



PHI KAPPA SIGMA

INTERNATIONAL FRATERNITY, INC.

Risk Management Policies

Revised and approved by the Executive Committee of Phi Kappa Sigma International Fraternity, Inc. ("Phi Kappa Sigma" or "the Fraternity") to be in effect August 1, 2016.

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

ANY VIOLATION OF THE PHI KAPPA SIGMA RISK MANAGEMENT POLICIES BY INDIVIDUAL MEMBERS OR CHAPTERS MAY LEAD TO DISCIPLINARY ACTION AND MAY INCLUDE THE LOSS OF INSURANCE COVERAGE.

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 applicable laws, regulations, policies, or the Fraternity's standards may be cause for suspension of membership or discipline of the chapter.

SPECIAL EVENTS / SOCIAL FUNCTIONS

- 1) In order to host an event with alcohol, the following conditions must be met:
 - a) Comply with all host institution policies and procedures regarding events with alcohol.
 - b) The following officers of the chapter **must register and attend** Phi Kappa Sigma's "Responsible Hosting" webinar/in-person training each academic term:
Alpha (president), Beta (vice-president), Pi (2nd vice-president), Iota (new member educator), Upsilon (alumni relations chair), Psi (social chair), Chi (recruitment chair).
 - c) A representative of the chapter must file a post-event report
 - i) If no known incident occurred, please call 610-469-3282 ext 888 to leave an audio report.
 - ii) When an incident occurs or becomes known, you must fill out the [Liability Incident/Claim Reporting Form](#).
 - d) 90% of both the chapter and the previous year's new member class(es) must have passed the GreekLifeEdu™ program.
- 2) Chapters are expected to comply with the [Insurance and Claim Manual](#) provided by FRMT.
 - a) Utilize the [Special Event Checklist](#) to properly plan events
 - b) Use of [Athletic Event Participation Waiver](#) for physical activity events involving non-members
- 3) Events with alcohol must be by invitation only. The attendance shall be limited to the number of individual active and new members of the chapter and no more than two guests additional per active/new member.
- 4) Multi-group functions with alcohol must follow Phi Kappa Sigma's Risk Management Policy and these functions are expected to comply with the respective policies of participating groups. These groups must carry liability insurance equal to or above the Fraternity's coverage.
- 5) Off campus functions should be located as close to the chapter as possible.

ALCOHOL AND DRUGS

- 1) The possession, sale, use, or consumption of ALCOHOLIC BEVERAGES, while on chapter premises or during a chapter event, in any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the chapter or the 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.

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- a) BYOB is defined as one (1) six-pack of 12-ounce beers or one (1) four pack of wine coolers brought by a member or guest who is legally able to consume an alcoholic beverage.
- 2) No alcoholic beverages may be purchased through or with chapter funds nor may the purchase of same for members, new 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 or common source(s) of such alcoholic beverage, for example, kegs or cases, is prohibited.
- 3) OPEN PARTIES, meaning those with unrestricted access by non-members of the fraternity, without specific invitation, where alcohol is present, shall be prohibited.
- 4) No members, collectively or individually, shall purchase for, serve to, or sell alcoholic beverages to any minor (i.e., those under legal drinking age).
- 5) 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 chapter or the Fraternity is strictly prohibited.
- 6) No chapter may co-sponsor an event with an alcohol distributor or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) at which 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.

Additionally, an event at which alcohol is present may be conducted or co-sponsored with an IRS-recognized (501c3) charitable organization if the event is held within the provisions of this policy.

- 7) Similar to points 1 and 2 of this section, no chapter may co-sponsor, co-finance, attend, or participate in a function at which alcohol is purchased by any of the host chapters, groups or organizations.
- 8) 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.
- 9) No member or new 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.
- 10) No alcohol shall be present at any new member program, activity or ritual of the chapter. This includes but is not limited to activities associated with "bid night", "big brother – little brother" events or activities, "family" events or activities, and initiation.

HAZING

No chapter, colony, student or alumnus shall conduct nor condone hazing activities. Permission or approval by a person being hazed is not a defense. 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

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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, activities or events, whether on chapter premises or an off-site location which are demeaning to women or men, including but not limited to verbal harassment, sexual assault by individuals or members acting together. The employment or use of strippers, exotic dancers or similar, whether professional or amateur, at a fraternity event as defined in this policy is prohibited.

FIRE, HEALTH AND SAFETY

- 1) All chapter houses should meet all local fire and health codes and standards.
- 2) All chapters should post by common phones and in other locations the emergency numbers for fire, police and ambulance and should have posted evacuation routes on the back of the door of each sleeping room.
- 3) All chapters should comply with engineering recommendations as reported by the insurance company, municipal authorities, and/or host institutions.
- 4) The possession and/or use of firearms or explosive devices of any kind within the confines and premises of the chapter house is prohibited.
- 5) Candles should not be used in chapter houses or individual rooms. Candles for initiation are allowed and should be controlled appropriately.

EDUCATION

Each chapter shall annually instruct its students and alumni in the Risk Management Policies of the Fraternity. Additionally, all student members shall annually receive a copy of said Risk Management Policies and a copy of the policies shall be available on the Fraternity's website.

HOST INSTITUTION INDEMNIFICATION

Phi Kappa Sigma International Fraternity, Inc. will not defend or indemnify any college or university host institution against the institution's negligence.

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.

CONTRACTUAL AGREEMENTS

No chapter, chapter officer, chapter advisory board member, house corporation, or house corporation officer may enter into any written or oral contract or financial agreement using the name of or on behalf of the Fraternity that would bind or otherwise obligate Phi Kappa Sigma International Fraternity, Inc.

In other words, the ability to execute any written or oral agreement, contract, document, or financial agreement using the name "Phi Kappa Sigma" or "Phi Kappa Sigma International Fraternity, Inc." is exclusively limited to the Fraternity's Executive Director under the authority granted that person by the Executive Committee of the Fraternity. This includes

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without limitation such agreements as leases, contracts, hold harmless agreements, liability releases, account statements, purchase orders, and hotel or banquet contracts.

ADDITIONAL INSUREDS

The Fraternity's insurance does not afford protection for outside parties; therefore, no chapter, member, or housing corporation or its officers 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's Executive Director and its insurers.

AUTOMOBILES AND TRANSPORTATION

Chapters shall use a licensed and insured third party transportation vendor who will provide professional drivers.

Use of personal, leased or rented vehicles shall be strictly voluntary and the sole responsibility of the vehicle owner/operator. 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.

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.

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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