

MICHIGAN STATE UNIVERSITY

July 13, 2018

To: Deans Directors and Chairs

From: Bill Beekman, Vice President and Secretary of the Board of Trustees

Subject: Alcohol on Campus and Guidelines for Exceptions to [Ordinance 21.00](#)

To ensure the health, safety, and welfare of the MSU Community, a recent legal review of our University alcohol protocols took place. To comply with the Michigan Liquor Control Commission (MLCC), our University procedures regarding the sale and consumption of alcohol at events held on campus have changed effective immediately. See additional details below and on the Ordinance 21.00 website: https://trustees.msu.edu/ordinances/ordinances_sec21.html.

Ordinance 21 generally prohibits the consumption and possession of alcohol on lands and in buildings governed by the Michigan State University Board of Trustees.

Attached is information related to exceptions for Ordinance 21.00:

- Guidelines for Exceptions to Ordinance 21.00
- Appendix A: Alcoholic Beverages Exception Request Form (submit 8 weeks prior to the event)
- Appendix B: Use and Time Guidelines
- Appendix C: Licensed Facilities
- Appendix D: Alcohol Exception Flowchart



**Vice President
and
Secretary of
the Board
of Trustees**

Hannah Administration Building
426 Auditorium Road, Room 450
East Lansing, MI 48824

517-353-4647
Fax: 517-355-4670
trustees.msu.edu

MSU's liquor license requirements and MLCC regulations require that any alcohol at professionally catered events must be purchased directly from Kellogg Catering beginning September 1, 2018, except as explicitly provided otherwise in the Ordinance and Guidelines. No other MSU department or external caterer may buy, sell, or serve alcoholic beverages on campus. These new rules immediately apply to any signed contracts you have for future events to ensure that MSU is in compliance with State laws and regulations.

An external caterer can serve alcohol on campus **only** on home football game days and all rules specified in the Guidelines for Exceptions to Ordinance 21.00, Section VI must be followed.

Thank you in advance for your cooperation. If you have any further questions, please do not hesitate to contact Joel Heberlein, Executive Director of Spartan Hospitality Group.

Sincerely,

A handwritten signature in black ink that reads "Bill Beekman".

Bill Beekman

Vice President and Secretary of the Board of Trustees

Guidelines for Exceptions to Ordinance 21.00

Michigan State University Ordinance 21.00, Alcoholic Beverages, generally prohibits the consumption and possession of alcohol on lands and in buildings governed by the Michigan State University Board of Trustees. The Board has granted the Secretary of the Board of Trustees (“the Secretary”) the authority to grant exceptions to Ordinance 21.00. The Secretary has established the following guidelines to aid the campus community in understanding where, when and how the Secretary is likely to grant exceptions to Ordinance 21.00.

The Ordinance

Ordinance 21.00 reads as follows:

21.00 ALCOHOLIC BEVERAGES

21.01 Use or possession permitted

21.02 Use or possession prohibited*

21.03 Open Containers prohibited

21.04 Exceptions

- .01** The use or possession of alcoholic beverages, including beer and wine, subject to state law, is permissible in housing facilities (rooms, suites, and apartments) assigned by Michigan State University.
- .02** The consumption and possession of alcoholic beverages is prohibited (a) in classrooms, lecture halls, laboratories, the libraries, and the chapel, and (b) during all intercollegiate athletic contests and during entertainment programs that are open to the general public, in the concourses and outdoor seating areas at Spartan Stadium, the arena and concourses at Breslin Student Events Center, and in all other athletic facilities.
- .03** The possession of open or uncapped containers of alcoholic beverages and the consumption of alcoholic beverages is prohibited in all public areas of lands governed by the Michigan State University Board of Trustees and in all public areas of campus buildings, except with respect to locations, events, or occasions for which the Secretary of the Board of Trustees has approved, in writing, an exception to this prohibition.
- .04** Exceptions to this ordinance will be made pursuant to guidelines approved by the Secretary of the Board of Trustees.

Enacted: September 15, 1964

Amended: April 17, 1970
December 10, 1994
April 14, 1995
November 14, 2003
February 11, 2005
September 16, 2005
April 22, 2014

*Denotes Civil Infraction

I) Alcohol Provided Without Charge

From time to time units may wish to provide alcohol at no charge as part of an event or reception. This is called a “hosted bar.” By way of example, at many weddings, the hosts pay the venue for all alcohol consumed, which was provided by the venue at a bar at no charge to the guests in attendance. Other examples might include, among others, a reception following a guest lecture or a donor or alumni event before an on-campus musical or theatre performance.

A. *If alcohol is available through a hosted bar, the following rules apply.*

1. The requestor must first complete and submit to the Secretary of the Board of Trustees the Alcoholic Beverages – Exception Request Form (“Exception Form”) at least eight (8) weeks prior to the event. This exception allows units to purchase and provide alcohol at no charge so long as the following conditions are met:
 - a. The primary purpose of the event is something other than the availability of alcohol and alcohol is not used as an inducement to participate in the event.
 - b. The event will be held in a manner that is consistent with the standards of conduct appropriate for an academic community.
 - c. The event will take place in a building, space, or area that falls within appropriate use and time guidelines. These guidelines can be found in Appendix B.
 - d. Appropriate precautions will be enforced to prevent underage drinking and other violations of law or University policy.
 - e. The majority of the participants at the event will be of legal drinking age.
 - f. The event will not result in the disruption of scheduled educational or extracurricular activities.

B. An Alcohol Beverages Exceptions Request Form is not required when all of the following conditions are met:

1. The alcohol is served in a licensed facility. Licensed facilities are buildings and rooms in which the sale of alcohol is permitted through a license to the Kellogg Hotel and Conference Center by the Michigan Liquor Control Commission. A complete list of licensed facilities can be found in Appendix C.
2. The alcohol is served by Kellogg Catering.
3. Undergraduate students will not be in attendance at the event.

Additional Information and Interpretation

At receptions or meals that are part of a conference for which an attendee has paid a fee, all alcohol served is considered to be included within the cost of the conference and therefore is not provided at no charge and this is not a hosted bar. This is true even if the organizers can show that separate funds were used to purchase the alcohol.

II) Sale of Alcohol on Campus at a Licensed Facility

It is permissible to sell alcohol (and the Secretary will suspend enforcement of Ordinance 21.00) at several licensed locations on campus. These places, called Licensed Facilities, are listed in Appendix C. The Kellogg Hotel and Conference Center maintains licensure through the Michigan Liquor Control Commission for alcohol sales in these locations. The rules for selling alcohol in licensed facilities are as follows.

- A. Kellogg Catering is responsible for all alcohol sales and services, for events taking place at licensed locations within designated areas at the Kellogg Hotel and Conference Center, the MSU Auditorium and Fairchild Theatre, the MSU Student Union, the Wharton Center, the Broad Museum, and Spartan Way (the Spartan Stadium Tower.) Kellogg Catering can be contacted at 517-432-7071.
- B. For events taking place at the Clifton and Delores Wharton Center for the Performing Arts or the Eli and Edythe Broad Museum of Contemporary Art, each facility has an events manager who is responsible for scheduling events, room reservations and catering services within their respective facilities.
 - At Wharton Center, contact Nina Silbergleit at 517-884-3109 or nina@whartoncenter.com.
 - At the Broad Art Museum, contact Stephanie Kribs at 517-884-3911 or kribsste@msu.edu.

III) Sale of Alcohol on Campus at Alice B. Cowles House

For events taking place at Alice B. Cowles House, the Cowles House Manager is responsible for coordination of events serving alcohol. The Cowles House Manager can be contacted at (517) 355-7554.

IV) Sale of Alcohol on Campus other than at a Licensed Facility

On rare occasion, it may be appropriate to request to sell alcohol at a location that is not already licensed for that purpose. If a unit wishes to sell alcohol at a location that is not listed as a licensed facility in Appendix C, the following rules apply:

A. *If alcohol is sold through a ticketed event or a cash bar, the following rules apply:*

1. Definitions.
 - a. A ticketed event is an event where the attendee purchases a ticket or makes a donation that allows the attendee access to food and/or drinks, including alcohol, at no additional charge. Examples of ticketed events might include dinners or receptions that are part of a larger conference or fundraising events where the attendee purchases a ticket to attend.
 - b. A cash bar exists when attendees purchase drink tickets or purchase a drink at the bar.
2. The requestor must first complete and submit to the Secretary of the Board of Trustees the Alcoholic Beverages – Exception Request Form (“Exception Form”) at least eight (8) weeks prior to the event.
3. If the event is approved by the Secretary, the requestor will need to complete and submit a Special License (One-Day Liquor Permit subject to approval) to the Michigan Liquor Control

Commission (MLCC) for consideration. If the event is approved by MLCC, the requestor must contact Kellogg Catering at 517-432-7071 to arrange for alcohol sales and service a minimum of 4 weeks prior to the event. For additional information on Special License/One-Day Permits, see below “Additional Information and Interpretation” section.

Additional Information and Interpretation

A Special License/One-Day Permit is a temporary license that MSU can seek from the Michigan Liquor Control Commission (MLCC) that authorizes MSU to sell alcohol in a non-licensed space for a single event. The Commission’s Special License/One-Day Permit form requires the signatures of the University President, the Secretary of the Board of Trustees and the Chief of Police. A Bond from an insurance provider must also be acquired. The application requires the approval of the MLCC, so the lead-time for this process is significant.

Please note that the University can request no more than twelve (12) one-day permits in any calendar year. As a result, these permits are typically only utilized for large-scale development functions and are generally not available for other uses. Individuals that wish to explore the use of a special license/one-day permit are encouraged to contact the Office of the Secretary of the Board of Trustees as early in the planning process as possible and a minimum of eight (8) weeks prior to the event.

Occasionally, not-for-profit entities will seek permission to utilize one of the entity’s one-day permits to sell alcohol on-campus. This practice is typically not permitted. Individuals that wish to explore the use of a one-day permit obtained by a not-for-profit entity other than MSU are encouraged to contact the Office of the Secretary of the Board of Trustees as early in the planning process as possible.

V) Consumption of Alcohol within the University Curriculum

Several University classes allow, as a part of the course curriculum, the consumption of alcohol. Faculty teaching those courses must abide by the following rules:

- A. Before the course is offered for the first time, the consumption of alcohol as part of the course curriculum must be approved in writing by the Associate Provost for Academic Services, Enrollment Management, and Academic Initiatives. A copy of the approval will be sent to the Secretary of the Board of Trustees.
- B. When the course is offered, the instructor of record will:
 1. Alert the Secretary of the Board of Trustees of those class days on which it is expected that alcohol will be tasted at the beginning of the semester
 2. Ensure that consumption of alcohol is restricted to individuals of legal drinking age.
 3. Ensure that all students consuming alcohol have available proof that they are of legal drinking age by providing a valid state-issued driver’s license, or a state identification card, or a valid passport.
- C. The Office of the Provost and the MSU Police Department will be notified of the dates on which alcohol will be served and reserve the right to provide on-site oversight to ensure that all rules are being followed. For licensed facilities, alcohol must be purchased by Kellogg Catering.

VI) Home Football Game Days - Possession and Consumption in Public Areas

On home football game days, certain rules are suspended and in some cases exceptions are made to the above rules.

- A. Enforcement of Ordinance 21.03 will be suspended on all public lands of campus bounded by Grand River Avenue, Hagadorn Road, Mount Hope Road, Harrison Road, and Michigan Avenue on home football game days during the hours the University parking lots are open for tailgating. Thus, the possession and consumption of alcohol in exterior spaces within these boundaries are allowed, except in the pedestrian areas and ticket queuing areas immediately adjacent to Spartan Stadium.
- B. Enforcement of Ordinance 21.03 will not be suspended for public areas of campus buildings (meaning, all interior spaces) on home football game days unless the Secretary has granted an exception.

VII) Home Football Game Days - Service of Alcohol

For tailgates where alcohol is served, an organization, or unit may host an event during home football game days as long as guests are not required to purchase a ticket, or make a donation to attend; provided, however, that non-profit organizations may seek a special license to sell alcohol from the Michigan Liquor Control Commission with prior approval from the Secretary of the Board of Trustees. It is permissible to use a caterer other than Kellogg Catering to serve your guests at a hosted bar. For a person wishing to use an external caterer, the following rules apply:

- A. The requestor must first complete and submit the Alcoholic Beverages – Exception Request Form (“Exception Form”) to the Secretary of the Board of Trustees at least 8 weeks prior to event.
- B. If the event is approved by the Secretary, the requestor must contact Kellogg Catering to obtain a list of external caterers that have been approved by Kellogg Catering to serve alcohol on-campus.
- C. External Caterers must follow these rules:
 - 1. External caterers can only serve alcohol using a hosted bar. A hosted bar exists when the hosting entity provides alcohol at a bar free of charge to attendees. By way of example, at many weddings, the hosts pay the venue for all alcohol consumed, which was provided by the venue at a bar at no charge to the guests in attendance.
 - 2. External caterers cannot serve alcohol in the Licensed Facilities listed in Appendix C.
 - 3. An external caterer must:
 - i. Provide a copy of their catering permit upon request.
 - ii. Display a copy of their bar permit at all times during the event
 - iii. Utilize certified and licensed bartenders. Bartenders must carry their current certification TIPS, TAM, or other serve safe course when serving alcohol on-campus.
 - 4. Alcohol may only be served by the caterer’s staff.
- D. Common Sources

- No kegs or other common source containers are allowed on-campus

Off-Campus Properties

Ordinance 21.00 applies to all land and property governed by the Michigan State University Board of Trustees. These guidelines should be broadly interpreted to include all land and property governed by the Board, regardless of location. Likewise, the word “campus”, when used in these guidelines, should be construed broadly to include off-campus locations as appropriate.

Further Information

Any questions regarding Ordinance 21.00 or these guidelines should be directed to the Office of the Secretary of the Board of Trustees.

Telephone: (517) 355-6560

Email: presmail@msu.edu

Guidelines approved by the Secretary of the Board of Trustees effective July 13, 2018

Appendix A: Alcoholic Beverages Exception Request Form, MSU Ordinance 21.00

Refer to the Guidelines for Exceptions to Ordinance 21.00 for a complete list of Alcohol policies and procedures.

Responsible Party (Chairperson/Director level or above):	
Department Name:	
Form completed by:	
Phone number:	
Address:	
Event Location:	
Event Date:	
Starting/Ending Time:	
Estimated Attendance:	
What type of alcohol will be served? (Beer, wine, liquor):	

- A. Will you serve alcohol with a licensed bartender? Yes No
- B. Will you charge admission to the event? Yes No
- C. Will you sell drink tickets or have a cash bar? Yes No
- D. Will undergraduate students be attending the event? Yes No

If you checked yes for B or C, how will the monies be used?

Describe how you will prevent non-attendees from entering your event:

Describe how you will determine whether attendees are of legal drinking age:

Please submit form a minimum of eight (8) weeks prior to your event to: presmail@pres.msu.edu or
The Board of Trustees, 426 Auditorium Rd., Room 450 Hannah Administration Building, East Lansing, MI 48824

Leave Blank for Board of Trustees Office Review:

Action: **Approved** **Approved with Conditions** **Denied**

Signed _____ Date _____

Appendix B: Use and Time Guidelines

The chart below provides general criteria, time and usage restrictions for the various types of space available for alcohol service.

Event Location	Permissible Times	Conditions
Academic Buildings, including: <ul style="list-style-type: none"> • Classrooms • Lecture Halls • Laboratories • Libraries • Alumni Chapel 	None	Not applicable
Academic Buildings (spaces other than those above)	Monday-Friday: 5pm – 9pm Saturday-Sunday: 12pm – 7pm	No undergraduates Beer and wine only
Non-Academic Buildings	Monday-Friday: 5pm – 9pm Saturday-Sunday: 12pm – 9pm	Age 21 and older Beer and wine only
Athletic Facilities:		
Stadium	None	Not applicable
Breslin Arena/Suites	None	Not applicable
Breslin – Other Areas	Monday-Friday: 5pm – 9pm Saturday-Sunday: 12pm – 9pm	No undergraduates Beer and wine only Not during athletic contests or public events
Other Athletic Facilities	Monday-Friday: 5pm – 9pm Saturday-Sunday: 12pm – 9pm	No undergraduates Beer and wine only Not during athletic contests or public events
Tailgating (home football only)	Five (5) hours before the event Three (3) hours after the event	Age 21 and older
Outdoor Receptions	Monday-Friday: 5pm – 9pm Saturday-Sunday: 12pm – 9pm	Age 21 and older

Appendix C: Licensed Facilities

The following areas are licensed by the Michigan Liquor Control Commission to the Kellogg Hotel and Conference Center to sell alcohol and are approved by the Secretary of the Board of Trustees for that purpose.

- Breslin Student Events Center
 - Ground level – arena floor, lobby outside men’s locker room, room 26
 - Mezzanine level – meeting rooms a, b, c, d, north and south auxiliary gyms
 - Street level – concourse, hall of history, recruit lounge

- Clifton and Delores Wharton Center for the Performing Arts
 - Floor one (1) – Wolfram Green Room, Pasant Stage, Great Hall Stage
 - Floor two (2) – Grand Foyer, Jackson Lounge, Christman Lounge, Christman Lobby
 - Floor three (3) – Rehearsal Studio, Stoddard Grand Tier, Studio 380

- Eli and Edythe Broad Museum of Contemporary Art
 - First-floor education wing and adjacent outdoor patio space
 - Main gallery

- Kellogg Hotel and Conference Center
 - Hotel and Conference Center
 - East patio

- MSU Auditorium and Fairchild Theatre
 - The stage
 - Rooms 118, 120, 124, and 144

- MSU Student Union
 - Floor two (2) – MSU Ballroom, sun porch
 - Floor three (3) – Lake Huron, Lake Michigan, Lake Erie, Lake Ontario, Lake Superior and MSU Room

- Spartan Way (the Spartan Stadium Tower)
 - Floor four (4)
 - Floor seven (7) – suites and elevator lobby
 - Floor eight (8) – Athletic Director suite, Visiting Athletic Director suite, Head Coach suite, Sports Marketing suite, Governmental Affairs suite, north and south hospitality lobbies, elevator landing