

# The Old Gal Gazette

Number 10

February 9, 1990

## NATIONAL NEWS

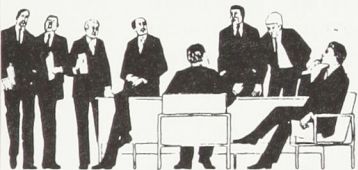
---

### PARKS NAMED TO SEARCH COMMITTEE

Grand Senior President, Edmund A. Hamburger, Polytechnic '45 recently announced that Dennis R. "Skip" Parks, Baldwin-Wallace '72, has been selected to complete the search committee to find the next Executive Vice President for our fraternity and President of the Educational Foundation.

Nominations are still being accepted for the position and applications are due by March 1st. They may be sent to:

Edmund A. Hamburger, Grand Senior President  
Search Committee Chairman  
Alpha Sigma Phi Fraternity Headquarters  
24 West William Street  
Delaware, Ohio 43015



### GRAND COUNCIL AND EDUCATIONAL TRUSTEES TO MEET

The Grand Council and Educational Foundation Trustees are to meet in Pittsburgh on March 2-4. The Grand Council Committees (Undergraduate Operations, Finance, and Alumni Operations) will discuss specific areas of importance and bring their recommendations to the Grand Council.

The Foundation Trustees will meet on issues concerning the endowment of the fraternity, investments and fundraising to help build the endowment and secure the future of Alpha Sigma Phi.

### COLEMAN INDUCTED INTO WHO'S WHO OF AMERICAN COLLEGE STUDENTS

Chris Coleman, Bowling Green '86 was selected to Who's Who of American College Students this past December according to Andy L. Longo, Administrative Assistant to the Director of Greek Life.

"Induction into Who's Who is one of the highest honors bestowed upon college seniors. Those inducted are certainly worthy of this prestigious award," Mr. Longo said.





### DUTY TO CARE--UPDATE

The March 1989 issue of Fraternal Law reported on the progress of a New York lawsuit which was filed as the result of fire damage to a fraternity house, owned by Pi Beta Phi Fraternity, at Syracuse University. The fire was alleged to have been caused by fireworks or by a smoke bomb thrown into the house by a resident of the fraternity house located next door. The resulting fire destroyed the entire third floor of the house and caused hundreds of thousands of dollars worth of damage.

Pi Beta Phi's insurance carrier, acting under its subrogation rights, filed suit against the fraternity member who was alleged to have thrown the fireworks. (Technically, the suit was against both the national fraternity and the local house corporation.) The claim against Beta Theta Pi was that it failed to properly supervise the member involved. The fraternity attempted to escape liability in the lawsuit by arguing that as a matter of law they could not be held liable for the unauthorized action of one of its members. Using that theory, the fraternity filed a motion for summary judgment which was denied. In the critical passage denying that motion, the court noted that:

"If it can be shown upon a trial that the fraternity members had prior knowledge of (the fireworks thrower's) possession of fireworks and it knew of his use of them on the day of the fire, there is a question for the jury as to whether or not the failure to supervise (the fireworks thrower), or to remove the fireworks from the fraternity house was a proximate cause of the fire."

This suit was scheduled to go to trial during the week of November 13, 1989. On the eve of trial, however, Beta Theta Pi settled the dispute and agreed to pay a substantial sum (the amount of which is confidential) in order to avoid going to trial.

As a result of the decision to settle the case, the suit will have limited precedential impact. Still, the decision by the trial court in denying the motion for summary judgment stands as a clear warning to fraternities and sororities not to ignore improper and dangerous conduct engaged in by their members, particularly when that conduct occurs on fraternity or sorority property and endangers others.

At the time of the fire, a chapter of Alpha Omicron Pi Sorority was occupying the house under a lease agreement with Pi Beta Phi. In addition to the claims brought by Pi Beta Phi's insurance carrier, claims were brought by Alpha Omicron Pi and some of its members who sued to recover damages for property that was destroyed in the fire. Following the settlement with Pi Beta Phi, these claims against Beta Theta Pi went to trial.

On December 5, 1989, this litigation was finally brought to a conclusion when the jury ruled that the thrower of the fireworks was responsible for the damage caused by the fire. With regard to Beta Theta Pi, however, the result was different. The trial judge instructed the jury to respond to three questions: Was the fraternity chapter president an agent of the national fraternity? If he was, was he negligent in his capacity as an agent? Finally, was his negligence, if any, the proximate cause of the fire? The jury found that the chapter president was the agent of the national fraternity. However, the jury did not find the chapter president to be negligent and therefore the fraternity was not held responsible for the fire.



### DUTY TO CARE (Cont'd)

The fact that the fraternity was not liable in the jury verdict should not create the impression that a fraternity could not be liable under similar circumstances. No doubt, the jury's decision turned on the specific facts presented in this trial. Thus, while the decision of the jury vindicates the Betas, the earlier denial of the motion for summary judgment may continue to stand as the most important aspect of this case for the Greek system. It leaves little doubt that under the right set of factual circumstances, a national fraternity could be held liable for the improper conduct of a single member if the fraternity chapter's supervision of that member was inadequate.

- Timothy M. Burke  
Fraternal Law, January 1990



### STUDENT CONSERVATION ASSOCIATION, INC. OFFERING POSITIONS

The Student Conservation Association (SCA) will be offering over 1,000 conservation and resource management volunteer positions for high school students, college students and older adults during 1990. Opportunities are available throughout the year.

Individuals selected for SCA programs will contribute from three to 12 weeks of their time to the protection and management of over 200 National Park Service, U.S. Forest Service, U.S. Fish & Wildlife Service, and other federal and state resource agencies across America.

The Student Conservation Association operates two distinct core programs: the Resource Assistant Program for men and women over the age of 18, and the High School Work group program for students between the ages of 16-18.

While carrying out their assignments, volunteers receive a grant for round trip transportation to their program area; a weekly stipend is provided to offset living expenses. Free housing is made available by the hosting agency. A uniform allowance is also provided (if required by the participating agency).

SCA is currently accepting applications for positions to be offered during the 1990 summer/fall season. Positions are filled on a competitive basis. Although specific academic background or previous field experience may be required for some positions, many others require only enthusiasm and the applicants interest in conservation work.

Applications will be accepted as long as positions are available. While there are no final deadlines, application processing does begin at varying times. Applications received by these dates increase the chance of an applicant being accepted for a position: March 1, 1990 for positions beginning May-July 1990 and June 1, 1990 for positions beginning August-September 1990.

The Student Conservation Association offers programs throughout the year. Additional opportunities will be available during the winter of 1990/91.

Anyone interested in participating or learning more about SCA programs should contact: The Student Conservation Association, P.O. Box 550, Charlestown, NH 03603. Telephone 603/826-4301.



## CHAPTER NEWS

---

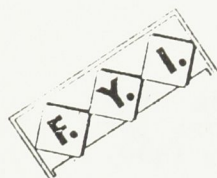
### ALPHA MU CHAPTER, BALDWIN-WALLACE COLLEGE

Alpha Mu Chapter is finished with its formal rush and we are now preparing for Greek Sing. The brothers are also working on our service project, Swim-a-thon, which supports Life Banc. Our goals for the service project are high.

The first annual Alpha Sigma Phi Miniature Golf Classic was a great success for formal rush. Here is what we did: Each room in our section had to design a hole. We used textbooks, cardboard, paddles, wood planks, and astroturf. One brother ran the hole and the other brother was a caddy. Our lounge was set up to be a clubhouse that served non-alcoholic mixers.

With the 60th year of our chapter, our alumni relations is on the rise. After the 50th banquet, we sent Christmas cards to our alumni guests. Plans are in the works for a Black Top Formal, an alumni event around the time of homecoming.

- Michael D. McCormick, HE



### BETA DELTA CHAPTER, MARSHALL UNIVERSITY

The brothers of Beta Delta Chapter of Marshall University have leaped into the spring semester with a very successful fall semester still making waves. I am happy to report that the brothers of Beta Delta are once again on their way to becoming Marshall's top grade point fraternity. For the fall semester the pledge class had the highest grade point of all the pledge classes (2.56), and the actives had the second highest (2.76), and so overall we were second among the fraternities (2.73). This compares well with the all fraternity average (2.43), and to the all male average of 2.38. Three brothers, Chad Mitchell, Paul Lee, and Shaun Sizemore had perfect 4.0's for the semester. Eight other brothers held over a 3.5.

Recently, there was an officer retreat held at the Babb Estate to set goals and develop ideas to improve the fraternity. These fourteen leaders came up with some excellent ideas and we can look forward to a semester which will require hard work and cooperation, which Beta Delta's brotherhood thrives on.

We had a service project at the Huntington State Hospital on the 26th of January. Eighteen brothers participated in aiding the hospital through volunteering their labor. We all had a lot of fun. In Intramurals we are still in the running for the President's Cup as we face most of our strongest events. Finally, we purchased a color television to be installed in the house so that all the brothers can "hang out" or for brotherhood events (such as this year's all-too-exciting Superbowl).

The brothers of Beta Delta wish all Alpha Sigs across the country a safe and prosperous semester.

- Marc Baumgard, HR



## CHAPTER NEWS (Cont'd)

### **BETA OMICRON CHAPTER, TRI-STATE UNIVERSITY**

We successfully held our 13th Annual Beach Party which included 12 tons of beach sand, an outdoor oversized homemade hot tub, and our very own Dan "the Man" as DJ for the dancing.

Upon entering office at the start of winter quarter, I decided it was time to put in effect the risk management policy which national provided us. We were the first fraternity at this school of 1,100 student to leave out cash bar parties. I'm now happy to say that over half of the fraternities have gone to BYO since, and we are still the most social fraternity due to the dancing provided by our own DJ brother.

Alpha Sigma Phi at Tri-State has always had a diversified group of men. This year not only do we have three brothers and one pledge on the men's varsity basketball team, but **Joe Gajdostik** has recently broken the all time points scored record. We have a brother who is a DJ on the school radio station and have made a few public service announcements regarding things like drunk driving. Brother **Shaun Cooper** is currently the IFC president.

- Scott A. Bohr, HSP

### **GAMMA EPSILON COLONY, STATE UNIVERSITY OF NEW YORK AT BUFFALO**

Due to recent changes in risk management fraternity policies and in alcohol programming at many universities, the brothers of the Gamma Epsilon Colony are spearheading an effort to establish a Greek-wide alcohol awareness organization. We are actively pursuing the services of BACCHUS/GAMMA and a group entitled "Party Smart." The brothers are hopeful that the support they have received from the Division of Student Affairs and from the University of Buffalo Administration will lift the entire Greek system to a higher plateau of success. Any information on similar organizations at other universities/colleges would be greatly appreciated. Correspondence can be sent to Stephen B. Rogenthein at 18 Northrup Place, Buffalo, NY 14214.

- Clinton Smart

## PLEDGED TO THE SEVEN POINTS



**BETA GAMMA CHAPTER, Bethany College:** Richard Bryan White in December 1989.

**BETA EPSILON CHAPTER, Lehigh University:** Thomas Christopher Ciesielka, William Scott Deveney, David Mark Epstein, George Kenneth Johnston, III, Jason Robert Kosty, Kevin S. Landau, Micahel Lyles, Joseph Vincent Marcelli, Robert Michael McGinley, Eric David Needleman, Kevin Thomas O'Leary, Philip Edward Robson, Timothy Michael Splane, Fred Hiroshi Taylor, Anthony Michael Victor and Timothy Holmes Waite on November 11, 1989.

**GAMMA LAMBDA CHAPTER, Atlantic Christian College:** Eddie Dean Whitley, Gregory Charlie Ellis, Thomas Simmer Hamby and William Todd Barron on January 14, 1990.



# INITIATED INTO THE MYSTIC CIRCLE



**PHI CHAPTER, Iowa State University:** Michael Brendan Elliott, David Norman Graber, John Thomas Mackin, Jr. and Robert Garcia Palcios on February 9, 1990.

**ALPHA PI CHAPTER, Purdue University:** Greg Burton, Jeff Dillon, Dustin Harvey, Kevin Hoffman, Dan Mullen, Paul Olah, Mike Pearson and Bryan Schroeffel on September 30, 1989.

**BETA THETA CHAPTER, Rutgers University:** Nehemia Namme Ichilov, Parshu Shah, Kei Tang, Eric Philip Winnicky, Jimmy Abdallah and Joseph Tyler Gary on February 2, 1990.

**BETA XI CHAPTER, Hartwick College:** Sanjay Pyare and Keith Reynolds on December 3, 1989.

**GAMMA DELTA CHAPTER, Davis & Elkins College:** John Snodgrass Bailey on December 15, 1989.

**GAMMA ZETA CHAPTER, Bowling Green State University:** Dave Amstutz, Steve Wincup, Mike Haffercamp, Mike Mestemaker, Mark Corpuz, Rob Sanders and Bruce Wallace on September 7, 1989.

**DELTA OMICRON CHAPTER, Illinois State University:** Douglas A. Mattsey, Clifford J. Watanuki, Jay A. Zukowski, Brian P. Rhodes, Joseph A. Cox, Daniel M. Kerber and Mark Wienand on February 3, 1990.



**The Old Gal Gazette** is published every two weeks during the academic year by the National Headquarters. It is distributed to all chapters, colonies, advisors and fraternity volunteers in an effort to keep all informed of their Fraternity's activities, plans and progress.

News items for **The Gazette** may be sent to: Alpha Sigma Phi National Headquarters, 24 West William Street, Delaware, OH 43015.