

# Risk Management in Alpha Phi Omega

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Risk management is not about eliminating risk, which is impossible. Instead, the goal is to minimize risk. While no one wants to get sued, liability issues are not as important as safety.

The risk management policy accepted at the 1996 National Convention falls into three categories. The first set of items is covered by the previously existing membership policy.

- No hazing.
- No harassment, discrimination, abuse.
- No alcohol as part of the membership recruitment or pledge education program.

The second set of items deals with laws/rules outside the control of Alpha Phi Omega.

- All federal, state and local laws and college/university rules must be followed.
- No drugs.

The final group deals with important issues that should be addressed in any risk management policy. While there are suggestions, no absolutes on what the policy should be are provided for these items.

- Contracts signed by chapters should clearly indicate the chapter, i.e. Alpha Beta Gamma Tau chapter of Alpha Phi Omega, to avoid the appearance of the national fraternity being bound by the contract.
- Personal property used by the fraternity is at the discretion of the owner and the fraternity does not accept responsibility for loss or damage.
- Transportation in members' cars is at the discretion of the owner and the fraternity does not accept responsibility for loss or damage. However, safe operation of the vehicle is a priority.
- Advisors and alumni are expected to behave responsibly and adhere to the rules of the Fraternity and chapter. Since advisor and alumni involvement is at the discretion of the chapter, chapters are responsible for ensuring compliance.
- General health and safety considerations should include providing proper equipment for service projects and taking proper precautions to keep participants safe.
- Education on safety in general and the risk management policy in particular should be conducted at all levels of the chapter -- pledges, actives, officers, alumni and advisors.

The essence of this policy is that each chapter should protect itself and its members by developing a set of standards for safe behavior. The recommended starting place is your own college or university's risk management policy. Not only will this ensure compliance with the institution's standards but it should save time since it is a safe bet that they have fully researched relevant legal statutes.

When developing your chapter's policy, it is important to take into account enforceability on two levels. First, the policy must be something chapter members will be willing to follow. Brothers need to understand the policy, and it cannot be so restrictive as to invite rebellion. The second aspect of enforceability deals with consequences. As much as we hate to think about disciplining our brothers, consequences are needed to ensure compliance. The nationally accepted risk management policy does not contain any disciplinary actions leaving chapters the freedom to develop their own measures.

Until each chapter develops its own policy with ramifications, I will offer the following guidelines. If activities that violate a chapter or national risk management standard occur, the first step will be an investigation. Examples of relatively minor transgressions are failing to have the prescribed number of designated drivers stated in a chapter's policy at an event or asking pledges to collect potentially embarrassing items as part of a scavenger hunt. In these instances, the likely reaction would be to remind

the chapter of the policy and encourage compliance. The same would be true if the transgression was based on a misunderstanding of the policy.

Repeated offenses or a more serious incident such as hazing would bring a stronger reaction. Even in the event of a serious concern, the chapter and individuals involved would be given the opportunity to demonstrate a genuine desire to change their behavior. A willingness to be honest about what happened would be an important component of any successful rehabilitation. Under these circumstances, a chapter would likely be put on administrative review, a form of probation assigned and administered at the discretion of the regional director. A list of specific conditions to be met would be established with monitoring from the sectional and regional staff.

If the measures discussed above do not lead to the desired behavior or if the event is particularly serious, a chapter or member could be brought before the national board for revocation of charter or membership, respectively. A board vote could only be to recommend revocation to the national convention but the chapter or member would be suspended from all Alpha Phi Omega activity until the convention vote was taken confirming or reversing the board decision. Examples of a serious incident include someone getting hurt or an obviously dangerous and/or intentional action or an attempt to hide the truth.

Obviously, it will take time to create a set of comprehensive risk management standards and chapters are encouraged to put the effort into developing a sound policy. In the interim, we suggest the guidelines in the nationally accepted policy. Chapters should exercise common sense and follow the standards in the previously existing policies referenced above.

When questions come up about how to apply the national by-laws, sectional and regional staff members are responsible for providing the proper interpretation. The same is true with risk management. Questions about specific activities or situations should be addressed to sectional or regional staff.

One final aspect of the accepted risk management policy not previously discussed is the signature required annually as part of the charter reaffirmation. The national convention voted to have each chapter sign a form confirming compliance with the Fraternity's risk management policy in much the same way chapters sign for the membership policy.

For chapters with a risk management policy in place, the signature represents the chapter's commitment to follow their policy and educate their members in the standards. For those chapters without a policy, the signature is a commitment to develop a set of standards for the group. While there is no formal timetable for the policy, by now there should be significant progress toward the policy. At least a first draft should be available by the 1998 Convention.

Since each chapter faces a different set of challenges, the open nature of the policy invites groups to meet their own specific needs in much the same way that chapter by-laws elaborate on the national by-laws. While chapter risk management policies cannot contradict the national version, they do allow chapters to take into account local laws and campus regulations. As is always the case in Alpha Phi Omega, adherence to all laws and campus regulations takes priority over following Fraternity rules.

There are a number of fairly specific questions that have been posed about the risk management policy that need to be addressed. First and foremost, I have heard concerns that signing the risk management policy will make the chapters in general and the presidents in particular more susceptible to legal action. It is important for chapters to understand that they and their officers are already at risk. The presidents are already considered responsible for the chapters by virtue of the position and the rest of the executive board could also be named in a suit. The president's signature does not make them any more of a target. Instead, it allows the chapters and officers to demonstrate their concern for the safety of all members and those with whom they interact.

A great deal of controversy continues to swirl around the issue of alcohol. It is important to note that Alpha Phi Omega is not a dry organization. The only time alcohol is prohibited is when a specific policy exists such as at the national convention and as part of the pledge recruitment and membership program. Beyond

that, alcohol is permitted at APO functions even if pledges are present as long as the event is not part of the pledging period. For example, alcohol is not allowed at the pledge class fellowship event but is allowed at a wine and cheese party following a service project or at the banquet following activation.

While it is not a formal rule, it is suggested that chapter funds not be used to purchase alcohol since it would be difficult to convince a court of law that the chapter is not responsible for a drinking-related incident if they provided the alcohol. Of course, since laws need to be followed, underage drinking should be discouraged.

Another common question involves what qualifies as an "APO" event and what are the implications. I have said that any event at which 25% or more of the participants are members of the Fraternity will be considered an APO event. My reasoning is that an outside party such as a college administrator or a judge would likely consider an activity with half the participants from APO as an official event. The fact that an individual planned it whom happens to live with and/or socialize with mostly brothers or that it was not announced at a meeting would not make a convincing argument.

I prefer to take a conservative view, which is why I use 25% as my limit. Now, that does not mean events cannot take place; it simply means that the chapter's risk management policy should be taken into account. If an individual engages in unsafe behavior that leads to injury or property damage, that person is liable for those actions. If the event at which this happens could be considered a Fraternity activity, the chapter and national organization and its officers, locally and nationally, may also be liable. Since we are primarily concerned with the safety of our members and friends, reasonable precautions are recommended even when Alpha Phi Omega has no part in the activity.

It is important to understand that each regional director will likely have a slightly different interpretation and, therefore, application of risk management. Members will be expected to adhere to the policies of the area in which they are operating even if they are only visiting.

In developing the chapter's risk management policy, take advantage of all the resources at your disposal. These include not only your campus policy but also college officials, advisors and sectional and regional staff. If you have questions, don't hesitate to ask. Even if you think a violation has occurred, you can ask staff without fear of repercussions. Your alumni volunteers are here to help, not to play cop. We are concerned with safety, not punishment.

If you are in Alpha Phi Omega, you are almost certainly over 18, a legal adult. More than that, you have demonstrated a maturity by committing to the principles of Leadership, Friendship and Service. I know that keeping the activities of this Fraternity and its members, your brothers, safe is as important to you as it is to me. Let's all work together to keep Alpha Phi Omega strong for all its members, now and into the future.