

**Rockhurst University
Greek Risk Management
Policy**

I.

Introduction & Guidelines

The following is a truly revolutionary effort in the history of Rockhurst University. It is the first complete Risk Management Policy created by Greek Life at this institution. Its purpose is three-fold:

First, and foremost, it sets to establish those guidelines that promote the safety and security of all students. It is an overarching document that covers the full range of issues that can be encountered within the realms of Greek life at any university, but is especially focused for the unique campus atmosphere of Rockhurst University.

Secondly, it takes one more step towards building a practical, working relationship between the students involved in Greek life, and the administration that oversees the activity of all students. Because this policy is approved by all involved parties and covers the many possible scenarios present in college life, it will be consistently followed by members of the various fraternities and sororities as well as acknowledged by the administration as the official guidelines to be used for various Greek endeavors. Because it is amendable, it allows students and administration to make necessary suggestions and changes to the policy as times change, and as new situations arise. Therefore, it is a concrete document by which the rules are clearly stated, but it is flexible enough to allow for change.

Thirdly, it affords the students, through the Interfraternity Council, the Panhellenic Council, and the Greek Council, power to oversee and regulate the actions of their own organizations. It places responsibility on the very students who will be partaking in the activities and abiding by the policies. Since the policy is well-documented, using material; from National fraternities, FIPG regulations, and Rockhurst University, it is a fair and balanced plan to allow students the ability to understand and deal with risks associated with their activities while working well with the administration.

II. *Alcohol*

For all Fraternity/Sorority functions that include alcohol, the following will be in effect always:

- Alcohol may never be sold except through a licensed and authorized third-party vendor.
- Common sources of alcohol (kegs, jungle juice, pooling money to purchase alcohol) are prohibited at any fraternity/sorority function.
- Alcohol can NEVER be purchased with fraternity/sorority money. This includes events that may operate on a separate budget (formals, date parties, etc.).
- Individual fraternity/sorority members are prohibited from providing alcohol at any fraternity/sorority function.
- All events not of third-party vendor status shall be BYOB. Bring YOUR Own. Do not provide alcohol to other members or non-affiliated guests/students.
- The promotion of, or participation in, any action or activity that could be interpreted as selling alcohol will not be tolerated. This includes but is not limited to, charging admission to parties, passing the hat, selling drink tickets, or having vending machines that dispense alcoholic beverages* . (PiKA Policy)
- Chapters will not, under any circumstance, permit the consumption of alcohol by anyone who is not of legal drinking age including chapter members and their guests.
- No member shall permit, tolerate, encourage, or participate in “drinking games” at a fraternity/sorority function. (PiKA Policy)
- No member or non-member shall be granted entrance into any chapter function, including a party, if he/she is deemed intoxicated by the sober members.
- A typed guest list will be provided to the Director of Student Life 24 hours prior to any fraternity/sorority event.
- Alcohol is prohibited at any/all formal recruitment events.

Limit on BYOB: FIPG guidelines indicate one six pack of beer/person, one four-pack of wine coolers, or one pint of alcohol. This is consistent with Rockhurst University policy. BYOB limits will be monitored at on-campus events by Rockhurst Security, and with a check-in procedure based upon the guest list. Wristbands will also be issued to those registered to attend and of proper age.

- Charging for tickets will be permitted as long as all funds that are collected from ticket sales are specifically for the rental of the busses to and from the event, the cost of the venue and/or the cost of disc jockey/music for event. NO FUNDS can ever be utilized for the purchase of alcohol.

III.

Health & Safety

All chapter houses and rooms (on and off campus) shall ensure that all local fire and health codes are met. This should be an agenda item at the chapter's monthly Risk Committee meeting where appropriate.

Before and after every event held, a complete inspection shall be performed of the interior and exterior of the property– looking for any item(s) that might present a danger. (FIPG)

Also, any and all city and state laws shall be abided by in the specific location of the event. It should be noted that various buildings have specific city codes regarding safety/fire/health matters that should be understood by owners/renters. In the case of events, both occupants and attendees must meet the minimal requirements of these codes and be informed of their specifics.

IV.

Drugs & Controlled Substances

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. (Tau Kappa Epsilon Risk Management Guidelines, p.1 & FIPG)

If a chapter member is suspected of substance abuse, it is required that the chapters confront and resolve the problem (SAE Minerva's Shield, p.13). The University's Student Development Department may provide assistance and resources as requested by a Chapter.

Each Chapter should include drug awareness programs. (SAE Minerva's Shield, p. 13) The goal of this program is to give members a general understanding of the consequences of bringing drugs into their Chapter.

Furthermore, all Chapters should be aware of, and follow Rockhurst University's drug policy. This includes articles on the abuse of prescription drugs, over the counter medications, as well as illegal and controlled substances.

V. *Hazing*

Hazing in any form, including physical and psychological, is prohibited. Chapters are to be hazing-free at all times. If a member, alumni, or any student, faculty or administrative official has to ask if an event or activity qualifies as hazing, then it probably does. Hazing is also illegal in almost every state and can result in incarceration and fines.

Hazing activities are defined as any action taken or situation created by an active member, inactive member, alumnus member, or new member, 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 or illegal drugs;
- Paddling in any form;
- Creation of excessive fatigue or physical exercise;
- Sleep deprivation;
- Conducting activities that do not allow adequate time for study;
- Forcing, requiring or endorsing consumption of liquid or solid objects, edible or non-edible;
- Physical or psychological shocks;
- Endangerment or activities that have the potential to endanger a new member;
- Quests, treasure hunts, scavenger hunts, road trips or other such activities carried on outside or inside the confines of the chapter facility;
- Wearing or public apparel which is conspicuous and not normally in good taste;
- Required carrying or wearing of any item not normally needed (e.g.: rocks, hospital bracelets, helmets, tattoos, etc.);
- Personal servitude;
- Engaging in public stunts and buffoonery;
- Verbal harassment including yelling and screaming at new members;
- Silence or not speaking to certain people;
- Nudity, morally degrading or humiliating games and activities; and
- Any activity that is not consistent with fraternal law, ritual or policy or the regulations and policies of the University.

It should be noted that hazing is considered a criminal offense in the state of Missouri.

The most current revised statutes are as follows:

Chapter 578
Miscellaneous Offenses
Section 578.360

August 28, 2004

Definitions.

578.360. As used in sections 578.360 to 578.365, unless the context clearly requires otherwise, the following terms mean:

(1) "Educational institution", a public or private college or university;

(2) "Hazing", a willful act, occurring on or off the campus of an educational institution, directed against a student or a prospective member of an organization operating under the sanction of an educational institution, that recklessly endangers the mental or physical health or safety of a student or prospective member for the purpose of initiation or admission into or continued membership in any such organization to the extent that such person is knowingly placed at probable risk of the loss of life or probable bodily or psychological harm. Acts of hazing shall include:

(a) Any activity which recklessly endangers the physical health or safety of the student or prospective member, including but not limited to physical brutality, whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug or other substance or forced smoking or chewing of tobacco products; or

(b) Any activity which recklessly endangers the mental health of the student or prospective member, including but not limited to sleep deprivation, physical confinement, or other extreme stress inducing activity; or

(c) Any activity that requires the student or prospective member to perform a duty or task which involves a violation of the criminal laws of this state or any political subdivision in this state. (L. 1987 H.B. 126 § 1, A.L. 1995 H.B. 160)

Chapter 578
Miscellaneous Offenses
Section 578.365

August 28, 2004

Hazing--consent not a defense--penalties.

578.365. 1. A person commits the crime of hazing if he knowingly participates in or causes hazing, as it is defined in section 578.360.

2. Hazing is a class A misdemeanor, unless the act creates a substantial risk to the life of the student or prospective member, in which case it is a class C felony.

3. Nothing in sections 578.360 to 578.365 shall be interpreted as creating a new private cause of action against any educational institution.

4. Consent is not a defense to hazing. Section 565.080, RSMo, does not apply to hazing cases or to homicide cases arising out of hazing activity.

(L. 1987 H.B. 126 § 3, A.L. 1995 H.B. 160)

VI. *Sexual Violence*

The fraternity/sorority will not tolerate or condone any form of sexually abusive behavior on the part of its members, whether physical, mental, or emotional. This is to include any actions that are demeaning to women or men including, but not limited to date rape, gang rape, or verbal harassment.

There are circumstances where it is still possible to commit sexual violence even though it may appear that consent has been given.

These include:

A. INEBRIATION:

Inebriation is when a person is under the influence of alcohol or other drugs. In most States, a person cannot legally give consent when inebriated. If someone is under the influence, there is a high potential that the choices and decisions that are made would not be made if sober. Keeping that in mind, it is considered high-risk activity to engage in sexual acts when drinking.

B. COERCION:

Coercion is the threat or act of violence to manufacture consent. If a person is frightened of what will happen unless he/she goes through with an act, and this is the reason he/she agrees to the act, then consent has not been reached.

C. SEDUCTION:

Seduction in this context includes lying or using false pretenses to create consent.

Bottom line is: consent must be freely and knowingly given.

VII.

What is an Event?

For the purpose of this policy, any function shall be deemed a chapter event (i.e. official party) if any of the following items are true:

Ask yourself whether any of the statements below apply to your activity. If you answer yes to any of them, it is an event. If you are not sure, contact the University to find out. It is better to ask before than after.

1. The event appears to be premeditated. Premeditated will be interpreted as deliberate.
2. Information concerning the event was announced at a chapter meeting or discussed with the members through any means including emails, social media outlets, chapter minutes, etc.
3. The event was sponsored by a chapter (undergraduate or alumni)
4. Information concerning the event was posted in member living areas or other's member living areas.
5. There will be planned entertainment (disc jockey, band, etc.)
6. The chapter has set up security.

Other considerations include:

1. Any event hosted on University property under the organization's name.
(PiKA Social Greek Risk Management Policy, p. 1)
2. At least 25% or more of the chapter members present?
(FIPG, p. 18)
3. Alcohol is present
 - 3a. only events with alcohol require guest lists
4. The event is hosted at a residential facility where more than half of the permanent residents are affiliated with a certain organization.

See FIPG p. 18 – issue of perception

See FIPG pps. 77-79

VIII.

Event Planning

One of the keys to a safe chapter event and good event planning is preparation. Event planning is thinking of every possible situation that may occur during your event, whether an ordinary occurrence or an unexpected turn of events. The key to good event planning is that you are ready for anything.

Three types of Events:

- 1) Dry
- 2) Third Party Vendor
- 3) Bring Your Own Beer (BYOB)

DRY Events:

A dry event is where no alcohol is present at an event from the start of the event to the end of the event. The advantages of a dry party from a legal standpoint are clear. All the issues connected with the presence of alcohol are of no concern. As well, expectations regarding atmosphere and individual behavior are much different. A dry approach may also be more conducive for events like retreats, some date functions and out of house functions where members are guests or spectators (i.e. concerts, plays, sporting events).

THIRD PARTY VENDORS/CATERERS:

Many chapters have inquired about the possibility of contracting with an outside, licensed vendor to host their event and or serve alcohol. These chapters have successfully used this approach to alleviate some of their liability. The use of an outside vendor may take one of two possible approaches:

- A. Hiring that vendor to work an event hosted at the on-campus location (can not have third party vendor at fraternity property). Such responsibilities for this vendor might include checking identification of guests upon entering the facility and serving food and alcohol. The benefit of this approach, when done correctly, is that the licensed vendor is responsible for checking IDs and not serving intoxicated people, rather than a chapter member would be. This may reduce the possibility that an accident will occur.
- B. Contracting with a vendor that owns party facilities. This might include a restaurant, a hotel, a private club, a golf course, a church facility, a community center, etc. Although more expensive in some cases, the off-site facility is advantageous in that, at certain premises, liability issues are reduced.

Mandatory guidelines to be followed when contracting with a third party vendor:

1. Use only properly licensed vendors. This might involve both a liquor license and a temporary license to sell on the premises where the

function is to be held, (obtain and keep on file copies of state & local licenses).

2. Use only properly insured vendors and obtain a certificate of insurance as proof. Properly insured vendors will carry a minimum of \$1,000,000 of general liability insurance, evidenced by a properly completed certificate of insurance prepared by the insurance provider. Request a “certificate of insurance” with evidence that the vendor has, as part of this coverage, “off premise liquor liability coverage and non-owned and hired auto coverage.” Request the certificate of insurance name as additional insured (at a minimum) the local chapter of the fraternity hiring the vendor, as well as the International Fraternity with whom the local chapter is affiliated. Be sure to file a copy of the certificate of insurance and highlight the required areas.
3. Request the vendor agree in writing to cash sales only, collected by the vendor, during the function. Request the vendor 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:
 - Checking identification upon entry.
 - Not serving minors.
 - Not serving individuals who appear to be intoxicated.
 - Maintaining absolute control of all alcoholic containers present.
 - Collecting all remaining alcohol at the end of a function (no excess alcohol - opened or unopened - is to be given, sold or otherwise furnished to the chapter.)
 - Removing all alcohol from the premises by 2:00 a.m.

If the above guidelines are not met, organizations are prohibited from holding their events at that facility.

Provide documentation of items 1 and 2 to the Director of Student Life at least 24 hours in advance of any event.

BYOB:

Any event where alcohol will be present must be BYOB unless the organization is contracting with a third party vendor. Because responsibility for planning and monitoring rests with the chapter members careful adherence to suggested guidelines is essential. The following is provided for consideration when planning a BYOB party.

Provide alternative beverages and non-salty foods appropriate to a theme

- The percentage of non-alcoholic beverages should at least equal the percentage of underage guests.

- Several non-salty snacks and other food items must be available for all guests during the duration of the social event.
- Food, alternative beverages and BYOB alcohol must be placed in the same centralized area.

IX.

Event Requirements

The following things will be utilized for/during a chapter “event”:

- Before an event, the chapter members, looking for any item(s) that might present a danger to those present, shall perform a complete inspection of the interior and exterior of the property. (FIPG)
- An official “sober member” program with no less than (2) members present. These affiliated members may not drink at all; sober means alcohol-free and drug free.
 - Provide names with guest list to Dir. Of Greek Affairs
 - Number of sober brothers should be in proportion to the size of the party, (ex. 1 sober brother per 20 members on guest list)
 - Minimum of two required
- The event will be registered with the Office of Greek Affairs using the specified official event form provided by the school.
- A typed guest list should be provided to the Director of Student Life at least 24 hours in advance.
- Wristbands will be provided to the chapter for those guests who are 21 and over (birthdates will be verified in Banner by the Director of Student Life or his/her designee). They can be picked up from Massman 1 the day before the event. Failure to do so will result in the function being cancelled.
- Consistent with Rockhurst University specifications, all events will be closed no later than 2:00AM the following morning. (Rockhurst Event Registration Form)
- Some form of non-alcoholic beverage and food shall be available and easily accessible.
- Alcohol may never be sold except through a third-party vendor.
- Common sources of alcohol (kegs, jungle juice, pooling money to purchase alcohol) are prohibited.
- The chapter will check identification at the door of all members and guests to determine who is of legal drinking age.
- Open parties are not allowed per FIPG, Tau Kappa Epsilon, Pi Kappa Alpha, and Sigma Alpha Epsilon risk management programs.
- Every effort shall be made to offer any intoxicated individual an escort to his or her residence.

In the interest of community relationships, and in pursuit of Greek ideals, facilities used for chapter functions on or off campus shall be returned to their normal state by 12 noon on the following day. This means that all trash will be cleaned up from the front and back yards, and a generally respectful appearance will be presented to the neighborhood.

XI. *Policy Enforcement*

The Greek Council shall be responsible for all sanctions and punishments that involve a violation of this Rockhurst University Greek Risk Management Policy.

The purpose of the Greek Council is to help students receive feedback about their behavior and to make objective assessments about their behavior. If the students' behavior is found to be inappropriate, it becomes the responsibility of the Greek Council to educate students as to the expectations of the Greek community, to determine a sanction that will encourage the group to change its behavior, and to indicate the consequences of not changing the behavior. Students and staff share the responsibility for the administration of the Greek Council. The Council is selected through appointment by each Greek organization on campus. A minimum of five and a maximum of seven Council members will be required to hold a hearing. The Director of Student Life will serve as advisor to the Greek Council. The Dean of Students serves as a consultant. The Greek Council hears incidents that involve sororities only, fraternities only or incidents that involve both fraternities and sororities. A Council comprised of female and male members will conduct each hearing.

The consistency of the Greek Council process rests upon the participation of the Panhellenic and Inter-fraternity Councils Vice Presidents and upon the participation of fraternity and sorority Justices.

The Greek Council will be chaired by one of the two Vice Presidents (alternating hearings) and either Vice President may conduct a hearing. These two positions carry responsibilities beyond those of regular board members. The Vice Presidents, with the assistance of the Director of Student Life, are responsible for the pre-hearing, hearing and post-hearing logistics as well as the documentation and facilitation of the hearing.

Incidents addressed by the Greek Council involve activities by a fraternity or sorority chapter. Incidents involving individuals (who may or may not be Greek) will be addressed by the Student Code of Conduct. Alleged violations are referred to the Greek Council in a variety of ways including: receiving a formal written report by a member of the Rockhurst or Kansas City communities; receiving a police report; through a referral from the Student Code of Conduct; or violations of fraternity or sorority standards of conduct or University standards of conduct. Typical violations include but are not limited to: violations of recruitment rules; hazing; noise complaints; defacing or decorating public or private property; complaints about inappropriate sexual behavior; violations of

state or city laws; or violations of University standards of conduct (refer to the Rockhurst University Handbook).

Recruitment violations for NPC groups cannot be adjudicated through the Greek Council; they must follow NPC Greenbook procedures.

Council and Committee guidelines, and procedures, as well as the process, outcome, and available sanctions must be determined at the beginning of each new academic year in the form of a written document similar to each individual organization's Bi-Laws. This document must be approved by the administration before it can become effective, and before the Council is allowed to hold elections or assume power.

The University reserves the right to adjudicate individuals or chapters or take reasonable administrative action.

XII. *Crisis Management*

Crisis management will be handled according to fraternity By-Laws, strictly following every step to safely manage any such incident whereas any individual might be harmed. In an event of a Crisis, the fraternity house or place of crisis will be shut down immediately (no questions) and secured. All guests should be escorted out of the residential facility or chapter house. In the event of a serious injury or death, do not notify parents or other students. Do not talk to any members of the media; this should be left to the University and Chapter Executive Board

In an event of a Crisis, Chapters should follow their National protocol and Rockhurst University Greek Life Protocol, which includes contact 911/Security, Greek Director/RD on Duty. A list of contact numbers for crisis situations will be maintained by the chapter president and secretary at all times and will be posted in all houses that have fraternity members. Contacts should include the following and should be posted...

- 1) Rockhurst Security (If location is on or near Rockhurst Campus) 816 501-4911
- 2) Police, Fire, Ambulance, etc. 911 (Always the FIRST THING!!)
 Must provide Your Name, Address of the function, & Phone Number
 Should be done by the chapter president
- 3) Chapter Advisor
- 4) National Office
- 5) Residential Director on Duty
- 6) Greek Life Director
- 7) Dean of Students
- 8) Legal Advisor

XIII.

Membership Education

Each fraternity shall annually instruct its student members and alumni/alumnae in the Risk Management Policy of Rockhurst University, as established in this document. Additionally, all student and alumni/alumnae members shall annually receive a copy of said Risk Management Policy.

Each semester, or in the transition of new officers, the officers shall present the Greek Risk Management Policy to the respective chapter, and facilitate a chapter discussion to answer any questions.

Each organization shall be charged to educate the social chair on risk management issues and present to him/her the Greek Risk Management Policy. This officer shall also answer any chapter questions pertaining to risk management and the University.

The chapter officers shall also be responsible for ongoing chapter education about University policy and Greek Risk issues outlined in this policy.

Preventing, reducing and eliminating risk within our fraternity chapters can be accomplished through the process of education. Since, at any given time, a very low percentage of any group's members are keenly aware of the necessity for Risk Management, educating the members of Greek organizations is critical, and must be an ongoing and dynamic process.

XIV.

Policy Amendment

This policy as approved by the undersigned may be amended at any point as deemed necessary and right by the Greek Council of Rockhurst University. Amendments are subject to approval by all Chapters, IFC, Panhellenic and Rockhurst University administration.

XV. *Policy Approval*

Include an accountability statement stating that you as a representative for your chapter are signing this document and by signing this document you agree that it follows your National policies as well as Rockhurst policies:

<p>Alpha Delta Gamma President</p> <hr/>	<p>Pi Kappa Alpha President</p> <hr/>	<p>Sigma Alpha Epsilon President</p> <hr/>
<p>Tau Kappa Epsilon President</p> <hr/>	<p>Alpha Sigma Alpha President</p> <hr/>	<p>Delta Xi Phi President</p> <hr/>
<p>Theta Phi Alpha President</p> <hr/>	<p>Zeta Tau Alpha President</p> <hr/>	<p>Greek council President</p> <hr/>
<p>Greek Council President</p> <hr/>	<p>Inter-Fraternity Council President</p> <hr/>	<p>Panhellenic Council President</p> <hr/>

XVI. *Policy Resources*

Alpha Delta Gamma National Fraternity Risk Management Policy

<http://www.alphadeltagamma.org/actives/risk.html>

FIPG, Inc. (Including Members: ADG, ZTA, ASA)

<http://www.fipg.org>

Pi Kappa Alpha Risk Management Policy (hard copy only)

Rockhurst University Greek Council By-Laws

<http://www.rockhurst.edu/studentlife/greeklife/gcouncil.asp>

Sigma Alpha Epsilon, Minerva's Shield (pdf copy only)

Tau Kappa Epsilon Risk Management Policy (hard copy only)