

Purdue University National Pan-Hellenic Council

Risk Management Policy

(Based on FIPG, and Purdue University NPHC Dance Policy, Joint Social Policies)

Drafted: September 2014, Approved: 11/18/14

“Unofficial” Chapter Events

Some chapters participate in gatherings, functions, parties, or events that were held away from a recognized chapter house in an attempt to circumvent the spirit and intent of organization policies. **Most of these events occur at private residences--apartments, rental houses, of members or at the residence of a non-member and are classified as “unofficial” because they are “not chapter sponsored.” The risks posed by such events are often more substantial than “official” chapter events.** These parties should all follow the guidelines outlined below.

Alcohol and Drugs

1. The possession, sale, use or consumption of alcoholic beverages, while on chapter premises (see “unofficial” chapter events section) or during a fraternity/sorority event, in **any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the fraternity/sorority**, 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. Violations of university policy or local, state or federal laws may be adjudicated through multiple processes.
 - a. There is no approved method for a chapter providing alcohol to others. The primary reason for the BYOB or Third Party Vendor events is that it places the onus or emphasis for consumption on each individual who is of the legal age rather than on the officers, the chapter, the alumni or alumnae corporation or the national organization.
 - b. Simply because an officer or member decides or declares that an event is not associated with the organization does not mean that if something goes wrong, the chapter and members may not be named in a lawsuit or otherwise held accountable. Therefore, it is safer and more sensible to assume that any time more than two members or initiated members are involved in an event, it will be considered a chapter event, and the policies apply.
 - c. BYOB guidelines provide that an individual of legal age may bring only one six-pack of 12-ounce beers or one four-pack of wine coolers to an event for personal consumption. No hard alcohol (liquor) may be brought to a function.
 - d. Under Indiana Law, it is illegal for a person under the age of 21 to possess an alcoholic beverage (*IC 7.1-5-7-7*), to operate vehicle with blood alcohol level of .02g% if under 21 (*IC 9-30-5-8.55*), to possess a false identification with the intent to violate alcoholic beverages laws of the State of Indiana (*IC 7.1-5-7-3*), and to provide, furnish, sell, barter, exchange, or give away an alcoholic beverage to a person under age 21 (*IC 7.1-5-7-10,11*).

2. No alcoholic beverages may be purchased through or with 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 source(s) of alcoholic beverage, for example, kegs or cases, is prohibited.
3. Open parties, meaning those with unrestricted access by non-members of the fraternity/sorority, without specific invitation, where alcohol is present, are forbidden.
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/sorority event or at any event that an observer would associate with the fraternity/sorority 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. 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.
7. 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.
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 associate/new member, neophyte or novice 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 membership intake/new member education program, activity or ritual of the chapter. This includes but is not limited to activities associated with "crossing", "big brother/big sister night" and initiation.

Third Party Vendor Guidelines:

When hosting a Third Party Vendor event, vendors must

1. Be properly licensed by the appropriate local and state authority. This includes a liquor license (may be temporary) to sell on the premises where the function is to be held if alcohol will be sold.

2. Be properly insured with a minimum of \$1,000,000 of general liability insurance, evidence by a properly completed certificate of insurance prepared by the insurance provider. The “certificate of insurance” should also show evidence that the vendor has, as part of their coverage, “off premise liquor liability coverage and non-owned and hired auto coverage.” The certificate of insurance must name as additional insured (at a minimum) the local chapter of the organization hiring the vendor as well as the national organization with whom the local chapter is affiliated.
3. Agree in writing to sales only collected by the vendor, during the function.
4. Assume in writing all responsibilities that any other purveyor of alcoholic beverages would assume in the normal course of business, including but not limited to:
 - a. Checking identification card upon entry;
 - b. Not serving minors;
 - c. Not serving individuals who 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.

BYOB Procedures:

1. One entrance to the party area will be designated.
2. Wristbands are the preferred method of identifying those of legal drinking age, not just a marker.
3. Co-sponsoring chapters are responsible for checking the ids and issuing wristbands to *their* members and individuals on the guest list they submitted.
4. Everyone brings their own alcohol. This includes members, guests, and alumni. Bags should be opened to show that alcohol or other containers are not brought into the function without the organization’s knowledge.
5. Alcohol brought to the event by an individual of legal drinking age is for that individual’s consumption and the alcohol is not to be given away, sold, or otherwise provided to others.
6. The number of bartenders must be equal to or greater than the number of cosponsoring chapters.
7. It is recommended that each co-sponsoring chapter must provide at least one (1) bartender over the age of 21.
8. For those of legal drinking age, a ticket is given for each beverage that is checked in at the beginning of the event and personalized with the type of drink the individual brought.
9. When guests of a legal drinking age want one of their beverages, they turn in a ticket and/or present their wristband, which is marked with the number of beverages, to obtain one of the drinks they bought. To obtain additional beverages, an empty can should be turned in with another and/or presented with their wristband to mark off an additional drink number.
10. Individuals should not leave with any leftover alcohol. At the end of the function, it is recommended that the host organization immediately dispose of the alcohol left by guests.

Hazing

In the state of Indiana hazing is defined as “forcing or requiring another person, with or without the consent of the other person; and as a condition of association with a group or organization; to perform an act that creates a substantial risk of bodily injury.” Hazing is

illegal in the state of Indiana and may resort in a Class B or Class A misdemeanor or a Class D felony depending on the circumstances. (IC 34-30-2-150)

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/sorority 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." (*Purdue Policy IV.A.3, III.C.1, III.A.4, Regulations and Procedures for Recognized Student Organizations Section VIII*)

Sexual Abuse and Harassment

No organization will 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 a person, ranging from but not limited to verbal harassment to sexual assault by individuals or members acting together.

Sexual assault is any sexual contact, including but not limited to intercourse (rape), that occurs without consent and/or through coercion (IC 35-42-4-1, IC 35-31.5-2-221.5, IC 35-42-4-8, IC 35-45-10-1, IC 35-45-10-5, IC 35-42-2-1.3, IC 35-42-2-1, IC 35-45-2-1, IC-35-45-10-2, IC 35-45-2-2).

Consent is a clear and freely given agreement for sexual contact.

- Consent is an ongoing process — consent to kissing does not necessarily mean consent to other sexual activity.
- Also, consent to sexual activity on one occasion does not necessarily mean continual consent — everyone involved must give and receive consent to sexual activity every time, even when involved in a long-term relationship or marriage.
- Saying nothing is not the same thing as consent, and non-resistance is not the same thing as consent.
- In order for consent to exist, everyone involved must be fully conscious, aware of the situation and free of any coercion.
- Anyone under the age of 18 is a minor, and is considered **not capable of giving informed consent**.

Coercion is any kind of pressure or persuasion used to influence a person's decision to engage in sexual activity. Coercion can be physical, verbal or emotional.

- Physical coercion is the most recognizable kind of pressure and includes actions such as holding someone down or continued kissing or sexual activity even when being told "no" or being pushed away.

- Verbal coercion includes behaviors like threats of physical violence, blackmailing, lying, name-calling or asking repeatedly for sexual involvement after being told “no.”
- Emotional coercion is the most subtle type of pressure and includes actions like making someone feel obligated or guilty for not wanting to engage in sexual activity, using peer pressure, threatening to break up, etc.
- Sexual assault can happen to both men and women, and both men and women can be sexual assailants. It also can happen between people of the same sex.
- Sexual assault can occur between strangers or people who know each other, even those who are in a long-term relationship or are married.

Education

Each fraternity/sorority shall annually instruct its students and alumni/alumnae in the Risk Management Policy of Purdue University’s NPHC. Additionally, all students and key volunteers shall annually receive a copy of the Risk Management Policy and a copy of the policy shall be available on the Fraternity, Sorority and Cooperative Life website.

Pre/Post Parties

Pre-parties, kickbacks, pre-gaming, after-parties and other spontaneous or planned events are events involving the chapter. It does not matter where or when the events are held—if **members are present, it is a chapter function, regardless of what members might call the event.** If someone would be likely to perceive the event as a chapter event, i.e., if members or new members/neophytes or initiated members are present, then it will be considered a chapter event.

Social Fundraising Event Procedures

Security

1. Approximately one-half hour before the start of the event, the president, vice president, or the event chairperson of the organizing NPHC group and a security team representing the organizing NPHC group, must meet with Purdue University police officers.
 - a. The purpose of this is to let the police officers know how to identify the security team and to know who will be responsible for assisting with the security during the event.
 - b. A security team shall consist of at least four people from the organizing NPHC group or other assisting NPHC groups. The members of the security team must be registered Purdue university students. The organizing NPHC group is responsible for making all the security arrangements.
2. At this meeting a representative of the organizing NPHC group will supply the officers with a list of the names of the security team, the group’s event chairperson, vice president, and president.
 - a. **If this meeting does not go on as planned, and if all security personnel do not attend police officers may be forced to cancel the event.**
3. No member of the security team will be allowed to consume alcohol while on duty as security. The members working security will be distinguished by an “ID card or badge” with SECURITY printed clearly on the front. There may be no substitutes made for the named security personnel for the evening. The security team and the organizing group’s president, vice president, or event chairperson must remain at the site throughout the event.
4. Each event will begin no later than 10:30 p.m., and music and dancing will stop at 2 a.m. unless approved by the registered venue.

5. At the end of the event, Purdue police officers will be present to help the security team clear the facility and the immediate area surrounding the facility, such as hallways, staircases, and parking area. The president, vice president, or event chairperson and members of the security team shall remain at the facility until the crowd is completely dispersed.
6. Venues must have an evacuation plan for the event to be able to host a function. A copy of the most recent fire and safety inspection may be requested by the hosting organization. Additionally, they must meet all state standards if alcohol is to be served.

Gate Policy

The following is a list of policies for entrance into the function, to be displayed at the entrance of the function:

1. No containers will be allowed into a facility.
2. No one who is considered intoxicated will be allowed into an event.
3. No one who is exhibiting signs of violence will be allowed into an event.
4. No one with a weapon will be allowed into an event.
5. College or University IDs shall be required for admission, except in the case of alumni.
6. Anyone who has been ejected from an event will not be allowed back in.
7. Each organization reserves the right to refuse admittance.
8. A guest list of all attendees should be compiled as attendees enter the event and be readily available at the entrance.

Altercation Policy

The security team will ask anyone who begins to exhibit signs of violence to leave to prevent a fight.

The following is a list of rules if an altercation occurs:

1. Anyone who is involved in an altercation including anyone who retaliates or oversteps his/her security authority, will be escorted out of the facility, and the police will be called to handle the situation further.
2. Names of all people involved in an altercation of any kind (verbal or physical) will be given to the Purdue Police Department.
3. **If two altercations occur within one night, the event will be brought to an immediate halt by the organizing group and the facility will be cleared.**
4. Regardless, police officers or security team may stop the event at any time because of issues of safety.
5. Anyone involved in an altercation will not be allowed to attend future functions.
6. A list of names of anyone who has participated in an altercation must be circulated by the organizing group to the Purdue Police Department and other NPHC organizations to ensure that he/she is excluded from all social events.
7. If an altercation is determined to be the fault of the organizing NPHC group because it did not follow this policy or refused to cooperate with University officials, its privileges for conducting any activities will be withdrawn and disciplinary action may follow.

Purdue University Medical Amnesty Policy

In cases of student intoxication and/or alcohol poisoning that occur on the West Lafayette campus, on the premises of a Recognized Student Organization or at a function sponsored by a Recognized Student Organization, the intoxicated student, as well as the student(s)

seeking medical attention on the intoxicated student's behalf, will be exempt from Disciplinary Sanctions related to alcohol consumption.

In circumstances involving a Recognized Student Organization, the willingness of the members involved in seeking medical assistance for a member or guest will be viewed as a mitigating factor in the review process for the Recognized Student Organization for any possible violations. (*Purdue Policy WL-7*).