

Statement on Illegal and/or Dangerous Activities

(Preamble)

Phi Sigma Kappa is a fraternal organization consisting of men who voluntarily associate themselves with the organization, and in so doing promise to adhere to certain standards of behavior which Promote Brotherhood, Stimulate Scholarship and Develop Character in such ways as will also preserve the good name of the Fraternity.

At the college level, members are organized into chapters which, for general fraternal purposes, serve as communication links between the Fraternity and its members, and as voting units at conventions of the Fraternity. Chapters are also voluntarily associated with the Fraternity, and consequently promise to adhere to the same standards of behavior as promised by its members.

Although the Fraternity does not, and due to limited resources cannot, police or monitor the daily activities of its members or chapters, it does expect members and chapters to adhere to the promised code of behavior.

If the Fraternity discovers that its members or chapters have not adhered to the promised behavior, the Fraternity reserves the right to take various actions with respect to membership which may range from warning to re-education and re-commitment of the member or chapter to the standard of behavior as a condition of continued membership in the Fraternity, to removal of the member or chapter from membership in the Fraternity, and the removal of permission to use the symbols of the Fraternity. The graduation and nature of the Fraternity's actions may be uniquely tailored to respond to unique situations.

Behavior which is considered to be in breach of the promises by members and/or chapters includes illegal and/or dangerous activities, which includes but is not limited to, the use of illegal substances, underage drinking or providing drinks to those who are visibly intoxicated, encouraging intoxication from alcohol abuse, and encouraging activities or actions by a person who may be intoxicated, where intoxication would render such activities or actions dangerous or more dangerous.

The following points are important to remember:

- Phi Sigma Kappa is a voluntary association.
- Phi Sigma Kappa is not a police force or monitor.
- Phi Sigma Kappa is not a guarantor of its members' behavior. Members are adults and responsible for their own behavior.

As an aid to its members and chapters in their efforts to promote safe and legal behavior, the Fraternity has set the following guidelines/policies gathered from sources including its chapters, other fraternities and college/university administrators. These guidelines/policies are considered to be among the standards of behavior to which members and chapters promise to adhere:

PHI SIGMA KAPPA RISK MANAGEMENT POLICIES

WHEREAS the American college fraternity system exists on today's college campuses to complement the role and mission of higher education, particularly the development of the student in intellectual, social, moral, physical and spiritual levels, and;

WHEREAS the Grand Chapter of Phi Sigma Kappa recognizes and is concerned with the issues of alcohol misuse and hazing on college campuses across the country; and whereas in addition to the legal liabilities involved, we are concerned with the health and safety of college students, the condition of our chapter houses, the relationship with fraternity neighbors, and the potential damage to our positive fraternal reputation.

BE IT THEREFORE RESOLVED that in response to the current situation, and in an effort to assist chapters and members with the promotion of a responsible attitude to alcohol, the Risk Management Policy of the Grand Chapter of Phi Sigma Kappa and other members of FIPG, Inc. includes the provisions which follow and shall apply to all chapters, colonies and members of Phi Sigma Kappa, and all other FIPG member fraternity entities and all levels of fraternity membership, and further.

BE IT THEREFORE RESOLVED that in an effort to promote the mission of higher education and the fraternity system by educating its members and chapters concerning responsible and appropriate behavior, the Grand Chapter of Phi Sigma Kappa hereby promulgates and publishes the following guidelines/policies and declares that it is the obligation of its members and chapters to adhere to these guidelines/policies, and that failure to do so may result in the imposition of sanctions:

ALCOHOL AND DRUGS

1. 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. (BYOB is defined as both individual members and individual guests, of legal drinking age, bringing their own alcohol to a function.)
2. 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 or common sources of such alcoholic beverage, i.e. 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 fraternity, is strictly forbidden.
6. 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.
7. No chapter may co-sponsor or co-finance a function where alcohol is purchased by any of the host chapters, groups or organizations.
8. All rush activities associated with any chapter will be a DRY rush function.
9. No member shall permit, tolerate, encourage or participate in "drinking games."
10. No alcohol shall be present at any pledge/association member/novice program, activity or ritual of the chapter.
11. The causing or contributing to the intoxication of any person, and/or furnishing of alcohol to a person or persons under the legal drinking age or under the influence of alcohol, and/or violation of any statute, ordinance, or regulation relating to the sale, gift, distribution, or use of alcoholic beverages, shall be viewed as a violation of the Grand Chapter Risk Management Policies.
12. "Tap" systems that dispense alcohol are prohibited in chapter houses and should be removed.
13. When contracting with a third party vendor, the following criteria should be used:

THE VENDOR MUST:

- a. Be properly licensed by the appropriate local and state authority. This may involve both a liquor license and a temporary license to sell on the premises where the function is to be held.

- b. Be properly insured with a minimum of \$1,000,000 of general liability insurance, evidenced by a properly completed certificate of insurance prepared by the insurance provider.

The above "certificate of insurance" must also show evidence that the vendor has, as part of his insurance coverage, "off premise liquor liability coverage and non-owned and hired auto coverage."

Named insureds included on the certificate of insurance must, at a minimum, include "the local chapter of Phi Sigma Kappa hiring the vendor as well as the Grand Chapter of Phi Sigma Kappa."

- c. Agree in writing to cash sales only, collected by the vendor, during the function.
- d. Assume in writing all the responsibilities that any other purveyor of alcoholic beverages would assume in the normal course of business, including but not limited to the following:
 - 1.) Checking identification cards upon entry;
 - 2.) Not serving minors;
 - 3.) Not serving individuals that appear to be intoxicated;
 - 4.) Maintaining absolute control of ALL alcoholic containers present;
 - 5.) Collecting all remaining alcohol at the end of a function (no excess alcohol - opened or unopened - is to be given, sold or furnished to the chapter.) Vendor MUST remove all alcohol from the premises.

THE ATTACHED CHECKLIST PROVIDES THE GUIDELINES
NECESSARY FOR CONTRACTING WITH A THIRD PARTY VENDOR

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 including but not limited to date rape, gang rape or verbal harassment.

FIRE, HEALTH AND SAFETY

- 1. All chapter houses should meet all local fire and health codes and standards.
- 2. 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.
- 3. All chapters should comply with engineering recommendations as reported by the insurance company.
- 4. 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.

EDUCATION

Each fraternity shall annually instruct its students and alumni in the Risk Management Policy of the Grand Chapter of Phi Sigma Kappa and of FIPG, Inc. Additionally, all student and alumni members shall annually receive a copy of said Risk Management Policy.

THIRD PARTY VENDOR CHECKLIST

To the Chapter President:

Your chapter **will be in compliance** with the risk management policies of Phi Sigma Kappa if you hire a “third party vendor” to serve alcohol at your functions **IF AND WHEN** you can document the following checklist items:

THE VENDOR MUST:

1. Be properly licensed by the appropriate local and state authority. This might involve both a liquor license **and** a temporary license to sell on the premises where the function is to be held.

ATTACH COPIES OF STATE AND LOCAL LICENSES
TO THIS CHECKLIST

2. Be properly insured with a minimum of \$1,000,000 of general liability insurance, evidenced by a properly completed **certificate of insurance** prepared by the insurance provider.

The above “certificate of insurance” must also show evidence that the vendor has, as part of his coverage, **“off premise liquor liability coverage and non-owned and hired auto coverage.”**

The above “certificate of insurance” must name as “named insureds” (at a minimum) “the local chapter of Phi Sigma Kappa hiring the vendor as well as the Grand Chapter of Phi Sigma Kappa.”

ATTACH COPY OF CERTIFICATE OF INSURANCE AND HIGHLIGHT REQUIRED CLAUSES

3. Agree in writing to cash sales only, collected by the vendor, during the function.
4. Assume in writing all the responsibilities that any other purveyor of alcoholic beverages would assume in the normal course of business, including but not limited to:
 - A. Checking identification cards upon entry;
 - B. Not serving minors;
 - C. Not serving individuals that appear to be intoxicated;
 - D. Maintaining absolute control of ALL alcoholic containers present;
 - E. Collecting all remaining alcohol at the end of a function (no excess alcohol - opened or unopened - is to be given, sold or furnished to the chapter).
 - F. Removing all alcohol from the premises.

ATTACH A WRITTEN AGREEMENT SIGNED AND DATED BY THE CHAPTER PRESIDENT AND THE VENDOR STIPULATING AGREEMENT TO THE ITEMS REQUIRED IN #3 AND #4 ABOVE.

This form must also be signed and dated by both the chapter president and the vendor. In doing so, both parties understand that only through compliance with these stipulations will the chapter be in compliance with Phi Sigma Kappa requirements.

Chapter President’s Signature

Date

Vendor Signature/Company

Date