

# Living Policies Tool

## Overview

### BEFORE YOU START

This tool is most effective when used as part of your organization's FailSafe plan. If you and your leader team haven't completed both the **Member Alcohol Profile** and the **Leader Awareness and Planning Tool**, please do so before using this tool.

It is helpful to watch **FailSafe Module 3 video, How Do You Like Me Now?**, before starting this tool.

### WHO IS THIS TOOL FOR?

This tool should be used by you (the leader of your student organization), the members of your leader team, and the senior members of your organization.

### WHAT DOES THE TOOL HELP YOU DO?

This tool guides you through the process of leading two important meetings, one with your organization's leader team and the other with the members of your organization. The goal of the meetings is to make sure everyone understands the standards your organization has chosen to follow related to alcohol use, the potential risks for not following the standards, and the role that standards and policies play in helping everyone stay safe when partying.

### WHY DO YOU NEED THIS TOOL?

Many people have a negative perception of rules and policies; we think their purpose is to limit us, rather than to help us create the kind of community we want to live in. We're often simply told what the rules are and what the consequences will be if we don't follow them. This tool helps your members make decisions as a group about the standards they want to follow to get the most out of their time together.

### HOW DOES THE TOOL WORK?

This tool provides guidance (including scripts) and forms you can use during the meetings with your leader team and your group's membership.

### HOW DO YOU START?

Schedule a 60-minute meeting with your organization's leader team and another with your membership. For the meeting with the entire organization, you may want to use a regularly scheduled membership meeting, but be sure to dedicate at least 30 minutes to this topic. For the membership meeting, you'll need to have a copy of the completed "Laws and Consequences" and "Our Living Policies" sheets for every member.

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## The Leader Team Meeting

The following is a script for the leader team meeting that you can read aloud or use to guide your conversation with the team. Be sure to adjust the script so that it's comfortable for you and appropriate for your group.

### Purpose of the Meeting

When we did the Leader Awareness and Planning Tool together, we looked at the standards or policies that guide our organization. Now we need to make some decisions about our standards related to alcohol use so we can communicate these expectations clearly to our members. Our goal today is to make decisions together about the rules we want the members of our organization to follow when we use alcohol.

### Assess and Address Risks for Legal Consequences

We all know there are laws and rules we are expected to follow as students at this college/university. These include the following:

- No one under 21 years of age can possess or consume alcohol (state law, all states).
- No one can provide to, sell to, or purchase alcohol for anyone who is under 21 years of age (state law, all states).
- No one can sell alcohol to anyone without a license (state law, all states).
- No one can drive with a blood alcohol concentration over .08 (state law, all states).
- No one can be intoxicated in public; those who are incapacitated by alcohol or other drugs in public can be placed in protective custody (city or town ordinance).
- No one can disturb the peace, urinate in public or on private property, vandalize property, assault another person, make an unwanted sexual advance on another person, or have sex with someone without the other person's conscious consent (state law or city or town ordinance).
- Students at this college/university must follow federal, state, and local laws related to alcohol use (school policy, national organization policies).
- Students may be prohibited from using alcohol in certain parts of the campus without a permit (school policy).

Our organization's members may be doing some of these things, which makes them vulnerable to legal and judicial consequences. But we need to make sure that **our organization** is not enabling or allowing our members to break any of these laws or policies as a result of our organization's practices, rituals, traditions, or activities. When we do this, we put our members at risk and make our organization vulnerable to legal consequences such as lawsuits and criminal charges or our school's judicial process.

- **The first thing we'll do is assess whether the things our organization does contribute or lead to law or policy violations.**

*(Distribute the "Our Legal Vulnerabilities" sheet and complete it with your leader team.)*

- **The next thing we'll do is identify the things that our members do that put them—or us—at risk.**

*(Distribute the "This Needs to Stop" sheet and complete it with your leader team.)*

- **The last thing we'll do is create a set of standards about using alcohol that we want everyone in our organization to follow.**

*(Distribute the "Our Living Policies" sheet.)* We'll use our ideas from the "Our Legal Vulnerabilities" and "This Needs to Stop" sheets to create Living Policies that we want every member of our group to follow when they use alcohol. Our Living Policies will align with existing state and local laws and policies, but they'll describe specific standards of behavior for when our group's members use alcohol. For example, a Living Policy might say: "Members of our organization do **not** hit on someone who is too drunk to give consent." *(Complete the "Our Living Policies" sheet with your leader team.)*

## Share Assignments and Conclude the Meeting

Thanks for a great meeting. We got a lot done that will help to make our organization safer and help to protect us from legal consequences.

I need your help to accomplish the following two goals at our next full membership meeting:

1. Make sure our members understand their—and our—legal risks when we don't follow the laws, policies, and rules of our state and city/town, as well as those of our school. At the meeting, we'll review with our members the most important of these laws and policies, including the policies we just developed for our organization. Before the meeting, I need some of you to help research the key laws/policies and associated penalties. At the meeting, you'll help me present this information to the group. We'll use the "Laws and Consequences" sheet to pull together this information. *(Distribute the "Laws and Consequences" sheet and assign specific laws/policies to members of your leader team. Tell members who will be looking up information on laws/policies when you need them to send you the information they've gathered.)*
2. Communicate the standards that all members of our organization will be held accountable to every time they drink alcohol. During the group meeting, we'll give everyone a copy of the "Our Living Policies" sheet that we just filled in. When we're talking about our group's policies at the meeting, I'll need you to speak up and share your perspective on why we all need to follow these standards. It would also be great if you could share how you have fun without having to go to the extreme. Thanks.

# Our Legal Vulnerabilities

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**For each category of laws and policies below, list your organization's events, rituals, traditions, and activities that intentionally or unintentionally enable or encourage members to be out of compliance with the law or policy.** You can also list what your group does to help members comply with each law or policy.

**Example:** Law/Policy: Possessing Or Consuming Alcohol Under Age 21

- *Group members under age 21 have access to alcohol at many of our informal parties and events.*
  - *We supply alcohol at recruiting events. Most of the students who are present are under 21.*
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## **Law/Policy: Possessing Or Consuming Alcohol Under Age 21**

Your group's events, rituals, traditions, or activities that enable or encourage members to be out of compliance with this law/policy:

## **Law/Policy: Procuring Alcohol for Someone Under Age 21**

Your group's events, rituals, traditions, or activities that enable or encourage members to be out of compliance with this law/policy:

## **Law/Policy: Selling Alcohol Without a License**

Your group's events, rituals, traditions, or activities that enable or encourage members to be out of compliance with this law/policy:

## **Law/Policy: Public Intoxication/Incapacitation from Alcohol in Public**

Your group's events, rituals, traditions, or activities that enable or encourage members to be out of compliance with this law/policy:

**Law/Policy: *Disturbing the Peace/Maintaining a Disorderly House***

Your group's events, rituals, traditions, or activities that enable or encourage members to be out of compliance with this law/policy:

**Law/Policy: *Driving Under the Influence***

Your group's events, rituals, traditions, or activities that enable or encourage members to be out of compliance with this law/policy:

**Law/Policy: *Assaulting Someone***

Your group's events, rituals, traditions, or activities that enable or encourage members to be out of compliance with this law/policy:

**Law/Policy: *Sexual Assault Or Rape***

Your group's events, rituals, traditions, or activities that enable or encourage members to be out of compliance with this law/policy:

**Decision:** *Describe below how your group could modify the events, rituals, traditions, and activities you listed above so they don't enable or encourage members to be out of compliance with these laws and policies.*

# This Needs to Stop

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**List below the things that you, as a leader team, want your group's members to stop doing.** Focus on things that put your members, your group, or others at high risk for physical harm and things that increase the risk of legal or judicial problems. Think about the behaviors that you've seen cause problems for you or for the group.

## Examples:

- *Members show up drunk or high at group events.*
  - *Members start fights at parties.*
  - *Members have sex with someone who can't give consent.*
  - *Members buy or give alcohol to people under 21 years old.*
  - *Members drink in order to black out.*
  - *Members feed alcohol to someone who is already intoxicated.*
  - *Members drive after drinking.*
- 

## We Want Our Group Members to Stop Doing the Following:

1.

2.

3.

4.

5.

6.

7.

## Why Do These Behaviors Occur?

In the chart below, for each reason that a behavior may occur, list the numbers of the relevant behaviors you want to stop (from the previous page). Remember that there may be more than one reason that a behavior you want to eliminate keeps occurring.

Number of the Behaviors We Want to Stop (from your list on previous page)	Reason the Behavior Occurs
	We don't have a policy related to this behavior.
	Our policies don't clearly state that this behavior is not acceptable.
	Our members don't know that we have a policy related to this behavior.
	Our policy related to this behavior is not enforced.
	When a member violates our policy related to this behavior, the consequences aren't severe enough.

### Decisions:

Behaviors we want to stop for which we need to create a policy:

Existing policies that we need to educate our members about:

Existing policies that we—and/or others—need to enforce:

Existing policies for which we need to develop more meaningful consequences or apply more consistent adjudication:

# Our Living Policies

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

# Laws and Consequences

Everyone in our organization needs to know their risk for legal or judicial consequences when they use alcohol.

Law Or Policy	The Penalties Here
Consuming Or Possessing Alcohol As a Minor	
Giving Or Selling Alcohol to a Minor	
Being Intoxicated in Public	
Driving Under the Influence	
Physically Assaulting Someone	
Sexually Assaulting Someone	
Other:	
Other:	
Other:	

# Living Policies Tool

## The Membership Meeting

**The following is a script for the membership meeting that you can read aloud or use to guide the discussion with the group.** Be sure to adjust the script so that it's comfortable for you and appropriate for your group. This meeting has a three-part agenda:

1. Briefly review and discuss Laws and Consequences related to alcohol use, including why knowing them matters to your organization.
2. Introduce Our Living Policies to the group and gather feedback from members.
3. Help members understand how to “live” the standards.

### Purpose of the Meeting

As you all know, we're participating in the FailSafe program to make our organization less vulnerable to negative consequences when we use alcohol. You've seen our group's results from the Member Alcohol Profile, and we've talked about the things related to drinking that make us vulnerable as individuals and as a group. We want to make sure that everyone is as safe as possible and that our drinking doesn't threaten the livelihood of our organization.

We also need to make sure that everyone understands our organization's standards related to alcohol use. These are the rules we expect each of you to follow as long as you're a part of this organization.

Today we need to do three things: have a short conversation about the laws and policies related to drinking that we all fall under here at our school, introduce some specific standards—we're calling them Living Policies—for us to follow as a group, and talk about how we can “live” these standards to reduce the risks we face when using alcohol.

### Laws and Consequences

Let's start by talking about the laws each one of us and our organization has to follow. No one likes listening to a bunch of rules, so we're not going to spend a lot of time on this. You all know the big stuff about the legal drinking age, being drunk in public, drinking and driving, and physical and sexual assault. Our leader team has put together a list of these laws for our campus and the penalties you could face if you're caught doing any of these things.

*(Distribute the completed “Laws and Consequences” sheet to each of your members.)*

As you look at this page, a few things may surprise you. For example, a lot of new students don't know that an older group member can get in legal trouble for giving alcohol to or buying alcohol for someone under 21. This means that every time you ask an older member of our group to get you alcohol, you're increasing that person's risk of being cited for violating state law. You also may not know about the laws here for being drunk in public. (Briefly describe the laws for your area related to public intoxication and protective custody.)

There are two reasons we're talking about this. First, you need to know that these laws are enforced. Just because you're in college doesn't mean that campus police or the local police will give you a free pass if you break these laws. Getting a citation for any of these issues can cost you a lot of money, go on your record, and affect you in many ways now and later in life.

Second, I want to make sure everyone understands that if you make the choice to break one of these laws during an event or activity that's hosted by our organization, you put our entire organization at risk for judicial sanctions from the school (*and from our national organization, if appropriate*). A lot of colleges and universities are holding student organizations responsible when members break laws as part of the organization's formal or informal activities. You need to know that the choices you make affect more than just you; they could affect our entire group.

One last thing to keep in mind is that our school has stepped up its enforcement of these laws. So even if you never had to worry about legal problems from drinking before, you—and our organization—may have a greater risk here than you would at home or when you were in high school.

Any questions about any of this? Anything anyone wants to say about this?

*(Note that this discussion can be brief. But if some members make light of the laws and consequences ["Give me a break. No one cares if I drink when I'm 20." "I've been drinking for five years and never had a problem; you think I'm going to get caught now?"], it's important that you get support from your leader team by having them share stories of when these laws were enforced and the impact on individuals and/or student organizations. Don't get caught in a discussion of how to avoid enforcement or "what if" scenarios. Just tell the group that the point is to recognize that these laws exist, and that your group's focus is preventing your organization from enabling or encouraging members or guests to violate these laws.)*

## **Our Living Policies**

The other issue we need to talk about today is our organization's standards related to using alcohol. Our leader team has come up with a list of things we think everyone will agree we don't want to see when we party as a group.

The FailSafe program calls these "Living Policies." Living Policies are our own set of standards related to alcohol use that we expect every member to "live" every day. Having these clear standards will help us reduce our risk of experiencing the really negative consequences that can occur when we drink. Some consequences, things like assaults and medical rescues, can cause enormous problems for us as an organization.

Let me be clear: we're not cutting out alcohol from our events and activities. But we have to get rid of the extreme stuff that can get us in trouble or put us at risk. Everything on this list is stuff that we don't need to do to have a great time. And a lot of these things happen when people aren't being smart about using alcohol.

*(Distribute the completed "Our Living Policies" sheet to each of your members. Read aloud each policy and say a little about what it means.)*

We'd like to spend about 10 minutes getting your feedback on these policies before the leader team finalizes them. So what do people think? Is there anything here that you think shouldn't be on the list?

*(Let group members share their thoughts. It's OK for people to disagree. Remember that you don't have to defend the policies, but you can ask anyone who objects to a policy to explain why they think it shouldn't be a standard, and how the behavior doesn't put the organization at risk. You can always direct the conversation back to the group as a whole by asking, "What do others think about that?")*

Thanks for sharing your feedback. We'll try to include these thoughts as we finalize the Living Policies. I also want to ask if people feel there's anything missing from the list of Living Policies. Is there anything we should add as an expectation for our members to follow?

*(Give group members time to think of other potential standards. Take notes on members' suggestions without commenting or asking them to justify a suggestion. You may need to help members think through a particular problem they've experienced and turn it into a standard that is in the same style as the others. Remember to regularly direct the conversation back to the group by asking, "What do others think about that?")*

## **Living Our Standards**

The last thing we need to talk about is how we will live these standards. Having standards on paper won't do us any good if we don't follow them.

If we agree that living by these standards is important to all of us, then we expect everyone to follow them. That means we'll hold one another accountable when we violate a standard. Can we agree together that we'll hold each other accountable to live these standards?

*(Get a verbal agreement from everyone in the room.)*

Great. At our next meeting, we'll share how some of us manage our risks with alcohol. That will give all of us some ideas about how to have a good time when drinking while avoiding the problems. We really can have a good time without taking things to the extreme.

*(If members of your leader team want to share their reflections on the issues the group has discussed, have them do so now. You can then wrap up the meeting or move on to other business.)*