

INSURANCE AND CLAIMS MANUAL
BETA THETA PI FRATERNITY



BETA THETA PI
— MEN OF PRINCIPLE —

EFFECTIVE FOR THE ANNUAL TERM:
JUNE 1, 2018 TO JUNE 1, 2019

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INTRODUCTION

The purpose of this manual is to give you an understanding of insurance coverage provided and information to properly report all actual and potential liability claims with which you may become involved.

The final responsibility for the success of the insurance program rests with Beta Theta Pi Fraternity entities. It is always important to remember that our first line of defense in liability matters is loss prevention, next is loss control, and the insurance contract is the final line of defense. The undergraduate and alumni members' willingness to understand and assume the responsibility of sound risk management practices is a cornerstone of our program.

If an incident or claim does arise, Beta Theta Pi's Administrative Office Staff and Holmes Murphy will oversee the effective handling of all incident and claim investigation. An online incident reporting form is available on the Beta Theta Pi website: <https://my.beta.org/ors/incident-report.aspx>

Beta Theta Pi provides comprehensive education for chapter officers, members, and volunteers. Those resources can be accessed via Beta.org. An important resource is Beta's Risk Management Policy, which is located here: <http://beta.org/rmpolicy>

Holmes Murphy strives to provide risk management resources to complement the loss prevention and loss control efforts of its clients. Please visit www.holmesmurphyfraternal.com to review the Holmes Murphy website. You will find several risk management resources that can assist you in your daily lives as well as information on your insurance protection, and online forms for; purchasing property coverage, liability and property claim reporting and making requests for additional insured protection.

BETA THETA PI FRATERNITY

THE GENERAL LIABILITY INSURANCE PROGRAM

The following description is a summary only and is not intended to serve as a substitute for the actual insurance contract.

Beta Theta Pi Fraternity's insurance program provides Blanket Public General Liability Coverage of \$3,000,000 per occurrence with a \$8,000,000 general aggregate per location for all participating chapters. Types of coverage are included at the end of this section.

The coverage is for bodily injury, property damage and personal injury. This protects the local undergraduate chapter, its officers and members, house corporations, alumni associations, chapter related educational foundations, and appointed volunteers from claims arising out of bodily injury and property damage occurring out of chapter operations. It also protects against claims arising out of libel, slander, false arrest, invasion of privacy, eviction from the premises, and consumption of food and beverages and incidental malpractice.

It must be understood that our coverage is for public liability. **It is not accident insurance covering members and membership selection candidate for injuries sustained on the chapter premises and/or in chapter activities.** Liability insurance is not a substitute for medical insurance. Furthermore, it is not Workers' Compensation insurance which may be required for Fraternity employees.

Primary Insurer:	Admiral Insurance Company
Policy Period:	June 1, 2018 to June 1, 2019
Policy Number:	CA000019475-05

Excess Insurer:	James River Insurance
Policy Period:	June 18, 2018 to June 1, 2019
Policy Number:	00052577-6

Beta Theta Pi Fraternity Coverage includes:

- 1. COMMERCIAL GENERAL LIABILITY**
Covers liability arising out of Fraternity premises and operations.
- 2. PRODUCTS/COMPLETED OPERATIONS LIABILITY**
Covers preparation and consumption of food and beverages.
- 3. PERSONAL INJURY & ADVERTISING INJURY**
Covers libel, slander, defamation of character, false arrest, detention, malicious prosecution, wrongful entry or eviction, invasion of privacy.
- 4. CONTRACTUAL LIABILITY COVERAGE**
Under certain circumstances, the liability coverage of Beta Theta Pi Fraternity insurance contract is extended to protect other parties with whom a Beta Theta Pi Fraternity chapter may enter into a contractual agreement. No contract should be signed by any entity/chapter of Beta Theta Pi Fraternity without complete understanding of liabilities being assumed and insurance coverage, if any, that is provided. When any questions arise, please contact your chapter advisor or the Administrative Office staff of Beta Theta Pi Fraternity.
- 5. WATERCRAFT LIABILITY**
Covers hired and non-owned boats/watercraft providing it is less than 75 feet in length.
- 6. INCIDENTAL MEDICAL MALPRACTICE**

Covers liability that arises against an insured chapter or an individual who provides emergency medical care for injuries on or off our premises.

7. HIRED AND NON-OWNED AUTOMOBILE

This applies to the situation when a chapter member, chapter employee, or volunteer alumnus driving his own car on fraternity business is involved in an accident. It is intended to only cover entities of Beta Theta Pi Fraternity and individuals not involved in the accident. The intent is not to provide auto liability coverage to those who are not prudent enough to purchase their own auto liability policy. The auto insurance of the driver or auto owner will be the primary insurance coverage.

8. DAMAGE TO PREMISES YOU RENT

\$1,000,000 damage to premises you rent. This is not a substitute for property insurance. Damage to Premises You Rent liability coverage provides coverage for liability arising against your Fraternity out of fire damage to non-owned premises rented for any period as well as other damage to premises you rent for 7 or less days.

9. WORLDWIDE COVERAGE

Coverage worldwide for suits brought in the United States.

10. HOST LIQUOR LIABILITY

Provides coverage when providing alcoholic beverages at no charge to those of legal drinking age. If you are found to be in the practice of manufacturing, distributing, selling, serving or furnishing alcoholic beverages, or if minors are involved, your coverage and protection is jeopardized.

Limits of Coverage

General Liability:

\$1,000,000 per occurrence in General Liability coverage and \$2,000,000 in Excess Liability coverage.
Self-Insured Retention: \$250,000 per Occurrence

Note: SIR payments will be funded by Beta Theta Pi General Fraternity.

Who is an insured?

The insurance coverage will pay claims up to \$1,00,000 per occurrence for the following organizations and/or people:

- A. The local undergraduate chapter or colony that is chartered and recognized by the Fraternity **when it obeys the laws** of the institution, city, county, state and country in which it operates and the policies of Beta Theta Pi Fraternity. Undergraduate chapter officers, executive committee, committee chairman and members while performing the duties of elected or appointed positions within the organization.
- B. All volunteer advisors while performing the duties of their appointed or elected positions.
- C. The house corporation while the directors are performing their duties as corporate officers.
- D. Alumni Associations and chapter related educational foundations, its officers, and appointed volunteers while performing the services of their positions.
- E. The Alumni Advisors while performing the duties as advisors.

Who is *not* an insured under this policy?

- A. Any individual member, alumnus, trustee or advisor who is performing tasks outside of his responsibility (i.e. spontaneous social function planned by an individual member, chapter advisor consuming alcohol with undergraduates, hazing of members, etc...)
- B. Any member who's illegal or intentional actions result in death or injury to an individual or property damage.
- C. Members' parents or family members and guests of chapter members.
- D. College/University administration (see Adding Additional Insureds below).

Adding Additional Insureds

Additional Insureds may be added to this policy. Additional Insureds may be your landlord, college, university and/or proprietor from whom the chapter may be renting property for a special event.

Please submit the Additional Insured Request Form found in the Appendix of this manual, at least (30) thirty days prior to the date it is needed, to:

Beta Theta Pi Fraternity Administrative Office
5134 Bonham Rd
Oxford, OH 45056

Contact: Austin Marple, Director of Chapter Services, austin.marple@beta.org, 800-800-BETA

You may also fax the form to (513) 523-2381. Upon review and approval of the Additional Insured request by Beta Theta Pi Fraternity and the insurance carrier, a certificate of insurance will be issued by Holmes Murphy, with the original forwarded to the Additional Insured and a copy to the Administrative Office.

Proper function planning is critical to completing any Special Event in a safe manner! Please utilize the enclosed Special Event Checklist to assist with your event planning.

What Does Our Coverage *Not* Include?

- A. Any claim of bodily injury and/or property damage from an incident resulting when:
 1. An illegal act was committed.
 2. An intentional act was committed.
 3. A contract made by the chapter is broken.
 4. There is any discharge, release or escape of smoke, vapors, soot, fume, acids, toxic chemicals, etc. upon land, the atmosphere or any water course or body of water.

5. An employee is hurt on the job. Workers' Compensation coverage must be purchased.
- B. Any claim of property damage to property owned by, rented by, used by, or cared for by the chapter. For example, the chapter rents a portable generator for an outdoor function, and while it is in the care, custody and control of the chapter, it is damaged, and the lessor holds the chapter responsible and liable. No coverage is available under Beta Theta Pi Fraternity's liability insurance contract. The only exception would be a premise rented for 7 or less days in which the "\$1,000,000 Damage to Premises You Rent" limit would apply.

Legal and Illegal Activity

Simply stated, no insurance policy in the world provides coverage for violations of the law. Beta Theta Pi Fraternity's insurance program is no exception to this rule. The key points to understand are:

- Compliance with federal, state, local and institutional (college or university) laws and regulations is required.
- Compliance with all regulations and policies of Beta Theta Pi Fraternity is required.

Those individuals who choose to violate these rules may void the protection for themselves under Beta Theta Pi Fraternity's insurance program. The following brief examples are intended to provide illustration and do not represent legal advice.

- A. With the broad awareness of its membership, the chapter serves alcohol to a minor in violation of the law at a chapter sponsored function. In the event of an injury, claim or lawsuit, those persons found to be in violation of the law and/or Beta Theta Pi Fraternity (in this case the entire chapter) most likely would be without insurance protection. The other named insureds would be protected (e.g. General Fraternity or volunteer alumni).
- B. Two of the members of a 65-man chapter cause injury to someone in connection with a hazing incident. This activity was unauthorized and done secretly without the knowledge of the chapter, and strictly against chapter policy. In the event of an injury, claim or lawsuit, those persons (in this case, the two members) found to be in violation of the law and Beta Theta Pi Fraternity would be without insurance protection. The chapter, its officers and other volunteers would be protected.

Great effort has been made to ensure coverage will be provided to those individuals and entities exposed to claims. The intent is to provide coverage for claims that arise from ordinary negligence. Chapters and chapter officers are protected from the unauthorized actions of individuals. Chapter advisors are protected from the unauthorized actions of their individual chapter members and the chapter, as are the chapter foundations (e.g. chapter educational foundation) and all other appointed alumni volunteers involved with the Fraternity.

All questions regarding insurance interpretation and coverage should be directed to:

Holmes Murphy
Senior Client Service Consultant: Trude Smouse
13810 FNB Parkway, Suite 300
Omaha, NE 68154
Phone: 800.736.4327, Ext. 4163
Facsimile: 800.328.0522
E-Mail: tsmouse@holmesmurphy.com

SPECIAL EVENTS

In general, Special Events sponsored by a Chapter are covered under the general liability policy.

Poorly planned Special Events (e.g. social functions) are the usual cause of injury to our members and their guests. Proper planning is critical to the success of the event, avoiding injuries and controlling the costs of insurance protection.

We encourage Alumni Advisors and other volunteers be engaged with the undergraduate chapters in the proper planning of Special Events. A special event planning checklist can be found at www.betathetapi.org. If the form is utilized and all sections are addressed, the guidance provided by the Checklist can do a great deal to help avoid an injury from occurring.

Special Note:

Whenever chapters or members are transporting special event attendees, **personal vehicles should not be used**. Chapters are encouraged to engage a licensed third-party transportation vendor who will provide professional drivers. The transportation company assumes liability during the ride and removes the responsibility and risk from Beta Theta Pi Fraternity.

SAFE TRANSPORTATION RECOMMENDATION FOR CHAPTER FUNCTIONS

Liability exposure continues to be one the biggest challenges facing men's general fraternal organizations. In fact, the exposure threatens the continued existence of many organizations. Beta Theta Pi Fraternity recognizes this and is attempting to provide the broadest general liability coverage available to us; however, we cannot do it without the support of the entire organization. It is important that sound risk management practices endorsed at the National level are implemented and strictly followed at the chapter level.

The safe use of automobiles is critical to the wellbeing of all Beta Theta Pi members.

Effective immediately, we request that each local chapter and/or colony implement a policy eliminating the use of:

1. Members' vehicles for transportation of members and guests from fraternity functions in programs such as the designated driver.
2. Leased or rented vehicles operated by members to transport members and guest from fraternity functions.

We understand that each of the above referenced precautions is done with the best intentions; however, for numerous reasons, they have not produced the intended results. The only acceptable and safe alternative is using professional transportation services.

Outlined below is one of many examples of how a good intention can turn into a tragedy:

A local chapter of a national fraternity in Oregon held an off-premise social event. To provide a safe and fun environment, the chapter rented a 15-passenger van to transport members and guests to and from the location of the event. During one of the return trips, the sober member who was driving the van lost control and struck a

telephone pole. The result was one passenger fatally injured and one seriously injured. Litigation soon followed, and a substantial settlement was paid out on the claim.

From the description of the measures taken it would appear that everything was done correctly, so what went wrong?

- The driver of the vehicle was unfamiliar with the van. Think about the times you jumped into a friend or family member's vehicle and searched for the light switch, the air conditioning controls or how to dim the lights.
- The driver was not a professional driver; while he might have been sober, his passengers were not. Dealing with the distraction of passengers can be difficult, even for professional drivers.
- The General Liability Hired and Non-Owned Auto Coverage afforded under the national fraternity's liability policy was immediately put into play due to the rental company and driver's insurance having insufficient limits to pay the entire amount of damages.

Due to situations such as this, we are requesting only professional drivers and transportation be utilized. This is just one example. Unfortunately, we could fill page after page with similar tragedies. We recommend the following requirements for any selected vendor employed to provide transportation to members and guests:

- Commercial Auto Insurance that provides coverage for transporting people and property for a fee.
- Commercial Auto Insurance that provides, at a minimum, primary coverage of \$1,000,000 combined single limit for bodily injury and property damage.
- A professional driver who has a valid commercial vehicle operator's license in the state in which the driver is located.

By working together to consistently meet these standards, we will be providing safe transportation that all previous measures had failed to accomplish and, together, we will be reducing the exposure to our brothers, chapters and the General Fraternity. This is an ultimate win-win situation we all want to achieve.

LAWSUITS

There will be occasions when lawsuits may be served on a member of your chapter. As there is only a limited time to answer a lawsuit, the following procedures apply:

- a. Treat any potential or actual claim or lawsuit as a high priority item and immediately notify the Administrative Office by phone.
- b. Complete the incident report found at <https://my.betathetapi.org/ors/incident-report.aspx> within 24 hours of the incident.

GENERAL LIABILITY CLAIMS

General Liability claims can be numerous and usually arise out of activities of a chapter that cause bodily injury, property damage or personal injury to an individual. They will more than likely involve damage or injury to someone other than an employee or an officer of the Fraternity.

While on the scene, if possible, get names, addresses and phone numbers of all parties involved, as well as any witnesses to the accident. Immediately complete the online incident report form and submit within 24 hours.

What should be reported?

Report bodily injury of anyone other than an employee and any property damage for which there is the possibility a claim may be made against Beta Theta Pi Fraternity. Complete the enclosed incident reporting form which will provide the needed information regarding the claim. If you question whether to report a potential claim, ***report it!*** Reporting a potential claim does not necessarily mean repercussions for the chapter. It is always best to report a potential incident.

It is imperative all losses or incidents be reported immediately to Beta Theta Pi Fraternity (see phone numbers and address below). The Director of Operations of Beta Theta Pi Fraternity is responsible for providing the initial report of the claim to Holmes Murphy (see phone numbers and address below). Once the claim report is sent to Holmes Murphy you will likely be contacted directly by them or an insurance company representative to discuss the incident. If you are unable to obtain all necessary details when first notified of any incident, still report any known facts.

Success or failure of the Beta Theta Pi Fraternity insurance program and our ability to obtain reasonably priced insurance is contingent upon accurate and timely reporting. It is incumbent upon you as a member of Beta Theta Pi Fraternity to report all known facts regarding bodily injury, property damage, or personal injury arising out of Beta Theta Pi Fraternity activities in a timely manner.

BETA THETA PI FRATERNITY

INCIDENT & CLAIM REPORTING

Beta Theta Pi Fraternity
Director of Chapter Services: Austin Marple
5134 Bonham Rd
Oxford, OH 45056
Phone: 513.523.7591, Ext 227
Fax: 513.523-2381
E-mail: austin.marple@beta.org

Holmes Murphy
Attn: MK Mashek
Claims Specialist
13810 FNB Parkway, Suite 300
Omaha, NE 68154
Phone: 800.736.4327, Ext. 5500
Fax: 800.328.0522
mmashek@holmesmurphy.com
Alternate: Rob Meraz, Client Advocate
meraz@holmesmurphy.com ext. 4189

OTHER INSURANCE COVERAGE

Crime Coverage

The Insurance Program of Beta Theta Pi provides coverage for embezzlement of monies by Alumni & Volunteer Corporation, chapter educational foundation, or undergraduate chapter officers. To avoid the opportunity for embezzlement claims, all chapters and Alumni & Volunteer Corporations should be certain that all checks require signature of two parties and that the bank statements are balanced by someone other than the individual who has check writing authority.

Overview of the coverage is as follows;

Insurance Carrier:	Zurich/Fidelity & Deposit Company of Maryland	
Policy Term:	June 01, 2017 – June 01, 2020	
Policy Number:	CCP0065528-09	
Coverages:	\$100,000	Employee Dishonesty
	\$25,000	Forgery or Alteration
	\$25,000	Computer Fraud
	\$25,000	Funds Transfer Fraud
Deductible:	\$2,500	Each and Every Loss

Directors & Officers Liability Coverage

The General Fraternity's Insurance Program of Beta Theta Pi offers Directors' and Officers' coverage to all Undergraduate Chapters, House Corporations, Alumni Associations and Chapter Educational Foundations. Directors' and Officers' Coverage protects all Directors, Officers, Volunteers and the Entity for claims arising out of the failure or negligence in carrying out your fiduciary duties of diligence, obedience and loyalty to the organization that you serve as a Director and/or Officer. Claims covered under a Directors' and Officers' Liability Contract are claims for financial injury and not bodily injury or property damage of a third party that are insured by the General Liability Coverage of the Fraternity. In addition, the Directors' and Officers' Liability Coverage of the Fraternity provides Employment Practices Liability Coverage that protects the Undergraduate Chapter, House Corporations, Alumni Associations and Chapter Educational Foundations from claims arising out of allegations of Discrimination, Harassment or Wrongful Termination arising in an employer/employee relationship. These claims are not insured by the General Liability or Workers Compensation Coverage of the Chapter/Alumni and Volunteer Corporations.

Overview of the coverage is as follows;

Insurance Carrier:	RSUI Indemnity Company.
Policy Term:	June 1, 2016 to June 1, 2019
Policy Number:	NHP667845
Limit of Coverage:	\$1,000,000 Sublimit for Affiliates
Retention/Deductible:	\$5,000 Each and Every Loss for Undergraduate Chapters, Alumni or Volunteer Corporations \$15,000 for Employment Practices

Note: Only one Retention/Deductible will need to be satisfied for a claim involving the National Fraternity and any Undergraduate Chapter, House Corporation, Alumni Association or Chapter Educational Foundation.

Note: Please make certain to report any potential claim immediately as the D&O policy is a claims-made policy. Also, according to the provisions of the Directors & Officers Liability policy, defense cost incurred by the insured or settlements made without the prior written consent of the Insurer will NOT be covered under the policy. If defense counsel is hired by an insured without prior approval from the insurance carrier, there is no guarantee all charged fees will be paid as part of the claim.

OPTIONAL INSURANCE COVERAGE

Cornerstone Property Insurance Program

Beta Theta Pi's *Cornerstone* Housing Program offers competitive property insurance rates through a shared property pool that's open to participation for any Beta house corporation. House corporations that don't own a facility but need to purchase property or contents insurance also can participate. Generous discounts are given for life safety devices and safe practices such as:

- Hard-wired smoke alarms
- Sprinkler system
- Recent renovations / more modern properties
- Live-in house director



The Cornerstone property insurance program provides all risk coverage insuring the building / facility, contents owned by the house corporation, business income (loss of rent), extra expense, and equipment breakdown coverage. This insurance does NOT cover the personal property of chapter members or employees living in the facility; the house corporation should educate the chapter on the importance of purchasing their own renter's insurance or checking their family's homeowners' insurance to see if coverage applies.

In addition to property insurance, the Cornerstone Housing Program offers resources, support, education and joint purchasing power to participating house corporations. The Cornerstone Housing Summit is offered each year in conjunction with Beta Theta Pi's convention; learn more at www.betathetapi.org.

Where can I learn more about *Cornerstone*?

Learn more about the Cornerstone Housing Program and the property insurance program at Beta.org > Resources > Cornerstone Housing Program or by contacting the Director of the Cornerstone Housing Program at (800-800-BETA).

Workers Compensation Coverage

The Insurance Program of Beta Theta Pi does not provide Workers Compensation Coverage for chapter employees. It is the duty of each house corporation to make certain they are familiar with their State laws and requirements to carry Workers Compensation Coverage for employees of the Chapter.

Each State provides a State Assigned Risk Pool that can insure the Workers Compensation exposures of the Chapter. The State Assigned Risk Pool can be accessed by contacting a local insurance agent or Holmes Murphy, your insurance broker, to obtain coverage. It is important to note that in addition to payrolls paid to a chapter cook and housemother, subsidized housing provided to chapter members in exchange for service in a position (i.e. house manager, kitchen steward, chapter officer) is also considered payroll and if injured, the individual likely has the right to recover damages under the Workers' Compensation laws of your State. We will work with you to help you place this coverage only if we also place the property coverage for your location.

All questions can be directed to Trude Smouse, Holmes Murphy, phone 800.736.4327 ext. 4163, fax 800.328.0522, email: tsmouse@holmesmurphy.com.

YOUR TEAM MEMBERS

BETA THETA PI

Beta Theta Pi Fraternity
Director of Chapter Services: Austin Marple
5134 Bonham Rd
Oxford, OH 45056
Phone: 513.523.7591, Ext 225
Fax: 513.523.2381
E-mail: austin.marple@beta.org

Beta Theta Pi Fraternity
Director of the Cornerstone Housing Program:
John Reineke
5134 Bonham Rd
Oxford, OH 45056
Phone: 513.273.2222
Fax: 513.523.2381
E-mail: john.reineke@beta.org

HOLMES MURPHY

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Consultant
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Facsimile: 800.328.0522
rmeraz@holmesmurphy.com

APPENDIX

BETA THETA PI FRATERNITY

ADDITIONAL INSURED REQUEST FORM

Chapter Name: _____

Your Name: _____

Your Address: _____

City, State, Zip: _____

Phone: _____ E-Mail Address: _____

Fax (if available): _____

Additional Insured's Name: _____

Address: _____

City, State, Zip: _____

Phone: _____ E-Mail Address: _____

Date and Time of Event: _____

Description: _____

Fax, Mail or Email the completed form to: Beta Theta Pi Fraternity, Attn: Director of Chapter Services,
Fax: (513)523-2381, e-mail: austin.marple@betathetapi.org

The following questions are taken from the second page of the Special Event Checklist. Please answer the below questions and if any answer is "Yes" please include the documentation with this request;

1. Are Certificates of Insurance obtained from vendors?

A. Liquor Legal Liability	Yes	No	Not Applicable
B. General Liability	Yes	No	Not Applicable

2. Has vendor(s) provided proof of liquor license and temporary license to see on premises?

Yes	No	Not Applicable
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3. Is the fraternity named as an additional insured on all certificates from vendors?

Yes	No	Not Applicable
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4. Have applicable permits and permission been obtained from authorities:

A. College/University	Yes	No	Not Applicable
B. Fundraiser	Yes	No	Not Applicable

5. Has any written contract or agreement been signed for any part of this special event? *

Yes	No	Not Applicable
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6. Have you received any correspondence requesting proof of insurance for the event?

Yes	No	Not Applicable
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***Please utilize the back side of this form if you should run short of room. ***

BETA THETA PI

Waiver, Release of Liability and Indemnification

In exchange for my being allowed to participate in _____ Chapter of Beta Theta Pi General Fraternity's _____ (herein "activity"), I, (being at least 18 years old (strike if inapplicable), agree to be bound by each of the following:

Assumption of Risk.

I assume all risks, known and unknown, in any way connected with my participation in the Activity.

Waiver and Release.

I waive and release Beta Theta Pi General Fraternity, Inc., the Chapter identified above, any affiliated organizations of either of the foregoing and their respective directors, officers, employees, agents and volunteers (collectively, the "Fraternity Parties"), from all claims that I may have for any liability, injury, loss, or damage in any way connected with my participation in the Activity, including but not limited to any injury or loss caused in whole or in part by the negligence or misconduct of any of the Fraternity Parties.

Indemnification.

I agree to indemnify and hold harmless (in other words reimburse and be responsible for) the Fraternity Parties from all claims, liability, loss, damages, costs and expenses in any way connected with omissions of my guests or invitees, including but not limited to any injury or loss caused in whole or part by the negligence or other misconduct of any of the Fraternity Parties.

Miscellaneous.

This instrument shall be binding upon my heirs and/or personal representatives and shall inure to the benefit of the Fraternity Parties and their respective heirs, personal representatives, successors and assigns. If any provision of this instrument is held to be invalid or unenforceable, this instrument shall be construed as if such invalid or unenforceable provision was not contained herein.

Applicable Law.

In view of the fact that the Fraternity's national headquarters is located in Ohio, and to provide certainty in the law to be applied to the construction and enforcement of this instrument, this instrument shall be construed and enforced in accordance with the law of the State of Ohio.

I have read this waiver, release of liability and indemnification. I understand that I have given up substantial rights by signing it. I am signing this waiver, release of liability and indemnification voluntarily.

Printed name: _____ Signature: _____

Date: _____

If the person participating in the Activity is not yet 18 years old, the signature of a parent or legal guardian is required.

As a parent or legal guardian of the above-named person, I permit the above-named person to participate in the Activity upon subject to all terms and provisions of this waiver, Release of Liability and Indemnification.

Parent of Legal Guardian (print): _____

Signature: _____ Date: _____

DEFINITIONS

Certificate of Liability Insurance: This is a certificate issued by the insurance company detailing the particulars of the insurance coverage in place for all chapters and regions under the general liability policy. This certificate may be used to document the existence of coverages for chapters and regions. This document is not sufficient when a third party requests a certificate where they are named as an additional insured.

Certificate of Liability Insurance for an Additional Insured: This is a certificate issued by the insurance company detailing the particulars of the insurance coverage in place for all chapters and regions under the general liability policy. This document specifically identifies a third party as being expressly covered under the general liability policy for a specified period of time (i.e. an additional insured). This form of insurance certificate is often requested by facilities where chapters or regions are planning to hold events.

Special Event: Events other than those where Fraternity business is the primary purpose of the meeting are considered Special Events. In general, all special events are covered under the general liability policy. However, there are specific events that have been deemed to be high risk. When these sorts of events are planned by chapters, approval from the National Headquarters must be sought 30 days prior to the event date (See Special Events section in the manual).

General Liability Insurance: Coverage that pertains, for the most part, to claims arising out of the insured's liability for injuries or damage caused by ownership of property, manufacturing operations, contracting operations, sale or distribution of products, and the operation of machinery, as well as professional services.

Directors' & Officers' Liability Insurance: Offers directors and officers protection from personal liability and financial loss arising out of wrongful acts committed or allegedly committed in their capacity as officers and/or directors.

Aggregate Limit: A limit in an insurance policy stipulating the most it will pay for all covered losses sustained during a specified period of time, usually one year. Aggregate limits are commonly included in liability policies and apply per chapter location.

Occurrence: An accident, including continuous or repeated exposure to substantially the same general, harmful conditions.

Claim: An incident where the injured party is making a demand for compensation under the terms of an insurance contract.

Incident: An occurrence involving bodily injury to a member or guest that does not result in a formal claim. All incidents must be reported when discovered due to possibility of them becoming a claim

Bodily Injury: Injury to the body, sickness or disease sustained by a person, including death resulting from any of these at any time

Property Damage: Physical injury to tangible property, including all resulting loss of use of that property. All such loss of use shall be deemed to occur at the time of the physical injury that caused it; or Loss of use of tangible property that is not physically injured. All such loss of use shall be deemed to occur at the time of the "occurrence" that caused it.

**HOLMES MURPHY
FRATERNAL PRACTICE**

EVENT PLANNING GUIDE



FIPG RISK MANAGEMENT GUIDELINES (June 2017)

The Risk Management Guidelines of FIPG include the following provisions and recommendations. These are intended to apply to all levels of membership in an organization.

ALCOHOL AND DRUGS

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 at any event an observer would associate with the fraternity, should be in compliance with any and all applicable laws of the state, province, county, city and institution of higher education, and should comply with either the BYOB or Third Party Vendor Guidelines. BYOB is defined as one (1) six-pack of 12-ounce beers or one (1) four pack of wine coolers brought by a member or guest who is legally able to consume an alcoholic beverage.

No alcoholic beverages should be purchased through or with chapter funds nor should 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 discouraged.

OPEN PARTIES, meaning those with unrestricted access by non-members of the fraternity, without specific invitation, where alcohol is present, are not recommended. Any event with alcohol present that can or will be associated with an entity of a fraternity should require a guest list prepared 24(twenty-four) hours in advance of the event. It is recommended that a list of those who attend be maintained for several years.

No members, collectively or individually, should purchase for, serve to, or sell alcoholic beverages to any minor (i.e., those under legal drinking age).

It is recommended that 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 be prohibited.

No chapter should 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 could be conducted or co-sponsored with a charitable organization if the event is held within the provisions of the organization and college or university policy.

No chapter should 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.

All recruitment or rush activities associated with any chapter should be non-alcoholic. No recruitment or rush activities associated with any chapter should be held at or in conjunction with a tavern or alcohol distributor as defined in this policy.

No organization or member or pledge, associate/new member or novice should 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.

No alcohol should be present at any pledge/associate member/new member/novice program, activity or ritual of the chapter. This includes but is not limited to activities associated with "bid night," "big brother – little brother" events or activities, / "big sister - little sister" events or activities, "family" events or activities and initiation.

WHAT CONSTITUTES AN EVENT?

This resource is based on the FIPG Guidelines. The goal of this document is to help you think critically around event planning. Please make sure you review the national/international risk management policy if there are additional rules or expectations around event planning.

The FIPG Guidelines apply when alcohol is present “while on chapter premises or during a fraternity event, in any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the fraternity.”

Determining if the Event is on “Chapter Premises”

Is the event being hosted in your chapter house or a university-provided meeting space? **Y** **N**

If so, every event you host there is considered a chapter event.

Is the event being hosted in an on or off campus location where you traditionally hold your events? **Y** **N**

If so, events you host there would probably be considered a chapter event.

Applying the “Reasonable, Objective Observer” Standard

The following factors are considered when determining whether an event could be considered an event by a reasonable, objective observer.

Is the event being hosted or planned by one or more members of the chapter and supported by the Executive Council? **Y** **N**

Is the event financed by the chapter and/or being hosted on chapter property? **Y** **N**

Is the event being hosted or planned by one or more members and supported by members/associate/new members? **Y** **N**

Does the Executive Council have prior knowledge of the event? **Y** **N**

Is the event listed or advertised on the chapter website or social media accounts [e.g. Facebook, Twitter, etc.]? **Y** **N**

Do online invitations refer to the organization [e.g. Facebook events]? **Y** **N**

Is the event listed on a chapter calendar [public or private]? **Y** **N**

Will the event be announced at a chapter meeting? **Y** **N**

Will members of the Executive Council be in attendance? **Y** **N**

Will the event be marketed over the chapter listserv? **Y** **N**

Are members attempting to rename the event in order to give the appearance that it isn't associated with the fraternity? **Y** **N**

If guests were stopped on their way to the event, would they say they were going to a the “XYZ” event? **Y** **N**

Is the event actively or passively endorsed by a majority of the active chapter? **Y** **N**

Have members of the chapter lied about the event? **Y** **N**

9. Has any written contract or agreement been signed for any part of this event? **Y** **N**

If yes, please provide copy of contract/agreement.

10. Have contracts been signed with all Third Party Vendors? Provide Company and Contact Person(s)

- Food caterer:
 - Security guards:
 - Bus/transportation company:
 - Third party vendor:
 - University facility:
 - Hotel venue:
 - Sports field:
 - DJ:
 - Band:
 - Artist:
 - Restroom and Waste Management:
 - Other:
-

HOW WILL ALCOHOL GET TO THE EVENT?

FIGP Guidelines allow chapters to host events with alcohol in one of two ways:

BYOB [Bring Your Own Beverage]

Everyone brings their own alcohol, including members, associate/new members, guests, and alumni. Use the use the BYOB worksheet [pages 6-7] to help plan your BYOB event.

Third-Party Vendor

Contract with a licensed establishment or caterer to provide a cash bar and/or a licensed location to host your event. Use the Third-Party Vendor worksheet [pages 8-9] to help plan your Third-Party Vendor event.

Dry Event

MAKING BYOB EVENTS WORK

[See [BYOB Checklist](#)]

- 1 // Are there any university or Greek Life policies that deal with BYOB events on campus? **Y** **N**
Are there any university or Greek Life policies that deal with BYOB events off campus? **Y** **N**

If so, what do those policies say? [Do they require a specific check-in procedure? Do they limit the number of drinks a guest can bring?]

- 2 // All members and guests must be "carded" at the door to verify their age. Who is checking members' and guests' IDs at the door?

- Chapter members
- Associate/new members [NOT recommended unless chapter members are also participating]
- The campus police provide someone to check IDs
- The chapter has hired a security company [see [Security Vendor Checklist](#)]

- 3 // How are you marking the guests, members, and associate/new members who are of the legal drinking age [i.e. 21 and over]?

- Wristbands that have been dated and marked for that event
- Specific hand stamp that is unique to the event
- Other [Describe]:

- 4 // How many drinks will you allow each person of legal drinking age to bring to the social event?
FIPG recommends a limit of six standard drinks per member and guest [e.g. a 6-pack of beer, 4 wine coolers, etc.].

Beer: # Wine Coolers: # Malt Beverages: # Liquor: #

- 5 // How will you manage the service distribution center [i.e. the bar]?

Where will the bar be located?

It is recommended that you establish one centralized location [not a member's room] for checking in and distributing alcohol.

Who will be assigned to work the bar?

- Chapter members
- Associate/new members
It is recommended that you do NOT assign associate/ new members to work the bar.
- The university provides someone to work the bar
- The chapter has hired a vendor to work the bar

How many sober members will be assigned to work the bar?

It is recommended that you do NOT assign associate/new members to work the bar.

How many drinks will a member or guest be permitted to take at a time?

- 6 // How will members and guests check in and collect their alcohol?

- Ticket System
 - Each member/guest is given one ticket per drink s/he checks in at the party.
 - The tickets are personalized with the type of drink the guest brings [e.g. Miller Lite, Smirnoff Ice, etc.].
 - The name of the attendee is written on the tickets.
 - The member/guest's drinks are delivered to the central bar area by a member who is working the social event.

The member/guest redeems tickets [one at a time] for his/her drinks at the bar.

Punch Card System

Each member/guest is given one punch card that has marks for each drink s/he checks in at the party.

The punch card is personalized with the type of drink the guest brings [e.g. Miller Lite, Smirnoff Ice, etc.].

The name of the member/guest is written on the punch card.

The member/guest's drinks are delivered to the central bar area by a member who is working the social event.

The member/guest's ticket is punched or marked at the bar each time s/he claims one of the drinks s/he brought.

Other [Describe]:

7 // How will you monitor that members, associate/new members, and guests are only drinking the alcohol they brought and checked in at the social event?

8 // Will leftover alcohol be discarded or made available for pick up the next day by those who brought it to the event?

PLANNING A THIRD-PARTY VENDOR EVENT

What is a Third-Party Vendor?

Examples of Third Party Vendors include bars, restaurants, catering companies, hotels, etc. Third Party Vendors are NOT individuals who work as bartenders or who are TIPS trained. A Third-Party Vendor must:

- Be licensed to sell and serve alcohol in your state, county, and/or city.
Have you obtained a copy of the license from the Vendor? **Y** **N**
- Have a minimum of \$1,000,000 of general liability and liquor liability insurance, and name the chapter as an additional insured, listing the chapter as a Certificate Holder.
Have you obtained a copy of the Vendor's Certificate of Insurance? **Y** **N**
- Agree to cash or credit, per drink sales only to individuals over the legal drinking age [i.e. a cash bar].
Have you reviewed the [FIPG Third Party Vendor Checklist](#) with the Vendor? **Y** **N**

Planning the Event

- 1 // Are there any university or Greek Life policies that deal with Third Party Vendor events on campus? **Y** **N**
Are there any university or Greek Life policies that deal with Third Party Vendor events off campus? **Y** **N**
If so, what do those policies say? [Do they require a particular amount of insurance? Do they limit the type of alcohol that can be purchased?]
- 2 // Have you reviewed your chapter's contract with the Third Party Vendor?
Ensure the contract is in compliance with the FIPG Guidelines and/or your National/International Risk Management Policy:
 - The contract does NOT include drink specials for members/guests as part of the room rental fee.
 - The contract does NOT include a set amount of free alcohol [e.g. 10 free pitchers, 40 free well drinks, two free drinks per member, etc.].
 - The contract does NOT require a minimum amount of alcohol sales during the event.
 - The contract does NOT provide free drinks for officers and organizers, or drink specials for all women.
- 3 // All members and guests must be "carded" at the door [and again at the time of purchase] to verify their age. Who is handling this at the door?
 - The Third-Party Vendor [Recommended]
 - The chapter has hired a security company [see [Security Vendor Checklist](#)]
 - Chapter members
 - Associate/new members [NOT recommended unless chapter members are also participating]
- 4 // How are you marking the guests, members, and associate/new members who are of the legal drinking age [i.e. 21 and over]?
 - Wristbands that have been dated and marked for that event
 - Specific hand stamp that is unique to the event
 - Other [Describe]:

5 // Most Third-Party Vendors (TPV) will have a contract they ask you to sign. The contract with the Vendor [if requested] should:

- Only be executed in the name of the undergraduate chapter [e.g. Alpha Chapter of XYZ Fraternity]. Do NOT use the national/international organization's name or the name of your local housing corporation to execute the contract.
- Contractual indemnification language should be in favor of the chapter or at a minimum it should provide mutual indemnification. Think of it this way, if you hire a catering company that is responsible to check IDs and serve alcohol, the vendor should defend the chapter if they fail to do what they were paid to do, which results in a claim or lawsuit.
- The Chapter should be added as an Additional Insured on a primary basis to each TPVs Liability and Auto. You should also obtain proof that Workers Compensation coverage is in place of their employees. This information should be verified through receipt of the actual endorsements or a Certificate of Insurance. If the TPV is being hired to provide and serve alcohol, you should also confirm they carry Liquor Liability coverage. In addition to Additional Insured status, each policy should be endorsed with a Waiver of Subrogation in favor of the Chapter.

Provide copy of all contracts and insurance information for your organization to review. You should also retain these records for a minimum of three years.

BUILDING A GUEST LIST

1 // Are there any university or Greek Life policies that limit the number of guests per member for chapter events? Y N

If so, what do those policies say?

2 // Do the math. FIPG recommends a suggested two guests per member/associate/new member at your events.

How many members and associate/new members do you plan to have at the event?

How many guests per member and associate/new member will you allow at the event?

FIPG recommends a suggested two guests per member.

This is the total number of guests you can invite to your social event.

The total number of attendees [members and guests] should not exceed fire code for your venue.

$$\boxed{} \times \boxed{} = \boxed{}$$

3 // Figure out how members will add names to the guest list. [see [Building A Guest List](#)]

Spreadsheet or Sign-Up List

Create a spreadsheet and allow members to add guests' names.

Bring the list to a chapter meeting, post it online, or hang it on a bulletin board in the chapter house.

Each member and associate/new members' name should be on the list next to a blank space for each guest they're allowed to invite [e.g. two guests per member/Associate/new member].

Numbered Invitations

Distribute numbered invitations to each member/associate/new member to give to his guests.

These invitations should be printed professionally or created in a way so they can't be easily copied. Tickets cannot be sold or bartered.

Keep a list with each brother and associate/new member's name on it and the numbers of the invitations they were given.

During the event, keep a sign-in sheet at the door and write the guest's name next to the invitation number as s/he turns in the invitation.

Closed Facebook Event

Create a closed [non-recurring] event with a specific start and end time.

Do NOT allow friends to extend the guest list.

Set the Privacy to "Invite Only."

A designated brother [e.g. Risk Management Chairman] should be set as the Host and administrator for the event.

Each member/associate/new member should submit the names of guests to the Host for invitation to the event OR the Host should designate a specific period of time during which members will be given access to add guests to the event.

Other [Describe]:

4 // How many hours in advance will the guest list be closed?

It is recommended that the guest list be closed at least 24 hours prior to the event.

MANAGING THE EVENT

Theme

1 // Does the event have a theme?

Y N

If yes, what is the theme?

Event themes should NOT be disrespectful or degrading to any person or population. When selecting a theme, ensure it:

- Does NOT rely on the stereotypes of certain groups.
- Does NOT encourage offensive dress or costumes.
- Does NOT stereotype men or women.
- Is NOT sexist. If you're unsure, try interchanging the word/theme with a racial word/theme.
- Is NOT centered on making fun of a particular group of people, culture, or organization.
- Does NOT lend itself to members, associate/new members, or guests taking the theme to a place that is disrespectful or degrading.

Working the Door

1 // Who is working the door?

- Chapter members
- Associate/new members [NOT recommended unless chapter members are also participating]
- The chapter has hired a security company [see [Security Vendor Checklist](#)]
- The Third Party Vendor [see [FIPG Third Party Vendor Checklist](#)]

2 // Who is checking IDs?

- Chapter members
- Associate/new members [NOT recommended unless chapter members are also participating]
- The campus police provide someone to check IDs
- The chapter has hired a security company [see [Security Vendor Checklist](#)]
- The Third Party Vendor [see [FIPG Third Party Vendor Checklist](#)]

3 // How are you marking the guests, members, and associate/new members who are of the legal drinking age [i.e. 21 and over]?

- Wristbands that have been dated and marked for that event
- Specific hand stamp that is unique to the event
- Other [Describe]:

4 // How many entrances will there be to the party?
It is safest to only have ONE entrance to the event.

Sober Monitors [see [Sober Monitor Resource](#)]

1 // Who will your officer in charge be for the event?

2 // How many sober monitors will you have at the event?
It is recommended that you have at least one sober monitor for every 15 attendees.

- 7 // Will you select music that is NOT disrespectful or degrading to a particular group of people or culture? **Y** **N**
- 8 // Will you ensure no man-made water feature [e.g. slip-and-slide, etc.] at the event? **Y** **N**
- 9 // In compliance with the FIPG Guidelines, will you ensure there are no tables or paraphernalia within the event that are used for drinking games? **Y** **N**
- 10 // In compliance with FIPG Guidelines, will you ensure the event does NOT involve strippers, exotic dancers, or similar, whether professional or amateur. **Y** **N**

Crisis Management Plan

1 // Do you have a crisis management plan in place for the event? **Y** **N** [see [Crisis Management Plan](#)]
If yes, please describe:

2 // Will emergency services be readily available at the event? **Y** **N**

3 // Who is the officer in charge to contact emergency services?

Name/Title:

Contact Information:

4 // If the need for assistance arises, who will be responsible for contacting:

Name/Title:

Contact Information:

- Emergency personnel
- House Corporation President
- Chapter President
- Chapter Advisor
- Fraternity Headquarters
- University Officials

Educational credit goes to FIPG, Pi Kappa Phi Fraternity, Indiana University and the North-American Interfraternity Conference for portions of this resource. No portion of this resource should be used for commercial purposes.