

Resolution GCC23-18

Reforming Substance-Free Housing Policy

WHEREAS

Sigma Phi Epsilon fraternity is an organization that takes pride in the fact that its policies, governance, and operations are truly and meaningfully led by its undergraduate members; and

WHEREAS

The fraternity consists of hundreds of chapters, each operating in diverse environments and under unique settings, with undergraduate members who hold a diversity of opinions on what national fraternity policy should be; and

WHEREAS

When asked in private conversation whether or not they would be supportive of reforming the national substance-free housing policy, which was adopted in 2017, many undergraduate members report that while they would be supportive of reform efforts, they have been provided substantial reason to fear, through implication, intimidation, or otherwise, by others in the fraternity who are not undergraduates, that discussing or being supportive of such reforms would result in coercive actions against their chapters; and

WHEREAS

Such a chilling effect on the honest and earnest discussion of differences of opinion on the best path forward on national policies is antithetical to the principles of the fraternity; and

WHEREAS

This chilling effect creates incentives for undergraduates to feel difficulty in being honest about the challenges they face in maintaining a sustainable chapter due to fear of reprisal for expressing dissent; and

WHEREAS

Great disagreement exists on whether or not the national substance-free housing policy, in its current form that makes undergraduates holding social events with alcohol in chapter houses fully not possible, is the best way forward for the fraternity; and

WHEREAS

The national substance-free housing policy has many benefits, including providing a substantial and meaningful space to include in chapters those who might be traditionally excluded from fraternal experiences, such as those who do not drink alcohol at all or those who do not wish to drink alcohol excessively, a benefit that must be preserved; and

WHEREAS

The national substance-free housing policy has also encouraged the creation of chapter houses that are beautiful, clean, and pleasant places to live in, something that undergraduates take pride in, another benefit that must be preserved; and

WHEREAS

The national substance-free housing policy, in its current form, by making the hosting of social events with alcohol at chapter houses, an activity that does not necessarily need to be unsafe or contrary to the high-minded principles of the fraternity, has created a situation where many chapters privately admit to not following this policy due to doing so making such social events substantially impossible; and

WHEREAS

The hosting of social events with alcohol at third-party venues is a decisively expensive task in many university communities across the country, creating difficult financial realities and perverse financial incentives for chapters to host such events elsewhere; and

WHEREAS

The national substance-free housing policy has created a situation where many chapters instead host these social events with alcohol in off-campus houses or other private residences not regulated by universities or by the fraternity, a dangerous situation that encourages the creation of a hidden reality instead of a situation that can be safely regulated and monitored by university and fraternity personnel; and

WHEREAS

University administrators experienced in managing fraternities have expressed concern about the unsafe nature of such off-the-record social events with alcohol as they create incentives for the hiding of information or the delay of the release of information critical to creating and maintaining a safe environment; and

WHEREAS

Multiple experiences throughout history, including the United States's experiment with the complete prohibition of alcohol, demonstrate that meaningful, cooperative, and proper regulation of potentially unsafe activities through a robust risk management system often result in more sustainable and safe environments than seeking to wholly ban any potentially unsafe activities, as such complete bans inherently create strong and dangerous incentives to work around or ignore them, resulting in an anarchical environment where safety cannot be more effectively maintained than a properly regulated environment; and

WHEREAS

Many universities throughout the country since the adoption of the national substance-free policies have introduced innovative and robust alcohol management policies that have maintained the possibility of chapters hosting social events with alcohol while drastically increasing the safety of such events while also preventing the creation of incentives to wholly disregard these university rules due to the realistic possibility of following these university rules; and

WHEREAS

Many of these mentioned alcohol management policies require, for each event, the registration with the university of all fraternity events with alcohol, regardless of location, up to 48 hours in advance, also requiring a meeting with university professionals to develop and examine the event's risk management

plan, requiring the affirmative permission of the university before being able to host any event with alcohol; and

WHEREAS

The national substance-free housing policy has resulted in a tremendous decrease in the number of fraternity chapters; and

WHEREAS

A substantial number of alumni, including young alumni who have graduated in the past decade, have felt alienated by the strictness of the current form of the national substance-free housing policy, reducing alumni engagement and fraying fraternal bonds; and

WHEREAS

Many chapter houses at chapters throughout the country have struggled to fill enough beds in their chapter houses to ensure financial sustainability for a variety of factors, both due to severe impacts on recruitment and due to some undergraduates, especially older ones, not wishing to live in an environment where social events with alcohol are fully prohibited in every possible instance; and

WHEREAS

Even the most dedicated undergraduate chapter executives, including those who dedicate near full-time effort to the improvement and success of their chapters, have substantially struggled with the consequences of the national substance-free housing policy, struggles that cannot be waived away by those who are not undergraduates as the result of undergraduates not making a sincere effort or not trying hard enough in their leadership; and

WHEREAS

A well-regulated environment, where compliance with rules is still realistically possible enough to where such rules do not create strong incentives to consider wholly evading or disregarding such rules, creates a safer environment than an environment that imposes a complete ban on sincerely desirable social experiences that can be made safe and where such a ban creates difficult, dangerous, and powerful incentives for anarchy; and

WHEREAS

Earnest discussions about the sustainability of policies like the national substance-free housing policy are necessary for the beneficial operation of the fraternity; therefore be it

RESOLVED

The National Board of Directors appoint a “substance-free housing policy reform” commission, consisting of an equal number of alumni and undergraduate members of the fraternity, with this group being equally divided between those who sincerely believe in the necessity of the retention of the current form of the national substance-free housing policy as well as those who believe in the necessity of the modification of the current form of the national substance-free housing policy, who can all vote in an equal manner on the commission, and which may consist of an unlimited number of additional non-voting advisors as the National Board of Directors may see fit; and be it

RESOLVED

That this commission shall be tasked with the creation of a resolution to be voted on in the 2025 Grand Chapter Conclave that substantially addresses the concerns stated in this resolution with the current form of the national substance-free housing policy as well as any concerns that members of the fraternity may discuss until then; and be it

RESOLVED

That this commission shall regularly engage in the anonymous surveying of the whole population of undergraduate members, as well as of chapter executives, where honest discussions about the implementation of and compliance with the current form of the national substance-free housing policy can occur without fear of or without the occurrence of retaliation against those who speak honestly; and be it

RESOLVED

That this commission shall ensure that their authored resolution works to protect the stated benefits of the current form of the national substance-free housing policy, these benefits being specifically how this policy has created an environment for the meaningful inclusion of those who do not drink alcohol or who do not wish to drink alcohol excessively as well as an environment that results in the enjoyable upkeep and pleasant condition of chapter houses; and be it

RESOLVED

That this commission shall complete their work in sufficient time for their authored resolution to be ready for review and analysis by the fraternity community at large at least 4 months prior to the beginning of the 2025 Grand Chapter Conclave; and be it

RESOLVED

That the National Board of Directors, for the purposes of experimenting in different university environments that each face diverse conditions, is hereby authorized and directed to author, submit for review among the fraternity community at large, and implement temporary modifications to the current form of the national substance-free housing policy, temporarily amending the bylaws and administrative procedures necessary to accomplish this, with such temporary amendments expiring no later than the end of the 2025 Grand Chapter Conclave, that will allow for specifically tailored but possible situations where chapters who are formally recognized by their universities, at universities with robust alcohol management programs, with the permission to host each event being given by the designated staff of the universities and by the designated headquarters staff of the fraternity, and following the leading nationwide best practices for implementable risk management that does not create perverse incentives for non-compliance, may host well-regulated social events at chapter houses with alcohol on sporadic occasions (no more than twice per calendar month) for the purposes of demonstrating the effectiveness of specific policy proposals, provided that no alcohol can ever be present at recruitment events, that “hard alcohol” of any type or “mixed drinks” of any type are prohibited, that university or third-party security personnel must continuously engage during the duration of these events to ensure the safety of such events, that any alcohol must not from open sources and instead be provided in individual sealed containers legally purchased at regulated marketplaces to ensure the safety of the product, that such chapters secure the necessary additional event insurance, and with whatever other reasonable and implementable conditions that the National Board of Directors may determine, so as long as these

additional conditions continue to allow a realistic possibility of hosting such well-regulated events, to demonstrate the realistic possibility of a balanced middle approach to evaluate whether or not chapter houses should be at all times whatsoever substance-free; and be it

FURTHER RESOLVED

That any fraternity members shall not be punished for earnest and respectful expressions of support, agreement, dissent, or disagreement with respect to national, university, or chapter policies, particularly surrounding risk management, given that honesty and sincerity, not merely stating that such honesty and sincerity is possible but instead truly creating an environment where such honesty and sincerity is encouraged, rewarded, and feels safe, is essential to the safe, sustainable, and effective operation of our great fraternity.

Committee:	Bylaws Red Committee
Committee Recommends:	Defeat
Grand Chapter Action:	Defeat

Mackey Thompson, Chairman, Bylaws Red Committee
58th Grand Chapter Conclave – San Antonio, TX – August 2-6, 2023