

TEXAS  **STATE**
FRATERNITY & SORORITY LIFE[®]

Fraternity and Sorority Social Host & Risk Management Policies

Effective Date: 09/01/2024

Next Review Date: 09/01/2028 (E4Y)

Sr. Reviewer: Assistant Dean of Students – Fraternity and Sorority Life

POLICY STATEMENT

Texas State University recognizes that organized student life programs, specifically fraternities and sororities, are a valuable part of the student educational environment and can further the university's educational mission.

01. SCOPE

01.01 Texas State University acknowledges the contributions that fraternities and sororities can make to university life and the positive effect these organizations can have on the social and educational development of their members. This policy assists fraternities and sororities in educating their members in the responsible use of alcohol; the review and management of risk to the organization, members, and guests; and in minimizing the liability of the chapters and their officers.

01.02 The intent of this policy is:

- a. to establish standards for the use of alcohol that allow for safe social interaction as an integral part of the development process;
- b. to aid chapters in maintaining standards that directly contribute to a quality education available at Texas State;
- c. to assist fraternities and sororities in educating their members about health, wellness, and the responsible use of alcohol; and
- d. to educate chapter officers about the risk and liability factors associated as social hosts that could affect their organization's officers and members.

- 01.03 A fraternity or sorority must complete the State of Texas mandated risk management training before hosting or participating in social events where alcohol is present.
- 01.04 All fraternities and sororities are expected to adhere to common standards of decency and non-discrimination. Fraternities and sororities should be aware that their events are representative of their organization. It is expected that:
- a. all event themes should be ethnically and racially conscientious in nature and not degrade the nationality of any individual or group;
 - b. all event themes must be sensitive to gender identity and sexual orientation. Furthermore, no sexist behavior should be permitted;
 - c. no special mention, pictorial or otherwise, of the fact that alcohol will be present at the event should be made when advertising the events. Themes will not have any reference to alcohol or infer alcohol will be present at the event; and
 - d. all promotional material and member costumes (i.e., advertising, postings, flyers, favors, and T-shirts) should be sensitive in nature regarding the aforementioned areas of theme sensitivity.

02. DEFINITIONS

- 02.01 Chapter-Sponsored Activity – An event will be considered a chapter-sponsored activity under any one or more of the following conditions:
- a. the organization has a financial commitment to the event including using organizational funds or organized collection of funds by organizational members;
 - b. officers or members of the organization have spent time in an organization meeting planning or preparing for the event. The organization has provided representatives of the organization to facilitate the planning, preparation, and implementation of the event;
 - c. the event is advertised, and the advertisement makes any mention of the fraternity or sorority's distinctive Greek letters, trademarks, or trade names such as nicknames used to identify the organization;
 - d. an observer would associate the activity with a fraternity or sorority.
 - e. the chapter creates or causes to be created any promotional materials for the activity, including t-shirts, cups, or social media;

- f. the chapter engages in any fashion with the sale of tickets for the activity or the sale of promotional items which mention the activity;
 - g. transportation to the activity is provided by the chapter;
 - h. the chapter provides maps, information, invitations, or tickets to the activity for its members and guests; or
 - i. the activity is listed on the chapter's calendar of events.
- 02.02 Third-Party Vendor/TABC Certified – caterers who have a license to serve or licensed bartenders who distribute alcoholic beverages.
- 02.03 SI&E - Student Involvement & Engagement Department
- 02.04 FSL – Fraternity & Sorority Lif Office.

03. PROCEDURES FOR FRATERNITY AND SORORITY FUNCTIONS

- 03.01 Members of fraternities and sororities officially recognized by Texas State's Interfraternity (IFC), Multicultural Greek (MGC), National Pan-Hellenic (NPHC) and Panhellenic (PHC) Councils are to observe the following policies when they participate in fraternity or sorority functions.
- a. It is unlawful for a person, after purchasing or otherwise obtaining alcoholic beverages, to sell, give or deliver it to another person under the age of 21.
 - b. It is unlawful for any person to misrepresent their age for the purpose of buying, accepting, or receiving alcoholic beverages from a licensee.
 - c. When fraternities and sororities are hosting events, all individuals entering a fraternity or sorority function must have their legal form of identification checked by the security members designated on the social event form or by the third-party vendor contracted for the social function. Each person must obtain an identifying mark as to whether they are over or under the legal drinking age of 21.
 - d. The possession, sale, use or consumption of alcoholic beverages, while on chapter premises or during a fraternity or sorority event, in any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the fraternity or 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 the third-party vendor guidelines.

- 03.02 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 or sorority is strictly prohibited.
- 03.03 Fraternity and Sorority-hosted events with alcohol must submit a “Fraternity/Sorority Events Including The Use of Alcohol Agreement Form” to the Fraternity and Sorority Life office recognizing these policies and agree to comply to them. At any registered social event where alcohol is being served, the following is needed to achieve compliance with this policy:
- a. the social event registration form submitted, and date stamped by an FSL staff member at least 10 business days prior to the date of the event. A follow-up message acknowledging receipt of the form from the Fraternity and Sorority Life office will be sent to the chapter officers who sign the form;
 - b. a chapter officer, preferably the president, must have a copy of the submitted Use of Alcohol Agreement Form, an event guest list, and the follow-up message from the Fraternity and Sorority Life office available for review upon request by university personnel, law enforcement officials, or national headquarter representatives during the entire event;
 - c. a TABC-certified bartender must dispense the alcoholic beverages sold on a per-drink basis;
 - d. The presence of alcohol products above 15% alcohol by volume (“ABV”) is prohibited on any chapter/organization premises or at any event, except when served on the property by a licensed and insured third party vendor.
 - e. social events must be held within a 100-mile radius of San Marcos, Texas;
 - f. security is required when attendance exceeds 100 guests; and
 - g. no social event may exceed 400 attendees or the venue fire code.
- 03.04 No alcoholic beverages may be purchased through or with chapter funds, nor may the purchase of alcoholic beverages for members or guests be undertaken or coordinated by any member in the name of or on behalf of the chapter. (e.g., admission fees, cover fees, collecting of funds through digital apps, etc.)

- 03.05 The purchase and use of common source or a bulk quantity of alcoholic beverages, such as kegs, punch bowls, trash or garbage containers, bulk juice containers, or any other large commercial alcohol container is prohibited.
- 03.06 All organizations sponsoring or participating in an event will be held equally liable for regulating the event.
- 03.07 No fraternity or sorority may co-sponsor an event with an alcohol distributor or 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 for purposes of fundraising. However, a chapter may rent or use a room or area in a tavern for a closed event held within the provisions of this policy, including the use of a third-party vendor and guest list.
- 03.08 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.
- 03.09 All membership recruitment activities associated with any chapter will be non-alcoholic. No member recruitment activities associated with any chapter may be held at or in conjunction with a tavern or alcohol distributor as defined in this policy.
- 03.10 No alcohol shall be present at any pledge, associate member, new member, or neophyte program, activity, or ritual of the chapter. This includes, but is not limited to, activities associated with bid night, big brother or big sister night, initiation week activities, or initiation ceremonies.
- 03.11 No fraternity or sorority may co-sponsor, co-finance, or attend or participate in a function at which alcohol is purchased by any of the host chapters, local groups, or non-Greek organizations.
- 03.12 Open parties, meaning those with unrestricted access by non-members of the fraternity or sorority, without specific invitation, are prohibited. Admission to any function shall be only by guest list at the event entrance or by written invitation. This list must be pre-recorded and also provided to the Fraternity and Sorority Life office within 24 hours of the event. Anyone without a specific invitation to the party should be prohibited from participating.

- 03.13 The maximum number in attendance at any function cannot exceed the number of chapter members plus two (2) guests each. Any person invited to the function must have their name on a guest list with a copy submitted to the Fraternity and Sorority Life office at least 24 hours in advance of the event to be attached to the event form.
- 03.14 No member or pledge, associate, new member, neophyte shall permit, tolerate, encourage, or participate in drinking games or rapid consumption of alcohol. 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.
- 03.15 Licensed TABC dispensers may not consume any alcoholic beverages during their designated serving time and may not serve alcoholic beverages to someone who, in their judgment, is intoxicated.
- 03.16 Free non-alcoholic beverages and food must be readily available.
- 03.17 If a party is to be held outside, the yard area must be sectioned off to contain the party (i.e., walls or fence). There must be a designated point of entrance monitored for security purposes. Only fraternity or sorority property that is recognized and insured as official property by the organization's national headquarters and/or an incorporated alumni housing board may be used for social events. All other events must be hosted at a third-party location. Events held on a recognized chapter property must take consideration for neighbors and avoid disruption of life for residing or conducting business in the proximity of the chapter premises.
- 03.18 Each host sorority and fraternity must designate at least two initiated members per party who will serve as designated drivers. They are to provide rides for those who are unable to drive safely. Uninitiated or new members and event guests are not allowed to serve in the role of designated drivers. Designated drivers must not drink any alcoholic beverages within 12 hours of the start of the event or until their driving responsibilities are completed. Designated drivers must be provided even when using a bus service to and from an event upon return to the designated parking lot used by the organization to meet as a departure point. Buses should be used as the form of safe transportation if the event is held outside of the San Marcos city limits.

NOTE: Any fraternity or sorority whose inter/national insurance policy dictates they cannot supply designated drivers are exempt from this requirement, but buses are still highly encouraged as safe transportation.

- 03.19 Each host sorority and fraternity must designate and provide at least two sober and non-alcohol consuming individuals who are 21 years of age or older and will serve as sober security (risk managers) for the event. The responsibilities of the sober members are to ensure all persons entering the function are on the guest list and registered to attend, each person has provided legal identification, and all national and university regulations are met. These members shall also serve (when needed) as sober representatives to law enforcement and emergency officials, university representatives, and the third-party vendor.
- 03.20 No alcoholic beverages shall leave the event location or be transported to or from the event on buses or safe transportation for the event.
- 03.21 Fraternity and sorority participation in university tailgate activities must adhere to all university policies and procedures established by the university and adhere to this policy.
- 03.22 Based upon the fraternity or sorority chapter grade point average from the previous semester, the number of registered social events with alcohol permitted to be hosted by the chapter the subsequent semester will be as follows:
- 2.7 or above eligible to hold four (4) registered social events with alcohol
 - 2.5 – 2.69 eligible to hold two (2) registered social events with alcohol
 - 2.25-2.49 eligible to hold one (1) registered social events with alcohol
 - Performance below 2.24 will not allow events to be hosted with alcohol

04. HAZING POLICY

04.01 No fraternity or sorority, student, or alum shall conduct nor condone hazing activities. Hazing activities are defined as: "Any action taken, or situation created, intentionally, whether on or off fraternity or sorority premises, to produce mental or physical discomfort, embarrassment, harassment, or ridicule; and any other activities that are not consistent with academic achievement, fraternal law, ritual or policy or the regulations and policies of the educational institution or applicable state law." Fraternities and sororities are also subject to the Hazing Policy, Appendix A, outlined in the Texas State Student Handbook.

04.02 A person commits a hazing offense if the person:

- a) engages in hazing;
 - b) solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;
 - c) intentionally, knowingly, or recklessly permits hazing to occur or;
 - d) has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or firsthand knowledge that a specific hazing incident has occurred and knowingly fails to report said knowledge to the Dean of Students or other appropriate official of the institution, a peace officer, or a law enforcement agency.
- 04.03 It is not a defense to prosecution of an offense that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

05. SEXUAL ABUSE AND HARASSMENT POLICY

- 05.01 Fraternity and sororities will not 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 that are demeaning to any gender identity students, faculty, staff, community members, ranging from, but not limited to, verbal harassment to sexual assault by an individual or members acting together in person, through social media, or other communication tools. The employment or use of strippers, exotic dancers, or similar, whether professional or amateur, at a fraternity or sorority event as defined in these guidelines is prohibited.
- 05.02 In addition to speaking with law enforcement, allegations or questions pertaining to [sexual misconduct](#) will be reported to the Office of Equal Opportunity and Title IX at 512.245.2539.

06. FIRE, HEALTH, AND SAFETY HOUSING POLICIES

- 06.01 Texas State does not currently offer housing to fraternities and sororities. If a fraternity or sorority secures housing, either through lease or mortgage, it must be operated by an incorporated alumni housing entity or national headquarters and be in full compliance with all city, county, and state laws.
- 06.02 Fraternities and sororities who secure housing through an incorporated alumni housing entity or national headquarters are required to register the address of the facility with the Fraternity & Sorority Life Office as required by the federally mandated Cleary Act.
- 06.03 All fraternity and sorority chapter houses should meet all local fire and health codes and standards and be inspected annually.
- 06.04 All fraternity and sorority chapters should post emergency numbers for fire, police, and ambulance in public area locations and should have posted evacuation routes on the back of the door of each sleeping room.

- 06.05 All chapter houses should comply with engineering recommendations as reported by the insurance company or municipal authorities.
- 06.06 Candles and open flames are not to be used in chapter houses or individual rooms including events such as initiation ceremonies.
- 06.07 Housing entities that provide regular food service to residents, chapter members, or guests must follow all city, county, and state health and safety laws.

07. VIOLATIONS

- 07.01 Some violations will be handled on an individual basis and may be referred to the Dean of Students Office–Student Conduct and Community Standards; however, it is important to recognize that all fraternity and sorority chapters officially recognized by Texas State’s IFC, MGC, PHC, and NPHC are held accountable for each of the members in their organization.
- 07.02 Failure to comply with any of the stated policies of Texas State, Texas State’s IFC, MGC, PHC, and NPHC, or affiliated national fraternity or sorority headquarters may result in any combination of the disciplinary actions including but not limited to:
 - a. additional educational requirements;
 - b. additional community service requirements;
 - c. additional non-alcoholic function requirements;
 - d. mandatory presentation of an educational initiative;
 - e. temporary inability to host a social function;
 - f. cancellation of a planned event or function;
 - g. loss of future social privileges;
 - h. referral of violation to the Dean of Students Office;
 - i. referral of violation to chapter’s international headquarters;
 - j. loss of chapter recognition; and
 - k. assessed chapter fines.

07.03 Violations of the Texas State Student Conduct Code and Texas State's IFC, MGC, PHC, and NPHC will be reported to the Dean of Students Office (see [SS/PPS No. 07.06](#), Student Organization Disciplinary Procedures).

07.04 Dean of Students Office personnel will coordinate the investigation of violations. University disciplinary procedures will be followed in the instance of a violation based upon the severity and circumstances surrounding the incident. Some reports of violations may be referred to the FSL Review Board.

08. REVIEWERS OF THIS POLICY

08.01 Reviewers of this PPS include the following:

<u>Position</u>	<u>Date</u>
Associate Director of Student Involvement & Engagement – Fraternity and Sorority Life	September 1 E4Y
FSL Governing Council Presidents – Interfraternity Council, Multicultural Greek Council, National Pan-Hellenic Council, and Panhellenic Council	

09. CERTIFICATION STATEMENT

This policy has been approved by the following individuals in their official capacities and represents Texas State Fraternity & Sorority policies and procedures from the date of this document until superseded.

Associate Director of Student Involvement & Engagement–Fraternity and Sorority Life; senior reviewer of this PPS

Assistant Vice President for Student Success & Executive Director of Student Involvement and Engagement