

November 18, 2008

To All Members of Phi Chi Theta:

At the last national meeting several questions were raised regarding Phi Chi Theta's Alcohol and Drug Abuse Policy. I would like to take this opportunity to restate our policy.

Article III Section 3 of the national bylaws states that Phi Chi Theta "does not condone nor authorize the advertising, serving and/or consumption of alcohol or use of drugs at any Phi Chi Theta function." The Pledge Manual further states disciplinary measures will be taken against any chapter that:

1. uses chapter funds to purchase alcohol or illegal substances,
2. allows the use of alcohol or illegal substances at any Phi Chi Theta ceremony,
3. allows minors to consume and/or use alcohol or illegal substances at any Phi Chi Theta activity, and/or
4. violates any Federal, State, Local and/or University laws and/or regulations.

The National Executive Council has recently amended this policy to state that any event in which alcohol or drugs are served or present will not be considered a Phi Chi Theta event. As such, that event will not be sanctioned by Phi Chi Theta or covered by our insurance policy.

While the policy is clear that alcohol and drugs are not to be a part of any Phi Chi Theta event, what about a gathering that follows a formal Phi Chi Theta event? Does this gathering constitute a Phi Chi Theta "event?" Unfortunately there is no easy answer to this. If an individual is harmed at a gathering that follows a Phi Chi Theta event, they can sue Phi Chi Theta. A judge and jury would decide if Phi Chi Theta is liable. If Phi Chi Theta is not held liable, the individuals sponsoring the "event" may still be liable.

So, if a group of Phi Chi Theta members have a house party after a Phi Chi Theta meeting and someone drinks excessively and gets hurt, that individual could sue Phi Chi Theta nationally, the local chapter, and the individuals responsible for the party and the facility that hosted it. An individual member may end up with a judgment against them for damages as the result of a party they hosted. This is an actual claim pending right now. People do file lawsuits and do receive payments for damages. The key is to try to protect not only Phi Chi Theta but also you as a private citizen.

There are a few things you can do to try to protect yourself. I say try because in the end our fate will be decided by our insurance company, lawyers, judges, and possibly a jury. First, you need to abide by the Alcohol and Drug Policy and have no alcohol or drugs at any Phi Chi Theta event. Second, all events should have clearly defined agenda with the time the event began and when it is scheduled to end. Lastly, you need to exercise good judgment. You need to ask yourself if your actions can possibly make Phi Chi Theta or yourself liable.



In addition to this letter, there are additional steps we are taking at the national level to deal with this issue. The Alcohol and Drug Policy will be prominently displayed on the Phi Chi Theta website. The policy will be included in all national publications. I have also instructed all Regional Directors to include it in their regional newsletters and to address the Alcohol and Drug Policy in their regional meetings and at all chapter visitations.

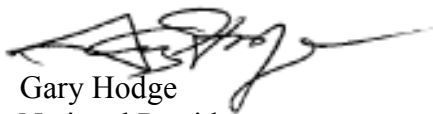
Like I already said, there is no definitive action we can take to prevent us from being sued. However, proactive steps taken by all of use to promote an alcohol and drug free environment can go a long way in helping our defense.

If you have additional questions, please contact any of our national officers or the national office. You can also contact Heather Cox who is our account manager at MJ Insurance Inc.

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Please refer to the attached revised Alcohol and Drug Abuse Policy. It is intended to provide you with additional information so that you can make informed decisions. Thank you for your continued support in this area.

Fraternally,



Gary Hodge
National President

