not in their common room areas if any of their suitemates are under twenty-one except for approved family housing.

(i) Vendors may not deliver alcohol to residence halls or any other campus area except as provided for in WAC 172-64-090.

(j) Alcohol must not be visible to the public when carried into a residence hall.

(k) Alcohol containers may not be used as decorative pieces in residence halls.

(l) Students shall comply with reasonable requests by university staff to provide identification, proof of age, and/or show contents of a container when requested.

(m) Possession and consumption of alcohol in the privacy of individual residence hall rooms must not infringe on the privacy and peace of other individuals.

(n) Residence hall or housing funds may not be used to purchase alcoholic beverages.

(4) Alcohol-free housing. Per RCW 28B.10.575, the university shall notify all students applying for student housing of the availability of housing where all alcoholic beverage use is prohibited. The university shall accommodate student requests for alcohol-free housing.

(5) Awareness. The university shall distribute to students in university residence halls the process for reporting violations and complaints of alcohol and illegal drug use, the policies and procedures for investigating such complaints, and sanctions that may be applied for violations of the institution's alcohol and illegal drug use policies.

[Statutory Authority: RCW 28B.35.120(12). WSR 21-07-005, § 172-64-020, filed 3/4/21, effective 4/4/21; WSR 15-14-077, § 172-64-020, filed 6/29/15, effective 7/30/15; WSR 14-24-037, § 172-64-020, filed 11/24/14, effective 12/25/14; WSR 03-18-070, § 172-64-020, filed 8/29/03, effective 9/29/03.]

WAC 172-64-030 Alcohol use in private university residences.

Persons of legal age may possess, consume, and/or serve alcohol inside university-owned buildings other than residence halls or the apartments when the buildings are being used as private residence, such as the University House.

[Statutory Authority: RCW 28B.35.120(12). WSR 21-07-005, § 172-64-030, filed 3/4/21, effective 4/4/21; WSR 14-24-037, § 172-64-030, filed 11/24/14, effective 12/25/14; WSR 03-18-070, § 172-64-030, filed 8/29/03, effective 9/29/03.]

WAC 172-64-035 Alcohol use in academic courses.

This section establishes rules for academic courses that include possessing, tasting, serving, brewing, or otherwise using alcoholic beverages as part of the course curriculum. All such courses must:

(1) Comply with all rules under RCW 66.20.010(12) and any additional provisions required by the Washington state liquor and cannabis board;

(2) Maintain a current class 15 permit for the course;

(3) All instructors must be at least 21 years old and have a current class 12 or 13 alcohol server permit;

(4) Publish course fee descriptions which clearly indicate when part of the course fee will be used to purchase alcoholic beverages and/or ingredients for producing alcoholic beverages for use in the course;

(5) Purchase, store, and dispose of alcoholic beverages and/or ingredients for producing alcoholic beverages per university procedures set forth by risk management and purchasing; and

(6) Allow only course instructors with a current class 15 permit to transport alcoholic beverages in support of an academic course.

[Statutory Authority: RCW 28B.35.120(12). WSR 22-12-041, § 172-64-035, filed 5/25/22, effective 6/25/22.]

WAC 172-64-040 Alcohol use at on-campus events and events off-campus that are sponsored by the university.

(1) **On university property.** This section establishes rules for possessing, consuming, selling, and/or serving alcoholic beverages on university-owned or operated property, regardless of whether an event is sponsored by the university and regardless of whether event sponsors are affiliated with the university. This section does not apply to academic courses that are authorized by and subject to WAC 172-64-035.

(a) Sponsor requirements. Sponsors of an event where alcohol is to be possessed, sold, served and/or consumed, must comply with the following requirements:

(i) Obtain written permission from the appropriate official(s) in advance of the event:

(A) Student clubs and organizations must obtain permission from the student activities office;

(B) For all other requests, sponsors must obtain permission from the vice president for business and finance or designee;

(ii) Contact event planning to request a banquet permit or a special occasion license per WAC 172-64-070;

(iii) Comply with all Washington state laws, chapter 172-64 WAC, all other university rules and policies; and any additional instruc-

tions provided to the event/activity sponsor as a condition of approval;

(iv) Ensure Washington state alcohol serving requirements are enforced:

(A) Event sponsors must ensure that all persons designated to serve alcohol are at least 21 years old and have received alcohol server training;

(B) Event sponsors must ensure that servers check ID and do not serve alcohol to any person who is under 21 years old or who appears intoxicated;

(v) Prohibit serving alcohol during normal, university business hours unless an exception has been granted as part of the request under (a) (i) of this subsection;

(vi) Prohibit persons from bringing alcoholic beverages into the event unless specifically authorized by the banquet permit or special occasion license;

(vii) Prohibit persons from taking alcoholic beverages outside of the approved alcohol use area, except for beer/wine in the original unopened container that is sold or auctioned for off-premises consumption as specifically authorized by a special occasion license;

(viii) Provide food or snacks and nonalcoholic beverages at the same place as alcoholic beverages and feature nonalcoholic beverages at least as prominently as alcoholic beverages;

(ix) Inform university police of the event and consult with the university police about appropriate security measures.

The university police shall determine appropriate security measures to be taken for on-campus events where alcohol is to be possessed, consumed, sold, and/or served. University police shall coordinate with the event's sponsor and appropriate university personnel to assist in compliance with state laws and university rules; and

(x) Gifts, awards, and rewards. Alcoholic beverages may not be provided as gifts or awards to any person as part of any event conducted under a special occasion license.

(2) **Publicity and advertising of events on campus and off campus.** The following rules apply to any events on university-owned or operated property as well as university-sponsored events off campus.

(a) Events conducted under a banquet permit are by invitation only and may not be advertised to the public.

(b) All announcements and advertisements concerning an event including, but not limited to, flyers, notices, posters, banners, t-shirts and newspaper and radio announcements, must:

(i) Note the availability of nonalcoholic beverages at least as prominently as the availability of alcoholic beverages;

(ii) State that proper identification is required in order to be served or sold alcoholic beverages; and

(iii) Not make reference to the amount of alcoholic beverages available at the event.

(c) All announcements and advertisements, as well as any promotions of specific alcoholic beverage brands at the event:

(i) Must not make reference to any form of drinking contest. Drinking contests and similar activities which encourage the rapid and/or excessive consumption of alcoholic beverages are prohibited;

(ii) Must not portray drinking as a solution to personal or academic problems or as necessary to social, sexual, or academic success; and

(iii) Must not encourage any form of alcohol abuse or place emphasis on quantity or frequency of consumption.

(3) University-sponsored events off campus.

(a) All university-sponsored events involving the consumption of alcohol must take place outside of normal university business hours unless permission is obtained in advance from the vice president for business and finance or designee.

(b) If a university sponsored event is hosted off campus at the site of a private vendor, individuals may purchase alcohol from the private vendor. The private vendor is responsible for complying with all relevant state and local laws.

(c) If a university sponsored event is hosted off campus at an employee's private residence, university employees are prohibited from serving or providing alcohol to any university students.

[Statutory Authority: RCW 28B.35.120(12). WSR 22-12-041, § 172-64-040, filed 5/25/22, effective 6/25/22; WSR 21-07-005, § 172-64-040, filed 3/4/21, effective 4/4/21; WSR 15-14-077, § 172-64-040, filed 6/29/15, effective 7/30/15; WSR 14-24-037, § 172-64-040, filed 11/24/14, effective 12/25/14; WSR 03-18-070, § 172-64-040, filed 8/29/03, effective 9/29/03.]

WAC 172-64-050 Alcohol use during group trips. (1) This section applies to the possession and consumption of alcoholic beverages by university employees and/or students when participating in a university sponsored or supported group trip including, but not limited to, group attendance at conferences, conventions, seminars, training, field trips, etc., except that this section does not apply to academic courses that are authorized by and subject to WAC 172-64-035.

(2) Unless an exception has been granted per subsection (3) of this section, during supervised periods of a group trip (e.g., when work, instruction, or official business is being conducted) employees and students shall not possess or consume alcohol.

(3) Exceptions may be granted if the trip involves attending a function where the consumption of alcohol is a cultural or social expectation. Examples of such functions include, but are not limited to, receptions, cultural exchanges, and professional gatherings. Requests for exceptions must be made to the appropriate vice president. For approved requests, participants must:

(a) Comply with all applicable local laws; and

(b) Comply with all additional requirements and/or instructions provided as a condition of the approval.

(4) Notwithstanding any other rules or exceptions under this policy, university employees and students shall not:

(a) Consume alcohol during any period of time when they are responsible for the care and/or transportation of other group members;

(b) Transport alcoholic beverages in any vehicle, including personal and rental vehicles, used in support of a group trip.

[Statutory Authority: RCW 28B.35.120(12). WSR 22-12-041, § 172-64-050, filed 5/25/22, effective 6/25/22; WSR 15-14-077, § 172-64-050, filed 6/29/15, effective 7/30/15; WSR 14-24-037, § 172-64-050, filed 11/24/14, effective 12/25/14; WSR 03-18-070, § 172-64-050, filed 8/29/03, effective 9/29/03.]

WAC 172-64-060 Sponsorship by alcohol manufacturers, distributors, and vendors. University groups may accept donations of alcohol-

ic beverages, funds, or other sponsorship from manufacturers, distributors, or vendors of alcoholic beverages, so long as such sponsorship is in compliance with state laws and regulations and has been approved by the vice president for business and finance.

[Statutory Authority: RCW 28B.35.120(12). WSR 14-24-037, § 172-64-060, filed 11/24/14, effective 12/25/14; WSR 03-18-070, § 172-64-060, filed 8/29/03, effective 9/29/03.]

WAC 172-64-070 Banquet permits and special occasion licenses. A banquet permit or a special occasion license must be obtained in order to permit alcoholic beverages to be possessed, sold, served, and/or consumed on university owned or operated property and/or at university-sponsored events and activities. This section does not apply to academic courses that are authorized by and subject to WAC 172-64-035.

Banquet permits and special occasion licenses have specific rules concerning alcohol serving, sales (including raffles and gifts), event advertising, and related issues as contained in chapters 314-05 and 314-18 WAC.

Event organizers must contact EWU event planning to initiate the process for obtaining a banquet permit or special occasion license. Banquet permits and special occasion licenses are issued by the Washington state liquor and cannabis board.

[Statutory Authority: RCW 28B.35.120(12). WSR 22-12-041, § 172-64-070, filed 5/25/22, effective 6/25/22; WSR 21-07-005, § 172-64-070, filed 3/4/21, effective 4/4/21; WSR 14-24-037, § 172-64-070, filed 11/24/14, effective 12/25/14; WSR 03-18-070, § 172-64-070, filed 8/29/03, effective 9/29/03.]

WAC 172-64-080 Application for a liquor license. The board of trustees of Eastern Washington University approves the sale of alcohol on the premises of Eastern Washington University, and reserves the right to subsequently adopt rules and regulations governing the same.

The board of trustees delegates to the university president, or designee, the responsibility for investigating and establishing a program to implement the board's policy of permitting alcohol to be sold on campus. Such program may only be implemented with board approval.

[Statutory Authority: RCW 28B.35.120(12). WSR 14-24-037, § 172-64-080, filed 11/24/14, effective 12/25/14; WSR 03-18-070, § 172-64-080, filed 8/29/03, effective 9/29/03.]

WAC 172-64-090 Alcohol sales and delivery on university owned or operated property. Vendors may not sell and/or deliver alcohol on property owned or operated by the university except as is necessary to support a function that has obtained a banquet permit or a special occasion license, or for sales or deliveries to an on-campus entity or business holding a valid liquor license, or to an academic department holding a valid class 15 permit.

[Statutory Authority: RCW 28B.35.120(12). WSR 22-12-041, § 172-64-090, filed 5/25/22, effective 6/25/22; WSR 14-24-037, § 172-64-090, filed

11/24/14, effective 12/25/14; WSR 03-18-070, § 172-64-090, filed 8/29/03, effective 9/29/03.]

WAC 172-64-100 University enforcement of alcohol policy. The university may take action under this chapter for any violations over which it has jurisdiction.

Violations of this chapter may also be violations of federal, state, or local laws. A person may face criminal and civil prosecution as well as university disciplinary action for violation of these regulations and/or related laws. University enforcement of this chapter may be carried out prior to, simultaneously with, or following civil or criminal proceedings in the courts.

(1) Student violations. Violations of these rules by students and/or recognized student organizations will be reported to the dean of students for possible action under the Student conduct code, chapter 172-121 WAC.

(2) Employee violations. Violations by university employees may result in disciplinary action, up to and including termination of employment, in accordance with applicable rules, collective bargaining agreements, and university policies.

(3) Guest violations. Guests who violate this chapter may be removed from campus or be given a notice against trespass.

[Statutory Authority: RCW 28B.35.120(12). WSR 14-24-037, § 172-64-100, filed 11/24/14, effective 12/25/14; WSR 03-18-070, § 172-64-100, filed 8/29/03, effective 9/29/03.]