

### **70-9 Tailgating at Sporting Events (Portales)**

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1. **Purpose.** The purpose of this policy and procedures is to provide opportunities for social gatherings (tailgating) prior to athletic events for Eastern New Mexico University-Portales (the University) students, alumni, visitors, fans and supporters. The University's alcohol-free policy prohibits the possession or consumption of alcoholic beverages on campus or on campus property except as stipulated in the time, place and manner outlined in this policy.
  
2. **Policy.** The policies established in furtherance of the above purposes are as follows:
  - A. Tailgating will be allowed up to three hours prior to the official start of the game. Tailgating parties must comply with regulations outlined in the University's Tailgating Guidelines, available from the ENMU Athletics Department.  
<https://goeasternathletics.com/sports/2016/7/27/enmu-athletic-tailgating-guidelines.aspx?id=1396>
  
  - B. Tailgating without alcohol is permitted in athletic venue parking lots, except in areas designated for other activities.
  
  - C. Tailgating with alcohol is restricted to the area of the University's Greyhound Stadium parking lot designated for this purpose. No alcoholic beverages may be sold. Served drinks must be in plastic cups or cans. Kegs and bottles are not permitted. No drinking games are allowed and all alcohol consumption must cease at the game's scheduled kick-off. There is no tailgating during halftime or after the game. Alcoholic beverages may not be taken from the tailgate area nor into the Stadium.
  
  - D. Persons tailgating with alcohol must be aged twenty-one (21) or older and may be asked to produce valid photo identification confirming that they are of legal age to consume or be in possession of alcohol.
  
  - E. Tailgating groups are responsible for cleaning up their areas following the tailgate. If additional clean-up is required or if there is damage to property, this cost must be covered by the tailgaters. More detail is provided in the University's Tailgating Guidelines, see link above.

The foregoing purpose and policies are implemented by the following.

### **Procedures**

3. **Definitions.** The following definitions shall be applicable throughout these policies and procedures:
  - A. "Alcoholic beverages" for purposes of this policy shall refer to beer, wine or spirits.
  
  - B. "Legal age to consume alcohol" shall refer to New Mexico law permitting persons aged twenty-one or older to consume or be in possession of alcohol.

4. **Administration.** These procedures shall be administered by the Department of Public Safety (DPS), with oversight by the ENMU System chief financial officer (CFO).
5. **Enforcement.** This policy is enforced by the DPS and their designated personnel.
  - A. Participation in tailgating activities does not give participants the right to be impaired or intoxicated. All laws relating to public intoxication or driving under the influence of alcohol will be enforced.
  - B. Providing alcohol to minors is prohibited by law.
  - C. Any staff member or student who violates this policy or procedures shall be subject to appropriate University disciplinary action and to penalties under state or federal statutes.
6. **Appeals.** If staff members, students or visitors wish to appeal a decision of the DPS, their designees or University officials regarding enforcement of this policy, they may contact the chief of the DPS within three (3) working days of the action. The decision of the chief of DPS shall be communicated to that party within five (5) working days. This decision is subject to review by the CFO, if appealed by either party.
7. **Policy Suspension.** Tailgating on University property is a privilege, not a right. If the need arises, this policy or portions of it can be suspended or revoked at the discretion of the University president, subject to review by the Board of Regents.

Approved by Board of Regents, January 21, 2015.

Approved by Board of Regents. September 25, 2020.