

# Requirements for Service of Alcoholic Beverages on Indiana University Premises

## FIN-INS-10



### About This Policy

Effective Date:  
12-01-1996

Last Updated:  
07-29-2011

Responsible University Office:  
Office of Insurance, Loss Control & Claims

Responsible University Administrator:  
Vice President and Chief Financial Officer

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### Related Information

- \* [FIN-ACC-I-50, Allowable Hospitality Expenses](#)
- \* [Code of Student Rights, Responsibilities and Conduct](#)

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## Scope

This applies to all departments regardless of where the event is held.

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## Policy Statement

Any function held on University property, and any University function regardless of where held, must adhere to this policy regulating the serving of alcoholic beverages.

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## Reason For Policy

The serving of alcoholic beverages on university property and/or in conjunction with university functions is limited by other university policies (see FMS policies and §III.B.21 in the [Code of Student Rights, Responsibilities and Conduct](#)). This activity has an inherent risk of dangers arising from intoxication.

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## Procedure

1. The provision of and service of alcoholic beverages must be completely catered by an established firm which is currently licensed by the State of Indiana Alcoholic Beverage Commission with an "off-premises" permit. Neither University staff nor the customer will be permitted to provide the beverages, serve them, or in any way handle the service. All persons engaged in the service must be agents of the licensed caterer.
2. The services of the beverage caterer must be contracted for by the customer (user) of the University premises, not by the University.
3. No alcoholic beverages may be served for any group of undergraduate students of the University, or for any function where it is reasonable to expect consumption by persons under the age of twenty-one years.
4. The contract with the user of the premises will provide certain protections for the University as follows:
  - a. At least three business days prior to each occasion alcohol is to be served, the University contact person for this function must receive a fully executed, original copy of the contract along with a copy of the caterer's State of Indiana permit for that specific occasion.
  - b. The contract will provide that the caterer indemnify and hold harmless the University with respect to occurrences arising out of the service of alcoholic beverages. The language will be similar to the following:

"\_\_\_\_\_ (caterer) shall indemnify, defend and save harmless Indiana University and its agents and employees, from and against all loss, liability or damage for injuries to or death of persons or damage to property, real or personal, arising from the designated function on or about University premises (other than such injuries, death or damage resulting from an act or omission of University, its agents and employees, or licensees) or arising from the occupancy or use thereof by \_\_\_\_\_ (caterer), its agents, employees, invitees, or guests."
  - c. The contract will provide that the caterer carry insurance which protects the University, in approximately the following form:

"\_\_\_\_\_ (caterer) shall maintain a policy of Commercial General liability insurance, with "Broad Form" provisions. Such policy of insurance is to be of the "occurrence" type. Said policy shall include dram shop operations or, alternatively, a separate policy of insurance, subject to all provisions of this paragraph, shall be purchased to provide coverage for dram shop operations."
  - d. The amount of coverage of each policy of general liability insurance shall be three million dollars (\$3,000,000) [e.g., one million dollars (\$1,000,000) primary policy with two million dollars (\$2,000,000) umbrella]. The amount of coverage for dram shop operations shall be three million dollars (\$3,000,000), either as a part of the general liability policy or under a separate policy.
  - e. The Trustees of Indiana University shall be named as an additional insured on the general liability policy and the dram shop policy, if one is obtained.
  - f. In the event of suit arising from an occurrence or accident arising from \_\_\_\_\_ (caterer's) occupancy or use of the University premises and not resulting in any part from negligence on the part of University, and such suit names University as a party to the suit, \_\_\_\_\_ (caterer) agrees to assume defense of said suit on behalf of University.
5. Such policies of insurance shall be issued by an insurance company approved by the Office of Insurance, Loss Control & Claims.
  - If the **caterer** is pre-approved then the requirement to obtain a certification of insurance is waived.
  - Otherwise, a certificate of insurance showing the required coverages and naming the Trustees of Indiana University shall be delivered to the Office of Insurance, Loss Control & Claims at least three business days prior to the event being catered. *At the request of the Office of Insurance, Loss Control & Claims*, a complete copy of these policies shall be delivered to the Office of Insurance, Loss Control & Claims no later than three business days prior to the event to be catered on the University premises.

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## History

This policy was established on December 1, 1996.