

**KAPPA DELTA PHI**  
**National Affiliated Sorority, Inc.**

**COMPREHENSIVE**  
**RISK MANAGEMENT**  
**PROGRAM**

**OCTOBER 2003**  
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**KAPPA DELTA PHI**  
**National Affiliated Sorority, Inc.**

**SECTION I**

**CRISIS MANAGEMENT PLAN**

**PURPOSE**

The purpose of this document/plan is to ensure that each chapter is prepared for a crisis if one should arrive.

Accidents do happen, and sometimes the simplest activity can result in injury. If a member and/or Affiliate/pledge becomes ill, injured, or hurt in some way follow this plan.

**Assess the situation –**

1. If the affiliate/pledge/member/guest is awake and coherent talk with them ask them
  - How do you feel?
  - Can you walk/get up?
  - Where does it hurt?
  - What happened?
  - Are you on any medication?
  - What did you eat/drink/swallow?

Even if it is the most minor injury, (excluding a little cut), take them to a doctor immediately or, to health services, to get medical attention for the injury.

If they have suffered a head injury seek medical attention immediately. Even the most, minor head injury or bump can become more serious if not treated immediately. It's better to be safe than sorry.

**WHEN IN DOUBT CALL 911**

2. If the member/affiliate/pledge/guest is not responding
  - **Call 911 immediately**
  - Check to see if they are breathing if not
  - Start CPR

**DO NOT HESITATE** calling 911, the longer you wait to seek help the worse the situation can get. Act responsibly!!!

3. Call your Field Representative or ANY National Board Member.

- Only after you have, sought medical attention for the member/affiliate/pledge and you know the member/affiliate/pledge is being taken care of.
- Disclose **all information** regarding the situation/injury that occurred, including date, time, and the events surrounding the incident, then submit an incident report within 7 days of the event/injury's occurrence to the Executive Director.

The reason for the above mentioned, is to ensure the protection of you, your chapter, and the National Sorority. Full disclosure provides the National Offices/Field Consultant the necessary information to answer any questions a parent or administrator may have, rather than solely discussing it with the Chapter President.

**REMEMBER: ACT RESPONSIBLY & SEEK MEDICAL ATTENTION IMMEDIATELY EVEN FOR THE MOST MINOR INJURY. THIS IS TO ENSURE THAT THE CHAPTER & THE NATIONAL SORORITY IS PROTECTED AT ALL TIMES. AS LONG AS YOU ARE FOLLOWING THE RULES, REGULATIONS, & POLICIES OF THE NATIONAL SORORITY, UNIVERSITY SYSTEM, & APPLICABLE STATE & FEDERAL LAWS YOU HAVE NOTHING TO FEAR. ENSURING THE SAFETY, HEALTH, & WELL BEING OF YOUR MEMBERS/AFFILIATES/PLEDGES SHOULD BE YOU FIRST PRIORITY.**

If you should have any question or comments regarding this Risk Management Policy or any other document, please contact your Field Representative and/or any member of the National Sorority Board.

If the Chapter President or the members have fabricated or covered up parts of the situation/incident a full investigation and judicial Proceeding will be in order, and you will be held accountable for all violations of the Risk Management Policy.

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**INCIDENT REPORTING FORM**

When an incident arises at the chapter causing bodily injury or property damage to any person, the following information must be obtained immediately. This report is being prepared for submission to our attorney, so please be thorough and upon completion send it to Mandy Breton, Co-Executive Director, Kappa Delta Phi National Affiliated Sorority, Inc, 4 South Brook Street, Bradford, MA 01835. If bodily injury is of a serious nature, a phone call should be made to Mandy Breton at 978.852.1122. Additional copies should be made for your field consultant and your chapter files.

Date of Incident: \_\_\_\_\_

Chapter Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Chapter President: \_\_\_\_\_ Telephone: \_\_\_\_\_

Chapter Advisor: \_\_\_\_\_ Telephone: \_\_\_\_\_

Name of injured party: \_\_\_\_\_

Telephone # of injured party: \_\_\_\_\_

Witness: \_\_\_\_\_ Telephone: \_\_\_\_\_

Witness: \_\_\_\_\_ Telephone: \_\_\_\_\_

Description of what happened: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**KAPPA DELTA PHI**  
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**SECTION II**

**RISK MANAGEMENT POLICY**

**A PURPOSE**

The Purpose of this document is to identify areas of Risk/Liability to which Sorority Chapters may encounter. The Risk Management Policies of Kappa Delta Phi National Affiliated Sorority, Inc. are to ensure the safety of all Sorority Members, and to provide educational tools to help chapters identify and change risky behaviors, and to eliminate or minimize such Risks/Liabilities through education and delivery of tools to help Chapters identify and change certain Risk generating behaviors in order to protect the Chapter, and the National Sorority, of Kappa Delta Phi National Affiliated Sorority, Inc. These areas include but are not limited to: Hazing, Alcohol & Drug related issues, Sexual Abuse & Harassment, and Fire Health & Safety.

**B VIOLATIONS**

Violations of the Risk Management Policy or any other Policy Procedure, guideline, rule, or regulation set forth by the National Sorority is punishable by probation or revocation of the Chapter's charter & expulsion of Sister(s) involved with any violation. As well as by legal recourse, such as jail, fines, and other legal avenues, including, but is not limited to a law suit against the members of said organization/Chapter, the Chapter, and the National Sorority.

ANY violations of the following policies will be immediately referred to the Investigative Judicial Committee for review and possible disciplinary actions. (See Investigative Judicial Committee Procedures and Protocol)

**C RISK MANAGEMENT EDUCATION**

Each sorority chapter shall biannually instruct its undergraduate members, affiliates and alumnae in the Risk Management Policy of Kappa Delta Phi National Affiliated Sorority, Inc. Additionally, all student and alumnae members shall be provided access to said Risk Management Policy. A copy of the Risk Management Policy of Kappa Delta Phi National Affiliated Sorority, Inc. is available on the sorority's website ([www.kappadeltaphinas.org](http://www.kappadeltaphinas.org)).

*The chapter Vice President must:*

- Exhibit leadership in risk management efforts
- Serve as the risk manager
- Understand and execute a Crisis Management Plan (when needed)
- Biannually review national policies with active and affiliate/pledge members
- Make certain chapter policies comply with federal, state and local laws and with University regulations



- Assist the social chair with the planning and coordination of chapter events
- Keep all chapter officers actively involved in managing the risks of the chapter

#### **D AFFILIATE EDUCATION**

- i. Any woman interested in affiliating with a Chapter of Kappa Delta Phi NAS must be at least 18 years of age.
- ii. All affiliates/pledges must receive, read, understand, and contractually agree to adhere to the Risk Management Policies of Kappa Delta Phi NAS, prior to the start of the education process.
- iii. The affiliate education process is to be Alcohol & Drug Free
  - a. Sisters of Kappa Delta Phi National Affiliated Sorority are prohibited from attending parties (private or public), bars/taverns or 3<sup>rd</sup> party vendor functions with an affiliate/pledge who is of legal drinking age (+21 years old).
  - b. Affiliates/pledges who are not of legal drinking age (<21 years old) are legally prohibited from consuming alcohol. Violation of respective state laws during the affiliate education process is a direct violation of the National Risk Management Program.
  - c. If an affiliate/pledge in attendance at a sorority activity is deemed intoxicated by the Sergeant-at-Arms, Affiliate Educator/Pledge Mistress or Chapter President, the affiliate/pledging activity must immediately cease. Chapter Executive Board will meet as soon as possible to discuss any concerns and liability issues. (Reference J. **RISK MANAGEMENT DISCIPLINARY ACTION PROTOCOL.**) Field Consultant or Vice President of Membership may be consulted for advice if necessary
  - d. If an active or alumna member(s) in attendance at an affiliate/pledge function is deemed intoxicated by another chapter member, the member must be immediately removed from the function by the Sergeant at Arms or other respective chapter member. Chapter Executive Board will meet as soon as possible to discuss any concerns and liability issues. (Reference J. **RISK MANAGEMENT DISCIPLINARY ACTION PROTOCOL.**) Field Consultant or Vice President of Membership may be consulted for advice if necessary
  - e. Activities shall only occur between the hours of 7 am - 11 pm on weekdays; whereas weekend activities shall only occur between the hours of 8 am - 1 am. Sunday activities are expected to occur between the hours of 8 am and 11pm, where as Friday activities are expected to occur between the hours of 7 am – 1 pm.
- iv. Chapter affiliate education/pledge activities should be limited to a maximum of 20 hours per week. The definition of chapter affiliate education/pledge activities does not including academic study hours, philanthropy events arranged by the affiliate/pledge class, fundraising events arranged by the affiliate/pledge class, or private affiliate/pledge class meetings.
- v. Affiliates/Pledges must be guaranteed a minimum of six hours of continuous sleep each night during pre-initiation and initiation periods.
- vi. Affiliates/Pledges must be guaranteed a minimum of three hours of totally undisturbed study time Sunday through Thursday.
- vii. The Pledge Pin is the only item to be worn to denote participation in the affiliation process. Pledge Pins are available for purchase from the Director of Insignia. If chapters opt to make the pledge pins, they shall be no larger than 2” tip to tip.

#### **E ALCOHOL AND DRUGS**

1. The possession, sale, use or consumption of ALCOHOLIC BEVERAGES, while on chapter premises, during a Sorority event, in any situation

- sponsored or endorsed by the chapter, or at any event an observer would associate with the Sorority, must be in compliance with any and all applicable laws of the state, province, county, city and institution of higher education, and must comply with either the BYOB or Third Party Vendor Guidelines. (Third Party Vendor Guidelines are hiring, or having the alcohol supplied and distributed through a third party, that has an Alcohol License to sell alcohol such as a bar, restaurant, or cater.)
2. Alcoholic beverages may not be purchased through or with chapter funds nor may the purchase of same for members or guests be undertaken/coordinated by any member in the name of, or on behalf of, the chapter. The purchase or use of a bulk quantity or common source(s) of alcoholic beverages, for example, kegs or cases, is prohibited.
  3. OPEN PARTIES, meaning those with unrestricted access by non-members of the sorority, without specific invitation, where alcohol is present, shall be prohibited.
  1. No members, collectively or individually, shall purchase for, serve to, or sell alcoholic beverages to any minor (i.e., those under legal "drinking age").
  5. The possession, sale or use of any ILLEGAL DRUGS or CONTROLLED SUBSTANCES while on chapter premises or during a sorority event, meeting, during any affiliate/pledge education activity, or at any event that an observer would associate with the Sorority, is strictly forbidden.
  6. No chapter may co-sponsor an event with an alcohol distributor, charitable organization or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) where alcohol is given away, sold or otherwise provided to those present. This includes any event held in, at or on the property of a tavern as defined above for the purposes of fundraising. A chapter may rent or use a room or area in a tavern as defined above for an event held within the provisions of this policy, including the use of a third party vendor and guest list.
  7. No chapter may co-sponsor or co-finance or attend or participate in a function where alcohol is purchased by any of the host chapters, groups or organizations.
  8. All recruitment or rush activities associated with any chapter will be nonalcoholic. No recruitment or rush activities associated with any chapter may be held at or in conjunction with an alcohol distributor or tavern as defined in this policy.
  9. No member or affiliate/pledge shall permit, tolerate, encourage, or participate in excessive drinking activities (i.e. drinking games) that would contribute to an individual becoming visibly intoxicated and/or sick at an event.
  10. No alcohol or illegal or controlled substances shall be present at any affiliate/pledge program, activity, or ritual of the chapter. This includes, but is not limited to activities associated with "bid night", "big sister night" and initiation.

## **F FIRE, HEALTH AND SAFETY**

1. All chapter houses should meet all local fire and health codes and standards.
2. All chapters should have posted by common phones emergency numbers for fire, police and ambulance.
3. All Chapters should have posted evacuation routes on the back of the door of each sleeping room.

4. All chapters should comply with engineering recommendations as reported by the insurance company or municipal authorities.
5. The possession and/or use of firearms or explosive devices of any kind within the confines and premises of the chapter house are expressly forbidden.

## **G HAZING**

No chapter, colony, student or alumna shall conduct, or condone hazing activities. Activities that are not consistent with academic achievement, Sorority Mission Statement, Goals, Ritual, Policy or Rules and Regulations, or the regulations and policies of the educational institution, or applicable state law are considered a direct violation of the Risk Management Program of Kappa Delta Phi National Affiliated Sorority, Inc

### **GENERAL DEFINITION**

Hazing is defined as: "*Actions taken or situation created, intentionally, to produce mental or physical discomfort, embarrassment, harassment, or ridicule.*"

### **TYPES OF HAZING**

#### **SUBTLE HAZING**

Behaviors that emphasize a power imbalance between affiliates/pledges and other members of the chapter is called "subtle hazing". This type of hazing is often taken-for-granted or accepted as "harmless" or meaningless. Subtle hazing typically involves activities or attitudes that breach reasonable standards of mutual respect and place affiliates/pledges on the receiving end of ridicule, embarrassment, and/or humiliation tactics. Affiliates/pledges often feel the need to endure subtle hazing to gain membership status. (Some types of subtle hazing may also be considered harassment hazing).

Examples may include, but are not limited to, one or more of the following:

1. Deception
  - a. Suggesting that a person might be rejected for membership
  - b. Act prior to a ritual designed to convince an affiliate/pledge that she will not be initiated
  - c. Keeping information from the affiliates/pledges prior to initiation (time requirements, dates of meetings/activities, etc)
2. Points systems (merits/demits; black/gold points)
3. Requiring affiliates/pledges to obtain signatures as a means of progression.
4. Silence periods with implied threats for violation
5. Deprivation of privileges granted to other members
6. Requiring affiliates/pledges to perform duties not assigned to other members
7. Socially isolating affiliates/pledges
8. Blindfolding
9. Line-ups and drills/tests on meaningless information that is not pertinent to the organization or its ideals
10. Name calling

11. Requiring affiliates/pledges to refer to members with titles (e.g. “Mr.” “Miss”) while they are identified with demeaning terms
12. Expecting meaningless items to always be in one’s possession (e.g. \$.50, condom, book of matches).
13. Constantly, or many times a day, or routinely every day, asking affiliates/pledges to think about what to expect in the initiation ritual.

### **HARASSMENT HAZING**

Behaviors that cause emotional anguish or physical discomfort in order to feel like part of the group are called “harassment hazing”. Harassment hazing confuses, frustrates, and causes undue stress for affiliates/pledges. (Some types of harassment hazing can also be considered violent hazing).

Examples may include, but are not limited to, one or more of the following:

1. *Verbal abuse*
  - a. *Berating of individuals during “line-ups” and drill/tests*
  - b. *Assigning of “Pledge Names” or monikers; does not include the assignment of nicknames upon receipt of 3<sup>rd</sup> degree.*
  - c. *Yelling and screaming at affiliates/pledges*
  - d. *Booing or hissing at or demeaning affiliates/pledges when they make a mistake in front of the chapter*
2. *Intimidation*
  - a. *Bracing or fingersnapping in an affiliate’s/pledge’s ear*
  - b. *Extended staring at an affiliate/pledge for improper answers*
  - c. *Violating the personal space of an affiliate/pledge*
3. *Requiring affiliates/pledges to go to extraordinary measures to meet with individual sister;*
4. *Implied threats of violence*
5. *Making people feel humiliated or inferior*
6. *Degrading conduct that could adversely affect the dignity of the individual, including:*
  - a. *Requiring affiliates/pledges to wear embarrassing or humiliating attire (pledge shirts, marked shirts, excessively large pledge pins, berets, arm bands, ribbons, costumes, etc) on the outside or underneath one’s clothing*
  - b. *Requiring affiliates/pledges to perform skits/songs/dances for the entertainment of the chapter or others*
  - c. *Requiring affiliates/pledges to perform skits that are demeaning and not pertinent to the organization or its ideals*
  - d. *Requiring the affiliates/pledges to learn songs and/or dances that are demeaning and not pertinent to the organization or its ideals.*
  - e. *Requiring affiliates/pledges to answer questions in a repetitive manner (i.e. “3x together”)*
  - f. *Throwing at or covering of affiliates/pledges with whipped cream, water, garbage/waste, food items, paint, shaving cream, etc*
  - g. *Introductions/Greetings that are on command/humiliating in either a public or private setting.*
  - h. *Having affiliates/pledge write lists of their faults/sins and having them believe they must read them to other members*

- h. *Carrying items such as paddles, canes, bricks, rocks etc.,*
- i. *Performance of public stunts and activities*
- j. *Assignment of activities that would be morally offensive to the individual or society*
- k. *Marching*
- l. *Restriction of eye contact with chapter members*
- 7. *Restrictive rules that are not in compliance with School policy, National Risk Management Program and State & Federal laws.*
  - . *No Talking to Guys*
  - a. *No Sex*
  - b. *No Elevators*
  - c. *No Front Door/Special Entrance*
  - d. *No Shaving*
- 8. *Tasks of servitude or expecting affiliates/pledges to provide personal services for active members, alumnae or any other student (e.g. cooking, cleaning, carrying books, errands, personal wake up service, etc.)*
- 9. *Excessively late or early activities which deny/interfere with academic studies/requirements, create sleep deprivation or induce fatigue*
- 10. *All night work or study sessions*
- 11. *Uncomfortable or inconvenient sleeping arrangements, including sleeping outdoors.*
- 12. *Putting affiliates/pledges in a room that is uncomfortable (noise, temperature, too small) at any time (including between portions of rituals)*
- 13. *Requiring affiliate/pledge to simulate a sexual act*
- 14. *Hinting that some sexual act must be done to gain membership*
- 15. *Transporting of individuals to location without provide sufficient access to means of departure of their own free will*
- 16. *Depriving affiliates/pledges the ability to maintain a schedule of bodily cleanliness*
  - . *Restricting shower schedule*
  - a. *Requiring affiliate/pledge to wear the same clothes for a week*
  - b. *Restricting affiliates/pledges from shaving*
- 17. *Forcing or requiring affiliates/pledges to ingest any liquid or solid matter, edible or non-edible (e.g. any alcoholic substance, chewing tobacco, goldfish, raw onions, spoiled food, etc.)*
- 18. *Dropping food (eggs, grapes, liver, etc.) or any other item into the mouths of affiliates/pledges.*
- 19. *Extremely loud music or many repetitions of the same music played at any time (including between portions of rituals)*
- 20. *Expecting affiliates/pledges to harass others (includes the assigning of pranks)*

### **VIOLENT HAZING**

Behaviors that have the potential to cause physical and/or emotional, or psychological harm are called “violent hazing”.

Examples may include, but are not limited to, one or more of the following:

- 1. *Actions that recklessly or intentionally endanger the physical and mental health or safety of students*

2. *Forcing, coercing or encouraging excessive or illegal consumption of any food, drink (alcoholic or non-alcoholic), drug or any other substance;*
3. *Assignment of activities that would be illegal or unlawful*
  - a. *Scavenger hunts that encourage vandalism, theft, degrading activities or illegal acts of any sort.*
4. *Beating, paddling, and other forms of assault*
5. *Marking or Branding*
6. *Squirting affiliates/pledges with hoses or fire extinguishers*
7. *Forced or coerced consumption of vile concoctions or substances*
8. *Not allowing affiliates/pledges to eat for any reason*
9. *Burning*
10. *Water intoxication*
11. *Hot or cold (ice) baths*
12. *Requiring participation in physical activities, such as calisthenics, exercises, marching or so-called games, whether extreme or not*
13. *Expecting abuse or mistreatment of animals*
14. *Nudity or lewd behavior.*
15. *Expecting illegal activity*
16. *Bondage*
17. *Kidnappings/Pledge Stealing/Abductions, stranding of individuals, or mandated road trips*
18. *Ceremonial burials*
19. *Tests of courage or bravery*
20. *Tests of stamina*
21. *Exposure to cold weather or heat without appropriate protection.*

Adapted from Death By Hazing Sigma Alpha Epsilon. 1988.

## **H SEXUAL ABUSE AND HARASSMENT**

The Sorority will not tolerate or condone any form of sexist or sexually abusive behavior on the part of its member, whether physical, mental or emotional. This is to include any actions which are demeaning to women or men, such as verbal harassment. The Sorority will not tolerate sexual assault in any form.

## **I VIOLATIONS**

Violations of the Risk Management Policy or any other Policy Procedure, guideline, rules, or regulations set forth by the National Sorority is punishable by probation of the Chapter's charter & expulsion of Sister(s) involved with any violation. As well as by legal recourse, such as jail, fines, and other legal avenues, including, but is not limited to a law suit against the members of said organization/Chapter, the Chapter, and the National Sorority.

ANY Violations of the following policies will be immediately referred to the Investigative Judicial Committee for review and disciplinary actions. The National Board of Directors reserves the right to immediately suspend the chapter's charter until completion of IJC Investigation. (See Investigative Judicial Committee Procedures and Protocol located in the National Sorority Manual)

## K RISK MANAGEMENT DISCIPLINARY ACTION PROTOCOL

<b>Affiliate Education</b>	<ul style="list-style-type: none"> <li>• <b>Age Restriction:</b> If the Affiliate/Pledge is under 18 years of age, she must be dropped from the Affiliate education program. She may educate again when she reaches 18.</li> <li>• <b>Alcohol and Drug Usage by Affiliate/Pledge:</b> If an Affiliate(s)/Pledge(s) is found to have violated the Risk Management policy, she may be dropped from the Affiliate Education program or required to attend 2+ AA meetings or similar course on campus.</li> <li>• <b>Alcohol and Drug Usage by Chapter/Sister(s):</b> If the chapter or sister(s) is found to have violated the Risk Management policy, the Affiliate Education program may be halted, or education taken over by the Board of Directors. Probation, Expulsion, or other disciplinary action may be taken on the chapter and/or sister(s) in question.</li> </ul>
<b>Alcohol and Drugs</b>	<ul style="list-style-type: none"> <li>• <b>Usage, purchase and/or distribution</b> of Alcohol or Drugs in violation of the Risk Management policies by the chapter or sister(s), may result in Probation, Expulsion, required attendance at a number of AA meetings or similar courses on campus, or other disciplinary action taken on the chapter and/or sister(s) in question.</li> </ul>
<b>Fire, Health and Safety</b>	<ul style="list-style-type: none"> <li>• <b>Violation</b> of local fire and health codes may result in the National Sorority contacting the local fire department. In addition, the chapter may lose good standing and the privilege to vote at meetings until the chapter meets the requirements of local fire and health codes. The chapter may be required to submit an action plan with deadlines outlining when safety procedures will be taken to restore the chapter home(s) to meet local fire and health codes.</li> <li>• <b>(Possession or use of firearms</b> by chapter or sister(s) may result in Probation, Expulsion or charges being pressed against the chapter and/or sister(s) in question.)</li> </ul>
<b>Hazing</b>	<ul style="list-style-type: none"> <li>• <b>Hazing by chapter or sister(s)</b> may result in Expulsion of sister(s) involved, Suspension or Revocation of chapter charter, Probation of chapter or individual, criminal action or civil lawsuit against sister(s) involved, suspension of right to educate new members, suspension/revocation of privileges of chapter or sister(s) involved, and/or Risk Management seminar/training</li> </ul>
<b>Sexual Abuse and Harassment</b>	<ul style="list-style-type: none"> <li>• <b>Sexual Abuse and Harassment</b> violations by the chapter or individual sister(s) may result in civil or criminal charges, Expulsion of sister(s) involved, Probation of chapter, sensitivity training, volunteering in Battered Women's Shelter or soup kitchens, sensitivity training, for the chapter and/or sister(s) involved.</li> </ul>

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**SECTION III**

**IDENTIFYING & ELIMINATING RISKY BEHAVIORS**

**PURPOSE**

The purpose of this document is to help Chapters identify and eliminate risky behaviors by educating their members as to what a Risk is, and as to what is a Liability so the Chapter and/or sisters can change their behavior immediately.

**What is a Risk?**

The possibility of loss or injury.  
Someone or something that creates or suggests a hazard.

**How to reduce RISK**

Risky Situations/Activities are every activity or task that you undertake as an organization/person will be associated or could be a potential Risk. We might not be able to eliminate the Risks completely but we can reduce those Risks by:

**1. Identifying Risky Behavior:**

- Can this behavior hurt someone?
- Has someone been hurt before with this type of behavior?
- Does this behavior violate any laws (state, local or federal)?
- Does this behavior violate any rules (university or national)?

**Example: Having Alcohol incorporated or part of the pledging/educational process.**

**2. Once a Risky Behavior is identified:**

- Reduce the behavior immediately, and
- Work to eliminate the behavior completely over time!

**Example: Having a DRY PLEDGE PROCESS**

**3. 3 Biggest Areas of Risk Management for Greeks:**

- Providing safe housing



- Not engaging in any hazing of any sort (see below for the National Boards Definition of Hazing & University definition as well)
- Not following all your social event and alcohol policies

**What is a Liability?**

The quality or state of being liable (Responsible for); something for which one is liable (responsible for)

**Two Types of Liability:**

<b><u>Criminal Liability</u></b>	<b><u>Civil Liability</u></b>
<ul style="list-style-type: none"> <li>• Violating the law</li> <li>• Serving alcohol to those noticeably intoxicated</li> <li>• Serving alcohol to those under 21</li> <li>• Hazing</li> <li>• Possession of illegal drugs</li> <li>• Sale of illegal drugs on chapter property</li> </ul>	<ul style="list-style-type: none"> <li>• Being sued by someone</li> <li>• Can be brought by anyone (person injured, parents, third party, etc.)</li> <li>• Parents of Greek Members can also be liable and sued</li> <li>• Usually ends up with a financial settlement</li> <li>• Largest Fraternal lawsuit: \$40 million</li> <li>• Largest Fraternal lawsuit settled: \$21 million</li> <li>• 56% of the time we are sued by our own members</li> </ul>

**KAPPA DELTA PHI**  
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**SECTION IV -A**

**IDENTIFYING, PREVENTING & CONSEQUENCES of HAZING**

**PURPOSE:**

To help Chapters identify, prevent, and understand the consequences of hazing. This document is to be used as an educational tool in order to inhibit or prevent hazing.

**Hazing:** Senseless acts of hazing not only create liability for the chapter and National sorority; they also hinder the development of friendships that are the basis of our organizations. Hazing is a felony in more than 35 states. In addition, no inter/national organization, college administration, or Greek council condones hazing. The purpose of sorority education is just that--education about the sorority, about the chapter, and about the host University/College. Every member of a sorority is responsible for insuring new members receive a proper education. Before any activity involving new members, whether a part of the new member education program or a spontaneous activity, you should refer to The Hazing Definition as described in this document (see below) and 6 Key Issues that help characterize hazing activities (see below).

**There are 6 Key Issues that help characterize hazing activities:**

1. Consumption of alcohol - Not only does this always increases risk; it impairs the judgment of everyone involved
2. Endangers health or safety
3. Fatigue/Denial of study time or rest - We advertise that Greek organizations place academics first, but denying members appropriate study time or rest contradicts that
4. Verbal abuse - Who likes to be yelled at?
5. Embarrassing, undignified, or humiliating - Who likes to be humiliated?
6. Personal servitude - The principles of most sororities suggest that ALL members provide services to one another, as well as to the organization - not just new members, associates, or affiliates!

**Still need help figuring out if it's hazing or not? Try answering the following questions:**

1. Is the activity an educational experience?
2. Does this activity promote and conform to the ideals and values of the sorority?
3. Does the activity involve any physical or emotional abuse?
4. Is there any risk of injury?
5. Is alcohol involved?
6. Will this activity increase the new members' respect for the Sorority and the members of the chapter?
7. How does this activity specifically help the new member become a better sister?
8. Is it an activity that new members and initiated members participate in together?
9. Would you allow the activity to be filmed?

10. Would you be willing to allow parents to witness this activity? A judge? The University president? Your national president?
11. What value(s) does the activity have?
12. Would you be able to defend the activity in a court of law?
13. Does the activity meet both the spirit and letter of standards prohibiting hazing?

### **Voluntary or Coercive?**

What if someone agrees to participate in an activity and later claims to have been hazed? That can't possibly be hazing. Can it? As a matter of fact, courts have stated that the willingness of a participant in a hazing activity does not make it okay. Due to the coercive nature and high level of peer pressure of most hazing activities, the courts say that it is impossible to say whether someone actually WANTS to participate or if they feel like they HAVE TO participate, thus making the activity hazing!

### **Who is a hazer?**

According to legal precedent, everyone who knows about (but doesn't object to), participates in, or approves a hazing activity is guilty of hazing and can be found liable for any damages resulting from the activity. This can include other new members, associates, or affiliate/pledges. By allowing it to take place and not reporting it, you are just as guilty as the person doing it.

### **What happens to hazers?**

A wide variety of consequences await individuals found guilty of hazing. Specific sanctions and consequences vary greatly on a case by case basis. The following are just some of the possible consequences:

1. Expulsion from college
2. Jail time
3. Lawsuits (They cost money even if you're found not guilty!)
4. Fines (Enormous fines!)
5. Community service
6. Probation
7. Revocation of diploma if found guilty after graduation
8. Tarnished record (Try to get a teaching job with hazing on your record!)
9. Chapter may lose charter
10. National sorority will pass expense on to chapters

### **What to do if you're being hazed**

1. Don't put up with it! - They need you more than you need them. You're not paying all that money to be hazed. Are you?
2. Talk to your big sister, fellow associates, or chapter officers (provided these individuals aren't the ones doing most of the hazing)
3. Contact your Field Representative or National Officer immediately

**KAPPA DELTA PHI**  
**National Affiliated Sorority, Inc.**

**SECTION IV –B**

**ALTERNATIVES TO HAZING**

Sometimes, organizations that haze new members are confused about how to change these practices. There are many creative ways to change from a hazing to a non-hazing organization. The following are some specific examples of ways to eliminate hazing and make membership a challenging but positive experience:

When organizations are challenged to eliminate hazing practices, some members are often resistant to this change. In many cases, those who are most vocal against eliminating hazing are those who are bitter and angry about the hazing that they themselves endured (but don't admit this publicly) and expect that others should be abused in order to gain "true" membership in the group. You will also find that some of these folks are likely to be bullies of the group--people who enjoy a "power trip" at the expense of someone else.

Of course, if you try to eliminate hazing in your organization, you will likely encounter many elaborate reasons for why this will be devastating for your group. While there will be some staunch supporters of the status quo, there will be many who can be convinced of the negative effects and potential risks of hazing. Believers in the supposed "benefits" of hazing may be more likely to change their opinion if they can envision some alternatives. The supposed "benefits" of hazing follow in bold with non-hazing alternatives to accomplish the same goal listed alongside.

**1. FOSTER UNITY:** Have the members of your group/organization work together on a community service project. Visit a ropes course to work on group cohesiveness, communication and leadership skills. In fraternities and sororities with chapter houses, the group might work together on a chapter room improvement project. Another option for fostering unity without hazing is for the members to work together to plan a social or athletic event with another group.

**2. DEVELOP PROBLEM-SOLVING ABILITIES:** Have affiliates/pledges discuss chapter weaknesses such as poor rush, apathy, and poor scholarship, and plan solutions that the active chapter might then adopt.

**3. DEVELOP LEADERSHIP SKILLS:** Encourage participation in school/campus activities outside of the organization. Encourage new members to get involved in organizational committees and/or leadership roles. Develop a peer mentor program within your group for leadership roles. Invite school/community/business leaders into the organization to share their experiences.

**4. INSTILL A SENSE OF MEMBERSHIP:** Plan special events when the entire chapter gets together to attend a movie, play, or church service. Plan a "membership circle" when actives and affiliates/pledges participate in a candlelight service in which each person has a chance to express what membership means to them.

**5. PROMOTE SCHOLARSHIP:** Take advantage of your school/college/ university academic and tutoring services. Designate study hours for members of your organization. Invite college/university or community experts to discuss test-taking skills, study methods, time management etc.

**6. BUILD AWARENESS OF CHAPTER HISTORY:** Invite an older member to talk about the chapter's early days, its founding, special chapter traditions, and prominent former members. (As long as the Alumnae are aware of the Risk Management Policies)

**7. KNOWLEDGE OF THE GREEK SYSTEM:** Invite leaders of IFC, Pan-Hellenic, and/or Advisers to speak on Greek governance including their goals and expectations of the Greek system.

**8. AID CAREER GOALS:** Use college resources for seminars on resume writing, job interview skills; various careers.

**9. INVOLVE AFFILIATES/PLEDGES IN THE COMMUNITY:** Get involved with campus and community service projects. Plan fund-raisers for local charitable organizations.

**10. IMPROVE RELATIONS WITH OTHER GREEKS:** Encourage new members to plan social or service projects with other affiliate/pledge classes; work together to plan joint social (a social with another organization) or service activities.

*This document was taken from [www.stophazing.org](http://www.stophazing.org) website Please see that website for more information.*

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National Affiliated Sorority, Inc.**

**SECTION V**

**HAZING LAWS**

**Maine Hazing Law**

§ 10004. Prohibition of hazing

1. DEFINITIONS. As used in this section, unless the context indicates otherwise, the following terms having the following meanings.

A. "Injurious hazing" means any action or situation which recklessly or intentionally endangers the mental or physical health of a student enrolled at an institution in this State.

B. "Institution" means any post-secondary institution incorporated or chartered under the laws of this State.

C. "Trustees" means trustees or the governing board of every post-secondary institution incorporated or chartered under the laws of this State.

D. "Violator" means any person or any organization which engages in hazing.

2. ADOPTION OF RULES. The trustees shall adopt rules:

A. For the maintenance of public order; and

B. Prohibiting injurious hazing by any student, faculty member, group or organization affiliated with the institution, either on or off campus.

3. PENALTIES. The trustees shall establish penalties for violation of the rules established in subsection 2. The penalties shall include, but not be limited to, provisions for:

A. In the case of a person not associated with the institution, the ejection of the violator from the campus or institution property;

B. In the case of a student, administrator or faculty violator, the individual's suspension, expulsion or other appropriate disciplinary action; and

C. In the case of an organization affiliated with the institution which authorizes hazing, recession of permission for that organization to operate on campus property or receive any other benefit of affiliation with the institution.

These penalties shall be in addition to any other civil or criminal penalty to which the violator or organization may be subject.

4. ADMINISTRATIVE RESPONSIBILITY. The trustees shall assign responsibility for administering the rules to an administrative officer of the institution and establish procedures for appealing the action or lack of action of the officer.

5. DISSEMINATION. The trustees shall clearly set forth the rules and penalties and shall give a copy of them to all student enrolled in the institution.

6. BYLAWS OF ORGANIZATIONS. The rules shall be part of the bylaws of all organizations affiliated with the institution.

### **Massachusetts Hazing Law**

#### 269:17 HAZING; ORGANIZING OR PARTICIPATING; HAZING DEFINED.

Section 17. Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

#### 269:18 FAILURE TO REPORT HAZING.

Section 18. Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

#### 269:19 Copy of secs. 17-19; issuance to students and student groups, teams and organizations; report

Section 19. Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its

name or facilities or is known by the institution to exist as an unaffiliated student group, student team, or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams, or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its member, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall file, at least annually, a report with the regents of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communication the institution's policies to its students. The board of regents and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report

### **New Hampshire Hazing Law**

631:7. Student Hazing.

I. For the purposes of this section:

- (a) "Educational institution" means any public or private high school, college, university, or other secondary or postsecondary educational establishment.
- (b) "Organization" means a fraternity, sorority, association, corporation, order, society, corps, athletic group, cooperative, club, or service, social or similar group, whose members are or include students, operating at or in conjunction with an educational institution.
- (c) "Student" means any person regularly enrolled on a full-time or part-time basis as a student in an educational institution.
- (d) "Student hazing" means any act directed toward a student, or any coercion or intimidation of a



student to act or to participate in or submit to any act, when:

- (1) Such act is likely or would be perceived by a reasonable person as likely to cause physical or psychological injury to any person; and
- (2) Such act is a condition of initiation into, admission into, continued membership in or association with any organization.

II. (a) A natural person is guilty of a class B misdemeanor if such person:

- (1) Knowingly participates as actor in any student hazing; or
- (2) Being a student, knowingly submits to hazing and fails to report such hazing to law enforcement or educational institution authorities; or
- (3) Is present at or otherwise has direct knowledge of any student hazing and fails to report such hazing to law enforcement or educational institution authorities.

(b) An educational institution or an organization operating at or in conjunction with an educational institution is guilty of a misdemeanor if it:

- (1) Knowingly permits or condones student hazing; or
- (2) Knowingly or negligently fails to take reasonable measures within the scope of its authority to prevent student hazing; or
- (3) Fails to report to law enforcement authorities any hazing reported to it by others or of which it otherwise has knowledge.

III. The implied or express consent of any person toward whom an act of hazing is directed shall not be a defense in any action brought under this section.

### **New Jersey Hazing Law**

#### § 2C:40-3. Hazing; aggravated hazing

a. A person is guilty of hazing, a disorderly persons offense, if, in connection with initiation of applicants to or members of a student or fraternal organization, he knowingly or recklessly organizes, promotes, facilitates or engages in any conduct, other than competitive athletic events, which places or may place another person in danger of bodily injury.

b. A person is guilty of aggravated hazing; a crime of the fourth degree, if he commits an act prohibited in subsection a. which results in serious bodily injury to another person.

#### § 18A:3-25. Pledge's Bill of Rights

The Attorney General shall develop a "Pledge's Bill of Rights" which outlines acceptable and unacceptable behavior and activities in regard to the pledge or rushing activities of college and university fraternities and sororities and other similar campus organizations. In developing the bill of rights, the Attorney General shall review the existing pledge and anti-hazing policies and procedures of public and independent institutions of higher education within the State and shall, as appropriate, incorporate those policies into the bill of rights. The Attorney General shall make the "Pledge's Bill of Rights" available to each institution of higher education within the State.

§ 18A:3-26. Information on hazing included

The bill of rights developed by the Attorney General pursuant to section 2 of P.L.1991, c.388 (C.18A:3-25) shall include information on the criminal penalties for hazing and aggravated hazing established pursuant to P.L.1980, c.169 (C.2C:40-3 et seq.).

**New York Hazing Law**

§ 120.16. Hazing in the first degree

A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury.

Hazing in the first degree is a class A misdemeanor.

§ 120.17. Hazing in the second degree

A person is guilty of hazing in the second degree when, in the course of another person's initiation or affiliation with any organization, he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person.

Hazing in the second degree is a violation.

**Pennsylvania Hazing Law**

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"HAZING." Any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by an institution of higher education. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual, or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the initiation or admission into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding.

"INSTITUTION OF HIGHER EDUCATION" or "INSTITUTION." Any public or private institution within this Commonwealth authorized to grant an associate degree or higher academic degree.

[P.S.] § 5353. Hazing prohibited

Any person who causes or participates in hazing commits a misdemeanor of the third degree.

[P.S.] § 5354. Enforcement by institution

(A) ANTIHAZING POLICY. Each institution shall adopt a written antihazing policy and, pursuant to that policy, shall adopt rules prohibiting students or other persons associated with any organization operating under the sanction of or recognized as an organization by the institution from engaging in any activity which can be described as hazing.

(B) ENFORCEMENT AND PENALTIES.

(1) Each institution shall provide a program for the enforcement of such rules and shall adopt appropriate penalties for violations of such rules to be administered by the person or agency at the institution responsible for the sanctioning or recognition of such organizations.

(2) Such penalties may include the imposition of fines, the withholding of diplomas or transcripts pending compliance with the rules or pending payment of fines and the imposition of probation, suspension or dismissal.

(3) In the case of an organization which authorizes hazing in blatant disregard of such rules, penalties may also include rescission of permission for that organization to operate on campus property or to otherwise operate under the sanction or recognition of the institution.

(4) All penalties imposed under the authority of this section shall be in addition to any penalty imposed for violation of section 3 or any of the criminal laws of this State or for violation of any other institutional rule to which the violator may be subject.

(5) Rules adopted pursuant hereto shall apply to acts conducted on or off campus whenever such acts are deemed to constitute hazing.

### **Rhode Island Hazing Law**

§ 11-21-1. Penalty for hazing

(a) Any organizer of, or participant in, an activity constituting **hazing** as defined in subsection (b), shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars (\$500) or punished by imprisonment for not less than thirty (30) days nor more than one year,

or both.

(b) The term "hazing," as used in this chapter, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include, but not be limited to, whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug, or other substance, or any brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of the student or any other person, or which subjects the student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

#### § 11-21-2. Penalty for school official permitting hazing

Every person, being a teacher, superintendent, commandant, or other person in charge of any public, private, parochial, or military school, college or other educational institution, who shall knowingly permit any activity constituting **hazing**, as defined in § 11-21-1, shall be guilty of a misdemeanor and shall be fined not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100).

### **Vermont Hazing Law**

#### NO. 120. AN ACT RELATING TO THE CRIME OF HAZING. (S.76)

It is hereby enacted by the General Assembly of the State of Vermont:

#### Sec. 1. STATEMENT OF POLICY

The general assembly has been made increasingly aware that harassment and hazing have become a major and pervasive problem within our schools, and that students who are continually filled with apprehension and anxiety are unable to learn and unlikely to succeed. Therefore, it is the policy of the state of Vermont that all Vermont educational institutions provide safe, orderly, civil and positive learning environments. Harassment, hazing and bullying have no place and will not be tolerated in Vermont schools. No Vermont student should feel threatened or be discriminated against while enrolled in a Vermont school.

#### Sec. 2. 16 V.S.A. § 11(a) (30) is added to read:

(30) "Hazing" means any act committed by a person, whether individually or in concert with others, against a student in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with an educational institution; and which is intended to have the effect of, or should reasonably be expected to have the effect of, humiliating, intimidating or demeaning the student or endangering the mental or physical health of a

student. Hazing also includes soliciting, directing, aiding, or otherwise participating actively or passively in the above acts. Hazing may occur on or off the campus of an educational institution. Hazing shall not include any activity or conduct that furthers legitimate curricular, extracurricular, or military training program goals, provided that:

(1) the goals are approved by the educational institution; and

(2) the activity or conduct furthers the goals in a manner that is appropriate, contemplated by the educational institution and normal and customary for similar programs at other educational institutions.

The definitions of educational institution, organization, pledging, and student shall be the same as those in section 151 of this title.

Sec. 3. 16 V.S.A. § 164 are amended to read:

#### § 164. STATE BOARD, GENERAL POWERS AND DUTIES

The state board shall have supervision over, and management of the department of education and the public school system, except as otherwise provided; and shall:

\* \* \*

(17) Report annually on the condition of education statewide and on a school by school basis. The report shall include information on attainment of standards for student performance adopted under subdivision 164(9) of this section, number and types of complaints of harassment or hazing made pursuant to section 565 of this title and responses to the complaints, financial resources and expenditures, and community social indicators. The report shall be organized and presented in a way that is easily understandable by the general public and that enables each school to determine its strengths and weaknesses. The commissioner shall use the information in the report in determining whether students in each school are provided educational opportunities substantially equal to those provided in other schools pursuant to subsection 165(b) of this title.

\* \* \*

Sec. 4. 16 V.S.A. § 165 are amended to read:

#### § 165. STANDARDS OF QUALITY FOR PUBLIC SCHOOLS; EQUAL EDUCATIONAL OPPORTUNITIES

(a) In order to carry out Vermont's policy that all Vermont children will be afforded educational opportunities which are substantially equal in quality, each Vermont public school, including each technical center, shall meet the following school quality standards:

(1) The school shall, through a process including parents, teachers, students and community members, develop, implement, and annually update a comprehensive action plan to improve student performance within the school. The plan shall include goals and objectives for improved student learning and educational strategies and activities to achieve their goals. The plan shall also address the effectiveness of efforts made since the previous action plan to ensure the school maintains a safe, orderly, civil and positive learning environment which is free from harassment, hazing and bullying. The school shall assess student performance under the plan using a method or methods of assessment developed under subdivision 164(9) of this title.

\* \* \*

(8) The school maintains a safe, orderly, civil and positive learning environment, which is free from hazing, harassment and bullying, and based on sound instructional and classroom management practices and clear discipline policies that are consistently and effectively enforced.

\* \* \*

(e) If the commissioner determines at any time that the failure of a school to meet the school quality standards listed in subsection (a) of this section is severe or pervasive, potentially results in physical or emotional harm to students or significant deprivation of equal education opportunities, and the school has either unreasonably refused to remedy the problem or its efforts have proved ineffective, he or she may recommend to the state board one or more of the actions listed in subsection (b) of this section. The state board shall then follow the procedure of subsection (c) of this section.

Sec. 5. 16 V.S.A. § 166(e) is amended to read:

(e) The board of trustees of an independent school operating in Vermont shall adopt harassment and hazing prevention policies, establish procedures for dealing with harassment and hazing of students and provide notice of these. The provisions of section 565 of this title for public schools shall apply to this subsection, except that the board shall follow its own procedures for adopting policy.

Sec. 6. 16 V.S.A. § 565 are amended to read:

## § 565. HARASSMENT AND HAZING PREVENTION POLICIES

(a) It is the policy of the state of Vermont that all Vermont educational institutions provide safe, orderly, civil and positive learning environments. Harassment, hazing and bullying have no place and will not be tolerated in Vermont schools. No Vermont student should feel threatened or be discriminated against while enrolled in a Vermont school.

(b) Each school board shall develop, adopt, ensure the enforcement of, and make available in the manner described under subdivision 563(1) of this title harassment and hazing prevention policies which shall be at least as stringent as model policies developed by the commissioner. In this section, the definitions of educational institution, organization, pledging, and student shall be the same as those in section 151 of this title.

(1) The harassment prevention policy shall include:

(A) A statement prohibiting harassment of a student.

(B) The definition of harassment pursuant to subdivision 11(a) (26) of this title.

(C) Consequences and appropriate remedial action for staff or students who commit harassment.

- (D) A procedure that directs students and staff how to report violations and file complaints.
- (E) A procedure for investigating reports of violations and complaints.
- (F) A description of how the board will ensure that teachers and other staff members receive training in preventing, recognizing and responding to harassment.
- (2) The hazing prevention policy shall include:
  - (A) A statement that hazing, as defined in subdivision 11(a) (30) of this title, is prohibited.
  - (B) A procedure that directs students and staff how to report violations and file complaints.
  - (C) A procedure for investigating reports of violations and complaints.
  - (D) Circumstances under which hazing may be reported to a law enforcement agency.
  - (E) Appropriate penalties or sanctions, or both, for organizations which or individuals who engage in hazing, and revocation or suspension of an organization's permission to operate or exist within the institution's purview, if that organization knowingly permits, authorizes, or condones hazing.
  - (F) A description of how the board will ensure that teachers and other staff members receive training in preventing, recognizing and responding to hazing.
- c) Each school district shall establish rules setting forth procedures for dealing with harassment and hazing of students which include:
  - (1) Annual designation of two or more people within the institution to receive complaints and a procedure for publicizing those people's availability.
  - (2) A procedure for publicizing the availability of the Vermont human rights commission and the federal Department of Education's Office of Civil Rights and other appropriate state and federal agencies to receive complaints of harassment.
  - (3) A statement that acts of retaliation for reporting of harassment or for cooperating in an investigation of harassment is unlawful pursuant to subdivision 4503(a)(5) of Title 9.
- d) Annually, prior to the commencement of curricular and co curricular activities, the school board shall provide notice of the policy and procedures developed under this section to students, custodial parents or guardians of students, and staff members. Notice to students shall be in age-appropriate language and should include examples of harassment and hazing. At a minimum, this notice shall appear in any publication of the school district that sets forth the comprehensive rules, procedures and standards of conduct for the school. The board shall use its discretion in developing and initiating age-appropriate programs to effectively inform students about the substance of the policy and procedures in order to help prevent harassment, and hazing.
- (e) The commissioner shall develop and, from time to time, update model harassment and hazing prevention policies.

Sec. 7. 16 V.S.A. § 2182 is amended to read:

#### § 2182. HARASSMENT AND HAZING PREVENTION POLICIES

- (a) The board of trustees of the Vermont state colleges shall adopt and ensure the enforcement of a policy which establishes that harassment as defined in subdivision 11(a) (26) of this title is a form of unlawful discrimination and therefore prohibited. The board shall also require the establishment of procedures for the handling of complaints of discriminatory harassment and the initiation of educational programs designed to prevent such conduct. The policies and procedures shall be in effect by January 1, 1996.

(b) The board of trustees of the Vermont state colleges shall adopt and ensure the enforcement of a policy prohibiting hazing which contains a definition of hazing that is at least as stringent as the definition contained in subdivision 11(a)(30) of this title. The policy shall include appropriate penalties or sanctions, or both, for organizations which or individuals who engage in hazing; revocation or suspension of an organization's permission to operate or exist within the institution's purview if that organization knowingly permits, authorizes, or condones hazing; and clear delineation of circumstances under which hazing will be reported to a law enforcement agency. A summary of the policy shall be distributed to all students at least annually.

Sec. 8. 16 V.S.A. § 2284 is amended to read:

#### § 2284. HARASSMENT AND HAZING PREVENTION POLICIES

(a) The board of trustees shall adopt and ensure the enforcement of a policy which establishes that harassment as defined in subdivision 11(a) (26) of this title is a form of unlawful discrimination and therefore prohibited. The board shall also require the establishment of procedures for the handling of complaints of discriminatory harassment and the initiation of educational programs designed to prevent such conduct. The policies and procedures shall be in effect by January 1, 1996.

(b) The board of trustees shall adopt and ensure the enforcement of a policy prohibiting hazing which contains a definition of hazing that is at least as stringent as the definition contained in subdivision 11(a)(30) of this title. The policy shall include appropriate penalties or sanctions, or both, for organizations which or individuals who engage in hazing; revocation or suspension of an organization's permission to operate or exist within the institution's purview if that organization knowingly permits, authorizes, or condones hazing; and clear delineation of circumstances under which hazing will be reported to a law enforcement agency. A summary of the policy shall be distributed to all students at least annually.

Sec. 9. 16 V.S.A. chapter 1, subchapter 9 is added to read:

#### Subchapter 9. Hazing

#### § 151. DEFINITIONS

As used in this subchapter:

(1) "Educational institution" means a Vermont public or independent school, or a postsecondary school which offers or operates a program of college or professional education for credit or a degree in Vermont.

(2) "Organization" means a fraternity, sorority, athletic team, association, corporation, order, society, corps, cooperative, club, or other similar group, whose members primarily are students at an educational institution, and which is affiliated with the educational institution.

(3) "Pledging" means any action or activity related to becoming a member of an organization.

(4) "Student" means any person who:

(A) is registered in or in attendance at an educational institution;



- (B) has been accepted for admission at the educational institution where the hazing incident occurs;  
or
- (C) intends to attend an educational institution during any of its regular sessions after an official academic break.

#### § 152. UNLAWFUL CONDUCT

- (a) For purposes of this subchapter, “hazing” means any intentional, knowing or reckless act committed by a student, whether individually or in concert with others, against another student:
  - (1) in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with the educational institution; and
  - (2) which is intended to have the effect of, or should reasonably be expected to have the effect of, endangering the mental or physical health of the student.
- (b) Hazing shall not include any activity or conduct that furthers legitimate curricular, extracurricular, or military training program goals, provided that:
  - (1) the goals are approved by the educational institution; and
  - (2) the activity or conduct furthers the goals in a manner that is appropriate, contemplated by the educational institution and normal and customary for similar programs at other educational institutions.
- (c) It shall be unlawful to:
  - (1) engage in hazing;
  - (2) solicit, direct, aid, or attempt to aid, or abet another person engaged in hazing; or
  - (3) knowingly fail to take reasonable measures within the scope of the person’s authority to prevent hazing.
- (d) It is not a defense in an action under this subchapter that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

#### § 153. CIVIL PENALTY; JUDICIAL BUREAU; WAIVER PENALTY

- (a) A person who commits an unlawful act under this subchapter shall be subject to a civil penalty of not more than \$5,000.00.
- (b) Any law enforcement officer may issue a summons and complaint for an act of hazing, which shall be heard by the judicial bureau pursuant to the procedures provided in chapter 29 of Title 4.
- (c) The court administrator shall appoint a panel of judicial bureau hearing officers to establish a waiver penalty for an act of hazing.
- (d) Nothing in this section shall limit or affect the right of an educational institution to enforce its own penalties against hazing.

#### § 154. CRIMINAL PROSECUTION AND CIVIL ACTION

Nothing in this subchapter shall limit or preclude a criminal prosecution or any criminal or civil action based on any act that may constitute hazing.

Sec. 10. 4 V.S.A. § 1102(b) (7) is added to read:

(7) violations of 16 V.S.A. chapter 1, subchapter 9, related to hazing.

#### Sec. 11. EFFECTIVE DATES

(a) On or before January 1, 2001, the commissioner of education shall develop and disseminate to school districts, model harassment and hazing prevention policies and procedures.

(b) On or before August 1, 2001, each school district board shall adopt revised harassment prevention policies if necessary, to come into compliance with the model policy adopted by the commissioner. On or before August 1, 2001, each school district board shall adopt hazing prevention policies at least as stringent as the model policy adopted by the commissioner.

#### Sec. 12. DISTRIBUTION OF ACT

Within 30 days of passage of this act, the commissioner shall distribute to each school district:

- (1) a copy of the act;
- (2) a summary of the act's provisions; and
- (3) answers to frequently asked questions about hazing and harassment in schools.

Approved: May 19, 2000

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# Kappa Delta Phi

National Affiliated Sorority

Each Chapter should biannually educate its actives, affiliates and alumna members in the current Risk Management Policies and practices of the National Sorority. If a chapter chooses to permit alumna to participate in their Affiliate Education Process the involved alumna must receive, read, understand and contractually agree to adhere to the Risk Management Policies of Kappa Delta Phi, NAS Inc. Chapter membership must approve alumna participation by a 3/4 affirmative vote and notify the Executive Director of their decision 24 hours prior to the beginning of the Affiliate Education process. As part of the notification process to the Executive Director, the chapter must provide a complete list of participating alumna. This list can be updated during the course of the affiliate education process, but the Executive Director must receive an accurate list of participating alumna prior to their participation in an event.

Please remember that any participation in the affiliate education process by alumnae is limited to mentorships based on providing an educational and/or historical perspective and ritual activities. All participating alumnae must receive, read, understand and contractually agree to adhere.

Once the policy has been reviewed and electronically signed, please send an email with this attached document to Liz Hartford, Executive Director ([Liz@kappadeltaphinas.org](mailto:Liz@kappadeltaphinas.org)).

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“I, \_\_\_\_\_, from Kappa \_\_\_\_\_, have received, reviewed,  
(Name) (Chapter/Colony)  
understand and agree to abide by the Kappa Delta Phi National Affiliated Sorority Risk Management Policy.”