

In 1996, NPC adopted a unanimous resolution regarding peer monitoring. The resolution states that member groups should refrain from serving as Panhellenic and Greek enforcement officials at social events and that the NPC expects its member groups to resist pressure from university personnel for their members to serve as social event peer monitors.

The resolution was adopted due to concerns that the monitors were not trained and that monitoring imposes a duty of enforcement that cannot be met, which creates a duty where heretofore none existed, therefore imposing negligence on participating groups and the fact that the universities are not indemnifying the monitors for his liability. There was also some concern about the possibility of one group's member retaliating against another group for some prior allegation of rule breaking. NPC's legal counsel and insurance carrier have advised against peer monitoring.

Since the adoption of this resolution, many universities have attempted to persuade NPC groups to participate in peer monitoring or party checking. Recently, a question was posted on the AFA listserve regarding peer monitoring and party checking. Interestingly enough, Mitch Crane, an attorney and member of Sigma Phi Epsilon Fraternity, posted the following response, which goes hand-in-hand with NPC's resolution:

In most cases, monitors were lax under fear that their own chapters would be sanctioned in return if they enforced the rules. On two cases, men were threatened physically. There certainly are some institutions where this type of monitoring appears to be effective – but it takes mature and brave men and women to do it.

Another issue I have raised is the fact that in almost all cases the party monitors are not covered by liability insurance – this puts liability on the individuals and/or the uninsured councils. In the few cases where the councils and the party monitors are on the institutional liability policy, there is a great exposure to suit if the monitors do not do their jobs properly or if they come and go and an incident occurs later in the evening.

Purely from the point of view of enforcing policy and also protecting oneself from suit, any monitoring of parties should be by the campus police or by another law enforcement agency and not by undergraduates of fraternity and sorority advisors.

We certainly support an organization's responsibility to hold their own members accountable for appropriate behavior. To that point, we are in complete agreement that monitoring of social activities outside of one's own organization should be done by an insured third-party. You should continue to decline any university request for participation in peer monitoring or party checking activities.

What has emerged since that time is a “modification” of the actions expected under a peer monitoring system. This comes in the recognition of the flaws of the prior system and an acknowledgement that a modified system, now being labeled “peer observing” could be appropriate within the Greek community. In several recent situations, university professionals were not looking for this to be a group to group enforcement practice, but simply an expectation that each group is responsible for its own self-governance or its own monitoring of the activities.

In that the term “Peer Monitoring” has taken on several different meanings, it may be wise to create a new term which draws from the goal of this practice, which we believe to be that each group is accountable for the actions of its members.

As such, we are inclined to consider this practice differently and would be supportive of a “refreshed” look at the practice and the potential for embracing a new policy on how to achieve the accountability that is being sought of the member groups.

As conditions change, it is important to take another look at how exposures are evolving and the “reform” initiative discussion should effectively accomplish this for our clients. We wanted to share the risk management and insurance perspective to assist your leadership in tackling this critical challenge.

We understand that this is a difficult issue to tackle, and we want to help you determine how best to manage this exposure. Should you have any further questions, please do not hesitate to [contact us](#).