



# PHI KAPPA SIGMA

INTERNATIONAL FRATERNITY, INC.

## Phi Kappa Sigma International Fraternity Risk Management Policy

Revised (Changes in RED) & Approved by the Executive Committee (September 2011)

The Risk Management Policy of Phi Kappa Sigma, as adopted by the Phi Kappa Sigma International Fraternity Executive Committee, shall apply to all entities and all levels of fraternity membership. It includes the following provisions:

### **ANY VIOLATION OF PHI KAPPA SIGMA RISK MANAGEMENT POLICY BY INDIVIDUAL MEMBERS OR CHAPTERS WILL LEAD TO DISCIPLINARY ACTION AND LOSS OF INSURANCE COVERAGE.**

Phi Kappa Sigma New Members, Active Members and Alumnus Members are bound by all federal, state, and/or local laws, and by university regulations and policy. Furthermore, our members are bound by Phi Kappa Sigma standards of conduct.

Phi Kappa Sigma expects each member to obey all applicable laws, regulations, policies and standards regarding the consumption of alcoholic beverages and controlled substances. Failure to abide by law, regulation, policy, or Fraternity standards may be cause for suspension of membership or discipline of the Chapter.

Fraternity policies state that:

- 1. No alcohol may be present on Chapter property at any time.**
- No Chapter may dispense alcoholic beverages. No Chapter may purchase (or use Chapter funds directly or indirectly for) alcoholic beverages.
- No alcohol is permitted at any **recruitment** or new member function (including bid day), any Phi Kappa Sigma ceremony (pledging, initiation, installation of officers, senior recognition, etc.) or any official function at which attendance is required or expected.
- The possession, use, or sale of illegal drugs is a felony and is completely incompatible with Phi Kappa Sigma standards and is a basis for disciplinary action. If a Chapter does not take immediate action in such case, the Executive Committee shall initiate action in accordance with the International Fraternity's Constitution & Acts.

The following policies apply to Phi Kappa Sigma functions:

- All Phi Kappa Sigma functions are by invitation only.
- Invitation lists shall be limited to the number of individual **active and new** members of the Chapter and no more than two guests additional per **active and new** member.
- Multi-group functions should include no more than four (4) individual Greek organizations and include no guests.
- Chapter functions on Chapter property will be alcohol-free.
- Off campus functions should be located as close to the Chapter as possible.
- All events with alcohol must comply with Third Party Vendor guidelines.
- If alcohol will be served, the Chapter must travel to the off campus facility either on a bus, rented at Chapter expense, or in automobiles using designated driver procedure.

# FIPG, Inc. Risk Management Policy

The Risk Management Policy of FIPG, Inc. includes the provisions, which follow and shall apply to all fraternity entities and all levels of fraternity membership.

## ALCOHOL AND DRUGS

- The possession, sale, use, or consumption of ALCOHOLIC BEVERAGES, while on Chapter premises or during a fraternity event, in any situation sponsored or endorsed by the Chapter, or in any event an observer would associate with a fraternity, must be in compliance with any and all applicable laws of the state, province, county, city and institution of higher education, and must comply with either the BYOB or Third Party Vendor Guidelines. (**ΦΚΣ NOTE: ΦΚΣ policy supercedes FIPG regarding BYOB. BYOB functions are NOT permitted. All functions including alcohol must comply with Third Party Vendor Guidelines.**)
- No alcoholic beverages may be purchased through Chapter funds nor may the purchase of same for members or guests be undertaken or coordinated by any member in the name of, or on behalf of, the Chapter. The purchase or use of a bulk quantity of common sources of such alcoholic beverage, e.g. kegs or cases, is prohibited.
- OPEN PARTIES, meaning those with unrestricted access by non-members of the fraternity, without specific invitation, where alcohol is present, shall be forbidden.
- No members, collectively or individually, shall purchase for, serve to, or sell alcoholic beverages to any minor (i.e., those under legal "drinking age").
- The possession, sale, or use of any ILLEGAL DRUGS or CONTROLLED SUBSTANCES while on Chapter premises or during a fraternity event or at any event that an observer would associate with the fraternity is strictly prohibited.
- No Chapter may co-sponsor an event with an alcohol distributor, charitable organization or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) where alcohol is given away, sold or otherwise provided to those present. **This includes any event held in, at or on the property of a tavern as defined above for purposes of fundraising. However, a chapter may rent or use a room or area in a tavern as defined above for a closed event held within the provisions of this policy, including the use of a third party vendor and guest list. An event at which alcohol is present may be conducted or co-sponsored with a charitable organization if the event is held within the provisions of this policy.**
- No Chapter may co-sponsor, co-finance, **or attend, or participate** in a function at which alcohol is purchased by any of the host Chapters, groups or organizations.
- All **recruitment or** rush activities associated with any Chapter will be non-alcoholic. **No recruitment or rush activities associated with any Chapter may be held at or in conjunction with a tavern or alcohol distributor as defined in this policy.**
- No member shall permit, tolerate, encourage, or participate in "drinking games." **The definition of drinking games includes but is not limited to the consumption of shots of alcohol, liquor, or alcoholic beverages, the practice of consuming shots equating to one's age, "beer pong", "century club", "dares" or any other activity involving the consumption of alcohol which involves duress or encouragement related to the consumption of alcohol.**
- No alcohol shall be present at any new member/**recruitment** activity or ritual of the Chapter. **This includes but is not limited to activities associated with "bid night", "big brother" and initiation.**

## HAZING

No Chapter, colony, student or alumnus shall conduct nor condone hazing activities. Hazing activities are defined as:

*"Any action taken or situation created, intentionally, whether on or off fraternity premises, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities may include but are not limited to the following: use of alcohol; paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside of the confines of the Chapter house; wearing of public apparel which is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; and any other activities which are not consistent with academic achievement, fraternal law, ritual or policy or the regulations and policies of the educational institution or applicable state law."*

## SEXUAL ABUSE AND HARASSMENT

The fraternity will not tolerate or condone any form of sexist or sexually abusive behavior on the part of its members, whether physical, mental or emotional. **This is to include any actions, which are demeaning to women or men ranging from but not limited to verbal harassment to sexual assault by individuals or active or new members acting together.**

### **FIRE, HEALTH AND SAFETY**

- All Chapter houses should meet all local fire and health codes and standards.
- All Chapters should have posted by common phones emergency numbers for fire, police and ambulance and should have posted evacuation routes on the back of the door of each sleeping room.
- All Chapters should comply with engineering recommendations as reported by the insurance company **or municipal authorities.**
- The possession and/or use of firearms or explosive devices of any kind within the confines and premises of the Chapter house is expressly forbidden.
- **Candles should not be used in Chapter houses or individual rooms except under controlled circumstances such as initiation.**

### **EDUCATION**

Each Chapter shall annually instruct its **active and new** members and alumni in the Risk Management Policy of **the International Fraternity and FIPG, Inc.** Additionally all **active and new** members shall annually receive a copy of said Risk Management Policies. **It should be noted that copies of these policies are available on the Fraternity's website.**

### **HOST INSTITUTION INDEMNIFICATION**

The Executive Committee of Phi Kappa Sigma agreed that Phi Kappa Sigma International Fraternity, Inc. (Fraternity) will not defend or indemnify any college or university host institution against the institution's negligence.

In addition, no chapter, chapter officer, chapter advisory board member, or House Corporation officer may execute agreements, contracts, or documents on behalf of the Fraternity that would bind or otherwise obligate the Fraternity.

Pursuant to the Federal Volunteer Protection Act, 42 U.S.C. §§1450-14505, college or university host institutions may not hold Phi Kappa Sigma volunteers, at any level, liable for harm resulting from a negligent act or omission of a volunteer who was acting within the scope of their responsibilities as a Phi Kappa Sigma volunteer.

(Approved by The Executive Committee of the Phi Kappa Sigma International Fraternity, Inc., July 30, 2011.)

### **CONTRACTUAL AGREEMENTS & ADDITIONAL INSURED**

No chapter, member, or housing organization may enter into any written or oral contract or financial agreement using the name of the fraternity. This includes without limitation such agreements as leases, contracts, hold harmless agreements, liability releases, account statements, purchase orders, and hotel or banquet contracts. As the fraternity's insurance does not afford protection for outside parties, no chapter, member, or housing organization may enter into any written or oral agreement under which the responsibility or liability of some party other than the fraternity is assumed. Additional Insured status under the fraternity's insurance requires the prior agreement of both the fraternity and its insurers.

### **AUTOMOBILES AND TRANSPORTATION**

Any individual who drives or provides transportation in conjunction with fraternity activities shall obey all applicable motor vehicle laws, including, but not limited to, those concerning vehicle safety, vehicle operation, financial responsibility and / or insurance, and the transportation and consumption of alcoholic beverages. Operators shall ensure that vehicles are properly maintained, not overloaded, and are operated in a safe manner. Rental vehicles shall be operated in accordance with rental contracts. Use of personal vehicles shall be strictly voluntary and the sole responsibility of the vehicle owner/operator. Financial Responsibility laws generally impose responsibility for accidents on the Driver or Owner of vehicles. The fraternity assumes no responsibility or liability and provides no insurance to Drivers or Owners of vehicles for accidents or injuries, or for any damages to vehicles not owned by the fraternity that may be used in conjunction with fraternity activities.

### **MEMBERS PERSONAL PROPERTY**

Use of personal property in fraternity activities shall be strictly voluntary and the sole responsibility of the owner. The fraternity assumes no liability or responsibility for any loss or damage to any personal property of members even if used in conjunction of fraternity activities.

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