



# Delta Lambda Phi<sup>®</sup>

## Social Fraternity

### Risk Management Policy

Excerpt of Section 6.2 of the Fraternity Policy Manual

*Amended February 23, 2020*

#### 6.2.1. Statement of Purpose

1. This Risk Management Policy is enacted for the protection of the Brotherhood and to ensure liability insurance coverage when this policy is followed.
2. Individuals or Chapters in violation of this Risk Management Policy or applicable laws may void their protection under Delta Lambda Phi's liability insurance. Individuals may be personally liable for their actions.
3. Violations of this Risk Management Policy endanger individual members and the Fraternity as a whole.

#### 6.2.2. Definitions

Chapter Event. Chapter events are events that are sponsored or endorsed by a chapter. This includes events that are:

1. Planned with the knowledge and input from one or more officers;
2. Listed on a chapter calendar;
3. Paid for with chapter funds or funds pooled by chapter members.
4. Announced at a chapter meeting or via official or unofficial social media associated with the chapter or individual new member classes; or
5. Associated, intentionally or not, with the name or brand of Delta Lambda Phi. Examples include, but are not limited to: going to events or places wearing letters, attending all-Greek events, or attending events as a representative of the Fraternity.

### 6.2.3. Confidentiality

In general, information collected during risk management investigations, or other risk management efforts ("risk management information"), will be kept confidential and released to DLP's membership or the general public only when necessary and appropriate. Information gathered during risk management investigations and related risk management efforts is some of the most sensitive and confidential information within the Fraternity. All persons made aware of any such risk management information must act on that information appropriately, with sufficient care and integrity, and in line with the Fraternity's values and the Code of Honor and Brotherly Conduct.

The Board of Directors and the Executive Director have the authority and responsibility to determine what risk management information should be disclosed, to whom it will be disclosed, and the timing of when that information is disclosed, in line with the limitations described here and elsewhere within the Fraternity Policy Manual.

In doing so, the Board of Directors and the Executive Director will act within the following limitations:

1. Risk management information should be shared with Fraternity officers, members, and the public on a need to know basis.
2. Risk management information may be shared with any outside attorney in an attorney-client relationship with the Fraternity, at any time.
3. If asked by anyone outside the Board, the Executive Director, or other appropriate parties privy to such information, will neither confirm nor deny whether a risk management investigation has been initiated or is ongoing.
4. Risk management information regarding ongoing or unresolved investigations, hearings, or sanctions must not be used to influence ongoing proceedings, and distribution of risk management information may be limited to protect the integrity of ongoing proceedings.

Any Fraternity officers who are informed or become aware of risk management information will keep that information confidential to themselves – even apart from other Fraternity officers – unless granted permission to share that information by the Board of Directors or the Executive Director.

All risk management information shall be made available to the following individuals or bodies, subject to adherence to the limitations above:

1. The Board of Directors
2. The Executive Director
3. The Chief Compliance Officer
4. The Risk Management Director and the Director's direct reports

## 6.2.4. Chapter and Active Responsibilities

### 1. Officers

Risk Management education and enforcement shall be the responsibility of the Chapter President and one additional Officer such as a Sergeant-at-Arms or Risk Management Chair.

### 2. Education

1. Chapters must provide an educational presentation on the Risk Management Policy to every active member at the start of the academic year
2. Chapters must provide an educational presentation on the Risk Management Policy as part of new member education to every new member class.

### 3. Certification and Assessment

1. Each member must certify annually that they participated with required Risk Management education, understand the Risk Management Policy, and will comply with the Risk Management Policy.
2. Each Chapter President must certify annually the dates on which the Risk Management Policy was reviewed with Chapter Membership and the dates on which the Risk Management Policy was reviewed with new members.
3. Chapters must ensure that members complete an online assessment of the Risk Management Policy annually. At least 90% of a Chapter's active members as of November 15 must complete the online assessment with a score of 75% or above to be In Good Standing.

## 6.2.5. Incident Reporting

**Members must report alleged Risk Management Policy violations within twenty-four (24) hours of becoming aware of the alleged violation.** Reports may be made using the designated Incident Report Form or to a member of the Fraternity Office or Board of Directors who may make a report on a member's behalf.

## 6.2.6. Conflict Provision

All organizational units and members must comply with federal, provincial or territorial, state, and local laws. Chapters must comply with their campus's policies. Where this Risk Management Policy conflicts with any laws or campus policies, the most restrictive law or policy will apply.

### **6.2.7. Hazing**

The term “hazing” means any intentional, knowing, or reckless act committed by a person, whether individually or in concert with other persons, against any individual or group of individuals, regardless of affiliation, whether or not committed on [chapter/organizational] property, for the purpose of recruiting, joining, pledging, initiating, admitting, affiliating, or for the purpose of retaining membership in an organization that causes an individual or group of individuals to do any of the following, regardless of a person’s willingness to participate:

1. Be coerced to violate federal, state, provincial, local law, or Delta lambda Phi policy.
2. Be coerced to consume any food, liquid, alcoholic liquid, drug, or other substance in any non-customary manner which subjects the individual or group of individuals to a substantial risk of emotional or physical harm which includes but not limited to sickness, vomiting, intoxication, or unconsciousness.
3. Endure brutality of a physical nature, including but not limited to whipping, beating, paddling, branding, dangerous physical activity, or exposure to elements or endure threats of such conduct that results in mental or physical harm.
4. Endure brutality of a mental nature, including but not limited to activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment or endure threats of such conduct that results in mental or physical harm.
5. Endure any other activity which adversely affects the health and safety of an individual, including but not limited to the disruption of academic performance or class attendance, required designated driving programs, line ups, calisthenics, or personal, physical, or financial servitude.

### **6.2.8. Alcohol and Drugs**

1. Chapters must comply with all federal, state, provincial, and local laws. No person under the legal drinking age may possess, consume, provide, or be provided alcoholic beverages.
2. Chapters and members are responsible for the behavior of their guests at Chapter events. Guests may not cause the Chapter or members to violate the Risk Management Policy. If a guest causes a violation, they should be removed from the event.
3. Chapters must follow federal law regarding illegal drugs and controlled substances, including marijuana. No person may possess, use, provide, distribute, or sell illegal drugs or controlled substances at any Chapter Event. Controlled substances may only be taken as prescribed by the person for whom it was prescribed.
4. Alcoholic beverages at Chapter events must either be: (1) Provided and sold on a per-drink basis by a licensed and insured third-party vendor (such as a restaurant, bar, caterer, etc.); or (2) Brought by individual members and guests through a bring-your-own-beverage (“BYOB”) system. At BYOB events, members and guests may bring only a quantity that they can consume during the event without becoming intoxicated.

5. The overwhelming majority of fraternity accidents related to the over-consumption of alcohol involve liquor/hard alcohol. Alcohol products above 15% alcohol by volume (ABV) are prohibited at any Chapter event except when served by a third-party vendor.
6. Common sources of alcohol are prohibited. Common sources of alcohol include, but are not limited to, kegs, coolers filled with bottles or cans, and open bars.
7. Alcoholic beverages must not be purchased with or reimbursed by Chapter funds or funds pooled by members or guests. Funds pooled by members or guests includes, but is not limited to, admission fees, selling drink tickets, and collecting funds through digital apps.
8. Chapters may co-host or co-sponsor events with licensed and insured third-party vendors of alcohol such as bars or clubs, with the following conditions: (1) The event must follow the Chapter's campus policies regarding such events; (2) The Chapter cannot raise funds from the direct or indirect sale of alcohol; (3) The Chapter's advertising cannot mention drink specials.
9. Alcohol is prohibited at recruitment events and new member events. Recruitment events are events with the primary purpose of member recruitment. New member events are events that are part of the new member program, conducted by new members, or are hosted primarily for new members. Alcohol is not prohibited at Chapter events that are not recruitment events or new member events, even if new members or potential new members are present, as long as the event complies with the Risk Management Policy.
10. Alcohol is prohibited at all Chapter meetings and closed rituals.
11. Drinking games and any activity encouraging the rapid consumption of alcohol are prohibited.
12. Chapters will not conduct trips, events, or activities in another state, province, or country where drinking ages are different from those of the state, province or country wherein the Chapter is Chartered, for the sole purpose of allowing otherwise underage members, potential new members, or guests to drink alcoholic beverages. This includes, but is not limited to, trips to Canada and Mexico.
13. All Chapter events that have alcohol present must have at least one sober monitor present for the duration of the event. A sober monitor is a Brother who consumes no alcohol at the event, does not arrive at the event under the influence of alcohol or drugs, and is available to assist with risk management situations that may arise at the event. Members present at the event must be made aware who the sober monitor is.
14. At Conferences and Conventions, for hard alcohol to be consumed in the private rooms of the Host facility, a Hospitality Suite Registration Form must be submitted to and approved by the Fraternity Office. A Hospitality Suite Registration Form is not required for small gatherings in private rooms and there are not more visitors than persons registered in the room. All registered guests at the hotel are responsible for making sure no underage drinking occurs in their room.

## 6.2.9. Sexual Harassment

### 1. Prohibited Behavior

1. The Fraternity will not tolerate or condone any form of sexist or sexually abusive behavior on the part of its members – regardless of whether that behavior is physical, verbal, mental or emotional, and regardless of whether the victim of the sexual harassment is a member of the Fraternity. Included are any actions that are demeaning to any person of any gender such as date rape, verbal harassment, or sexual harassment.
2. Sexual harassment is defined as any uninvited or unwanted physical, verbal, or visual sexual advances; requests for sexual favors or engagements; or other sexually oriented conduct that is offensive or objectionable to the recipient. Sexual harassment can include, but is not limited to, epithets, derogatory or suggestive comments, slurs or gestures, and offensive posters, cartoons, pictures or drawings. It most frequently occurs when a Fraternity member having some power or authority harasses someone with less power or authority, such as an initiated Brother sexually harassing a potential new member or new member.

### 2. Per Se Sexual Harassment

Members of Fraternity Leadership in positions of authority including, but not limited to, Chapter Advisors, Mentors, Fraternity Office Staff and members of the Board of Directors shall not engage in sexual relations with active members.

### 3. Exceptions

Exceptions to this policy will be granted by the Executive Director or their designee for the following reasons:

1. If a new relationship is reported by all parties involved to the Executive Director and also, if a Board member is an involved party, the Trustee.
2. In the event that an ongoing other-than-platonic relationship openly existed prior to the appointment or election of the member of leadership to that position.
3. Members of Fraternity Leadership in relationships excepted from this policy will recuse themselves from official matters regarding the individual with whom they are in the excepted relationship or the fraternity unit with which the individual belongs.

### 4. Hands-Off Policy

Initiated Brothers shall not engage in sexual relations with New Members or Potential New Members within their own chapter. Chapters may exempt individual brothers from this policy in the event that an ongoing other-than-platonic relationship existed prior to the recruitment and subsequent New Member education period. Violations of the Hands-Off Policy shall be considered per se sexual harassment and a Category 2 (Orange/Intermediate) violation. This policy supersedes all Chapter-level policies, disregarding Section 6.2.5: Conflict Provision. This will serve as the official Hands-Off Policy for all Chapters.

### **6.2.10. Fire, Health, and Safety**

1. Chapters and their members must comply with all federal, state, provincial, local laws and campus policy as it relates to firearms or explosive or incendiary devices.
2. Firearms or explosive or incendiary devices are prohibited from all Chapter events and facilities.

### **6.2.11. Assault and Battery**

No Chapter, member, or guest shall engage in assault and battery, as defined in the state statutes in which the activity or event occurs.

### **6.2.12. Retaliation**

1. Delta Lambda phi prohibits retaliation against any individual – members and non-members – for reporting, inquiring, or cooperating with a report around a violation of the Risk Management Policy.
2. Retaliation is any action, statement, or behavior that is designed to punish an individual for filing a compliance report, cooperating with a compliance investigation, seeking guidance regarding a compliance concern, or to deter one from taking such action.

### **6.2.13. Medical Amnesty and Good Samaritan Policy**

1. Any member who assists another member or other person in obtaining immediate and appropriate medical care related to the use or consumption of alcohol, drugs, or to another medical emergency, shall not be subject to individual sanctions for the incident giving rise to the need for medical care. This policy shall apply even if the member assisting was a contributing factor to the medical emergency. This policy shall apply in the first instance of a member assisting in obtaining medical care. An individual may benefit from this policy more than once at the Fraternity's discretion at any point in the ordinary course of risk management enforcement.
2. A Chapter that assists a member or other person in obtaining immediate and appropriate medical care related to the use or consumption of alcohol, drugs, or to another medical emergency, may be eligible for mitigation of charges related to violations of the RMP. The Chapter must make a request for mitigation under this policy with the Risk Management Oversight Committee. A Chapter may benefit from this policy more than once at the Fraternity's discretion at any point in the ordinary course of risk management enforcement.

### **6.2.14. Policy Distribution**

Delta Lambda Phi shall distribute this Risk Management Policy to the Brotherhood on an annual basis or upon amendment. A copy of the Risk Management Policy will be made publicly available on the website and on Confluence.