



FIJI ACADEMY

LEADING WITH COURAGE

SAINT LOUIS, MO JANUARY 4-6, 2019



Real Risks

Recognizing Testing Points

The following incidents have been reported to the Fraternity Headquarters. Pretend that you have been assigned to gather information for the chapter, its brothers, and the International Fraternity.

What specific information do you want to gather?
What questions will you ask?

Car Accident at Grover

While driving through a small town on a Saturday night, Ken hits a pedestrian, Norman Rockwell. He informs police that he is driving home from a Phi Gamma Delta party at Grover College, about 30 miles away.

Car Accident at Grover

What do you need to know?

Car Accident at Grover

How old is Ken?

Had he been drinking? What was his BAC?

Where did he get the alcohol that he drank?

What was the party that he attended? Why was he there?

Was the party a chapter planned event?

How did people get their alcohol at the party?

How old is Mr. Rockwell?

What are his injuries?

What is his occupation?

Car Accident at Grover

How old is Ken? **19**

Had he been drinking? What was his BAC? **Yes, .12**

Where did he get the alcohol that he drank? **From a Fiji**

What was the party that he attended? Why was he there? **Themed Social Event – invite from a member**

Was the party a chapter planned event? **Yes**

How did people get their alcohol at the party? **Keg & Grain Punch**

How old is Mr. Rockwell? **Early 40s**

What are his injuries? **Broken hip, right leg, collar bone**

What is his occupation? **Coal miner**

Car Accident at Grover

What RM Policy provisions are at issue?

What were the Testing Points where someone could have prevented this from occurring?

Car Accident at Grover

What RM Policy Provisions are at issue? What were the Testing Points where someone could have prevented this from occurring?

- Chapter not provide alcohol – BYOB or Third Party Vendor
- No open party – Guest list; no underage persons other than fellow students
- No alcohol to underage persons
- Don't allow brothers or guests to drive after drinking

Car Accident at Grover

Lawsuit against the Fraternity, Chapter, College, host brothers
Fraternity insurer paid six figures in defense and settlement
Brother's parents' homeowners carrier also paid

FIJI Island Injury at Davis University

The Chapter President from Davis University calls on a Saturday night to report that a pledge was injured that afternoon at the Fiji Island Party. He dived into a pool the chapter constructed for the party.

FIJI Island Injury at Davis University

What do you
need to know?

FIJI Island Injury at Davis University

What are his injuries?

What kind of pool? How deep?

Who built the pool? Why did they build it? Who instructed them to build it?

Was the pool on chapter property?

Had injured brother been drinking?

What was his BAC?

Where did he get the alcohol?

FIJI Island Injury at Davis University

What are his injuries? **Extensive - quadriplegic**

What kind of pool? How deep? **Built with tarp and sandbags; shallow**

Who built the pool? Why did they build it? Who instructed them to build it?
Pledges, requirement of Pledge Education Program

Was the pool on chapter property? **Yes**

Had injured brother been drinking? **Yes, prior to and during the event**

What was his BAC? **Elevated**

Where did he get the alcohol? **Chapter provided**

FIJI Island Injury at Davis University

What RM Policy provisions are at issue?

What were the Testing Points where someone could have prevented this from occurring?

FIJI Island Injury at Davis University

What RM Policy violations provisions are at issue? What were the Testing Points where someone could have prevented this from occurring?

- No pool!!!
- No underage drinking
- Chapter should not provide alcohol
- Hazing

What is the Cost of a Pool?

Sand Bags & Ties	\$56.00
3 Tons of Sand	\$25.00
Tarps	\$235.00
Water	\$25.00
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	\$341.00

What is the Cost of a Pool?

CP Parent's Homeowner's Insurance*	\$500,000
HCP's Homeowner's Insurance	\$500,000
HCT's Homeowner's Insurance	\$600,000
PE's Parent's Homeowner's Insurance*	\$1,000,000
HC/BCA Member's Homeowner's Insurance	\$1,200,000
PGD & HC Primary Liability Insurance	\$1,000,000
PGD & HC Excess Liability Insurance	\$1,300,000
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	\$6,100,000

**The Fraternity's insurance carriers declined coverage due to RMP violations.*

Big Brother Night

On Saturday morning, the Fraternity received a call from the Greek Advisor at Rutherford University reporting a pledge had been hospitalized due to overconsumption of alcohol. The university decided to put the Chapter on a Cease and Desist of all chapter activity.

It is believed that the Chapter was having a Big Brother night at an off-campus location.

Big Brother Night

What do you
need to know?

Big Brother Night

What is the condition of the pledge?

Did he consume alcohol at the event?

What was his BAC?

If he drank at the event, who provided the alcohol?

Were there any activities at the event that required or encouraged consumption of alcohol?

Did anyone try to help the pledge?

When did they call for help?

Were the CP or PE present?

Big Brother Night

What is the condition of the pledge? **Coma**

Did he consume alcohol at the event? **Yes**

What was his BAC? **0.41 upon arrival at the hospital**

If he drank at the event, who provided the alcohol? **Individual members, including Big Brother**

Were there any activities at the event that required or encouraged consumption of alcohol? **“Animal House” activity and family gift**

Did anyone try to help the pledge? **Taken to lay down**

When did they call for help? **10 to 20 minutes after he laid down**

Were the CP or PE present? **PE present**

Big Brother Night

What RM Policy provisions are at issue?

What were the Testing Points where someone could have prevented this from occurring?

Big Brother Night

What RM Policy violations provisions were at issue? What were the Testing Points where someone could have prevented this from occurring?

- Not calling 911 when someone is in need of help
- Chapter officers knowledge of the event and not stopping it
- Providing alcohol to underage persons
- Incorporating alcohol into pledge activities

Big Brother Night

Pledge died

University settled for over \$6 million

Fraternity settled for \$\$\$

House Corporation sued

All chapter officers sued, including those not present

Pledge Educator sued, diploma revoked by university

Big Brother sued

Chapter closed permanently

Pledge's Bill of Rights

Pledge Education program should allow:

- Highest Scholarship Capable
- Gain fundamental knowledge of Chapter, Fraternity and college or university
- Phi Gamma Delta's values in relationship with personal values
- Understanding of "Not for College Days"
- Benefits and responsibilities of membership
- Organizational and leadership skills

Pledge Education program should NOT require or suggest:

- Violations to law, student code of conduct, or Fraternity policy.
- Interfere with academic success
- Treat individuals as second-class citizens
- Cause mental or emotional distress
- Forces or suggests consumption of alcohol or other drugs.
- Performing personal service for brothers

Insurance Realities

No coverage for violations of the Risk Management Policy

No coverage for accidents related to ANY WATER FEATURE

No coverage for intentional or criminal conduct

Parents' homeowner's insurance may respond

You pay or parents pay out-of-pocket—learn the hard way the definition of “garnishee”

Risk Management Policy Basics

Don't Break the Law – Don't serve to minors

No Chapter Purchase or Bulk Quantities of Alcohol

No Open Parties

No alcohol in recruitment or pledge education

No Illegal Drugs in the Chapter House

No Co-Sponsorship with Distributors

The Fraternity will not tolerate or condone any form of sexist or sexually abusive behavior

The employment or use of strippers, exotic dancers or similar is prohibited

The construction and/or use of water features, towers, rope bridges and slides is strictly prohibited whether on chapter property or elsewhere.

Who's in charge here, anyway?



Bylaw § 19.13:

“Supervision of Undergraduate Members.

Undergraduate members shall be under the direction and supervision of the officers of their respective chapters.”

What Can You Do?

Talk to your fellow officers

Talk to your PL and other graduate brothers

- Faculty Advisor and/or BCA

Address the issue with your chapter

Utilize Fraternity resources to make necessary changes

Commit to be truthful

- don't compromise your values

Call IHQ

LEAD WITH COURAGE

Questions

For more information regarding
Risk Management contact:

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