

Risk Management

Risk management and liability policies



ACACIA FRATERNITY
GOLD BOOK SERIES

Acacia Fraternity Risk Management / Liability Gold Book Intro

Brother,

On the following pages you will find the details that you will need in order to be informed and equipped with information about how to provide a safe environment for members and guests.

The layout of this document has 2 main parts:

- 1) Acacia Fraternity Risk Management Program & Policy - guidelines for all Acacia chapters
- 2) Acacia Fraternity Liability Insurance & Claim Manual - information regarding Acacia Fraternity's liability insurance program

There are many helpful forms and guidelines contained within this manual, and it is your responsibility to familiarize yourself with the contents, and ask any questions that you may have.

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Should you have any questions, please contact Assistant Executive Director Michael Weber at (317)872-8210 or mweber@acacia.org.

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RISK MANAGEMENT PROGRAM

ACACIA FRATERNITY

PURPOSE: To educate chapter members, officers and alumni advisors in the implementation of the risk management policy, emergency/ crisis procedures and the handling of personal injury, property damage and litigation involving members and guests of Acacia Fraternity.

OVERVIEW

Fraternities and fraternity activities are receiving increased attention in today's society. Part of this attention is a result of the increased tendencies to litigate personal injury or civil claims against individuals and organizations. However, more importantly, fraternity membership is more frequently being associated with physical and sexual abuse, alcohol abuse and inappropriate public behavior. Consequently, fraternity operations are being object to more stringent institutional regulation and due to litigation, increased financial losses.

It has become, therefore, critical to the existence of Acacia Fraternity and each chapter and fraternity members and their leaders gain a greater awareness of the management of the risks that are present in fraternity operations. With this awareness, the members and leaders can develop better procedures and practices within the organization to reduce and/ or eliminate the opportunities for injury to members and guests of the fraternity and damage to property. This publication is a valuable resource to achieve the goal of improved management.

CHAPTER ORGANIZATION

The success of a chapter's implementation of a risk management program lies with the Risk Manager and President. If the Risk Manager and President are not truly interested in the prevention of injuries and accidents to the brothers and guests, and in decreasing the exposure of a chapter to financial loss, then the chapter will not become focused on its importance. In a somewhat selfish way, the President should be the most interested member in risk awareness, for it is frequently the chapter President who is individually included in litigation proceedings as the person of first responsibility.

The office of Risk Manager should be a regularly elected position in the chapter and should be an active member of the Executive Council. The President should designate a Risk Management Task Force, which, should become a permanent sub-group of the Executive Council. The Risk Management Task Force should be composed of those chapter officers most critically involved in the risk areas of chapter operations:

Risk Manager
President
Social Chairman
Pledge Trainer
House Manager
Ritual Chairman
Chapter Advisor

The areas of responsibility and suggestions for program implementation are provided:

RISK MANAGER

- Coordinate Risk Management Task Force activities
- Implement risk management education program for all members
- Develop a written chapter policy on risk management
- Enforce Acacia Fraternity's Risk Management Policy
- Hold Risk Management Task Force meetings weekly to review upcoming chapter activities and review areas of liability
- Implementation of Chapter Standards for Risk Management
- Implement Emergency/ Crisis Management procedures at the chapter level and execute when needed
- Coordinate preparation of accident report
- Inform all necessary parties should litigation occur
- Actively represent the chapter in risk management and identification with advisor, house corporation, university and fraternity headquarters representatives

PRESIDENT

- Take charge in any crisis situation
- Support Risk Manager, his plans, goals and programs
- Understand and execute the Crisis Management plan at the chapter level, making sure to be the only chapter spokesman in a crisis situation
- Assist the Risk Manager with all accident investigation, reporting and communication

SOCIAL CHAIRMAN

- Identify areas of liability and exposed risk associated with all social functions
- Enforce Acacia Fraternity's policies on alcohol and open parties
- Develop a social education and awareness program, with emphasis on prevention of sexual abuse
- Develop and implement an education program for all members on personal safety and the prevention of alcohol abuse and drunk driving
- Assist the President in the Emergency/ Crisis Management procedures and accident reporting requirements
- Represent the chapter in any university-coordinated risk reduction program involving social activities

HOUSE MANAGER

- Develop and implement a comprehensive fire safety program utilizing the guidelines provided in this manual, including, but not limited to, the following measures:
 - Weekly inspection of all fire systems
 - Unannounced fire drills to evacuate the premises, preferably at night
 - Conduct regular house inspection, with coordination of house corporation
 - Maintain compliance with applicable fire safety laws and codes as they apply to the chapter house and fraternity functions
 - Evacuation routes and emergency phone numbers posted
- Enforce daily chapter house cleaning duties
- Prepare monthly report for the house corporation regarding condition of chapter house
- Enforce the Risk Management Policy and chapter regulations regarding hazard areas
- Develop program to educate members on fire safety requirements, safety regulations concerning electricity and hazard areas

PLEDGE EDUCATOR

- Strictly comply with Acacia Fraternity Risk Management Policy, as well as the Laws of Acacia state laws and university regulations regarding hazing
- Coordinate with other task force members for education presentations to pledges as part of overall pledge program, outlining chapter's risk management program
- Educate pledges concerning prohibition of sexual abuse
- Coordinate with Social Chairman to develop program for pledges on responsible use of alcohol and personal safety
- Identify for task force areas of risk and liability for all pledge function

EMERGENCY/CRISIS MANAGEMENT PROCEDURES

GENERAL LIABILITY

Liability claims generally arise out of conditions of your premises general operations. They more than likely will involve injury or damage to someone other than a member, employee or officer of the fraternity.

WHAT SHOULD BE REPORTED

Any bodily injury to anyone (even an employee) and any property damage for which there is a possibility that a claim may be made against Acacia should be reported.

PROCEDURE FOR REPORTING ACCIDENTS

In the event of an accident, the following procedures should be followed:

1. Immediately notify your chapter advisor, house corporation president & the Executive Director.
2. If the accident involves serious bodily injury, make sure the individual receives appropriate emergency treatment. It is important that any individual injured or physical impaired not be left alone and be kept under constant supervision until the situation is corrected.
3. Notify appropriate campus authorities.
4. Get the names, addresses and phone numbers of all parties involved as well as any witness; while on the scene of an accident or occurrence.
5. Do not acknowledge responsibility or admit liability in any accident or occurrence. Only your insurance company has the right to accept responsibility or agree to make any payment or repair damage.
6. Follow established procedures with your advisor/house corporation regarding notification of your insurance carrier. The fraternity has an obligation to notify the carrier as soon as possible.
7. An Incident Report must be prepared within 48 hours of the occurrence. The written report should provide information regarding the circumstances of the accident and all other associated data. Do this early in order to get as many facts on paper while the incident is still fresh in everyone's mind.

The report should include:

Date of Incident	House Corporation President
Chapter Name	Address and Telephone
Venerable Dean	Injured Party
Address	Address and Telephone
Telephone number	Witnesses and Telephone Numbers
Chapter Advisor	Description of what happened (what, when,
Address and Telephone	where, how, why, etc.)

A form has been included in the Insurance & Claim Manual for you to use if an incident occurs.

PROCEDURE FOR HANDLING LAWSUITS

There may be occasions when a lawsuit is served on a member of the chapter or colony, or on the chapter, colony, or house corporation itself. The following procedure is recommended should such a circumstance occur:

1. Treat a lawsuit as a high priority item. Most states have a statutory limit to respond to a lawsuit. Give immediate notification to your Alumni/ House Corporation President and to your Chapter Advisor.
2. Note the date served, upon whom and how the suit was served.
3. Contact the Executive Director at Acacia International Headquarters immediately for instructions.
4. Do not make any statements to any individual regarding the basis of the lawsuit unless directed to by the house corporation president, chapter advisor or fraternity legal counsel.
5. Always contact the fraternity headquarters should you have any questions. The Judge Advocate is available at no cost for legal guidance. Remember, following correct procedures in handling lawsuits in an intelligent and responsible manner can frequently result in a successful final determination.

CRISIS MANAGEMENT PROCEDURES

The following procedures are to be used in the event of a tragedy or crisis either on or off chapter property. Examples of such situations include but are not limited to:

- Death or serious injury of a member
- Fire in the chapter house
- Injury or incident involving alcohol and social events
- Injury or incident involving a member and/ or a non-member at or during a chapter event or on chapter property

These procedures are provided to supplement crisis management procedures developed by the house corporation or the chapter itself, if available.

MEMBER EDUCATION

1. Be certain that all members know that the President is in charge of every emergency situation. The President should consult with other fraternity members who possess more expertise or insight. Final decisions rest with the President.
2. In the event the President is absent, the next ranking officer assumes control. All officers should be familiar with the chapter's crisis management procedures.
3. All members must know who is in charge and be prepared to follow instructions. Include a review of the chapter's crisis procedures in your fraternity education program each term.

GENERAL PROCEDURE

1. If the crisis occurs, close the chapter house at once. The President cannot give instructions and maintain control if members are leaving and strangers are entering. Permit only your members, alumni and appropriate officials to enter. Assign a few responsible members to calmly control access to the chapter house.
2. If the situation warrants, call the appropriate emergency agency (police, fire, EMS, etc.). Next, notify the chapter advisor and house corporation president. Notify the Executive Director. Notify university officials.
3. Assemble all members for a chapter meeting. Explain that there is an emergency and that the chapter house is closed. They are not to speak to anyone outside of the chapter – the President will be the official spokesman for the chapter. Do not discuss details, speculate on events or otherwise project consequences until police, your advisor and proper university officials have arrived. To do so would only create unrest and unnecessary upheaval. It is important that the chapter remain calm.
4. If the news media should contact the chapter, only the President, the advisor or a representative of the International Fraternity should speak for the chapter. With the help and approval of the chapter's legal counsel, the advisor, the house corporation president and the Executive Director, a careful statement should be issued by the chapter. Do not release any names until an investigation has been completed and the timing is appropriate.
5. The President is to appoint an investigation team. The team will consist of chapter members, the chapter advisor, the chapter's legal counsel and the house corporation president. The investigation should follow the procedures outlined previously. All members are to cooperate fully with the investigation. Members refusing must state reasons for not cooperating.
6. A written report of the investigation should be submitted to the Executive Director of Acacia within 48 hours of the event.

SERIOUS INJURY OR DEATH OF A MEMBER

1. In the event of death, do not notify the parents. Trained medical or police personnel are better prepared to notify the family in these circumstances. In the event of serious injury, consult with the police or other emergency specialists prior to contacting the parents. Parent/ guardian information should always be readily available for proper authorities. After you know the family has been notified, it is proper for the President or advisor to call and share your concerns on behalf of the chapter. Judgment should always be used in these situations.
2. In the event of a death, do not remove any personal items from the deceased member's room. Do not let members enter the room. Temporarily move the deceased member's roommate to another room in the house and allow only authorized personnel to enter. If possible, keep the door locked. Ask the family what their wishes are with regard to the member's possessions. Before the family

arrives, have the empty boxes available and offer to help. Understand that this is a difficult time for them and they may desire privacy.

3. You will want to coordinate member attendance at the funeral or memorial service.
4. In the case of serious injury or illness, find out the visitation wishes of the family and coordinate this with chapter members.

In an emergency use extreme tact and caution in your actions and statements to members, media and others. Where possible litigation may follow, be extremely cautious about jumping to conclusions or speculations.

Remember, the Executive Director, staff and International Council are always available for counseling and other assistance. Do not hesitate to call for help or guidance. No matter how well things appear to be going, counseling and other support services are both wise and appropriate.

These guidelines should be reviewed by you and all chapter members. They are provided in an effort to ease shock and provide a logical framework in the event of a crisis. It is hoped that they will never have to be used by your chapter. Appropriate preventive measures – fire safety, risk management and others – could help you avoid many potential crises. You could save a brother's life and your chapter's.

INCIDENT/ CLAIM REPORTING CONTACT INFORMATION

Acacia Fraternity
12721 Meeting House Road
Carmel, IN 46032

Michael Weber, Assistant Executive Director
Phone: 317-872-8210
Emergency: 515-291-8718 (after hours)
Email: mweber@acacia.org

Creative Risk Solutions
PO Box 9207
Des Moines, IA 50306

Linda Wright, Liability Manager
Phone: 877-544-7843 Ext. 5977
Email: lwright@creativerisksolutions.com

Jody Wender, Liability Claim Specialist III
Phone: 877-544-7843 Ext. 5938
Email: jwender@creativerisksolutions.com

ACACA FRATERNITY RISK MANAGEMENT POLICY

PURPOSE: To provide guidelines for group and personal behavior to promote a safe, healthy and responsible fraternity experience and to provide for the respect of individual rights, personal dignity and positive social development.

The Risk Management Policy of Acacia Fraternity includes the provisions which follow and shall apply to all fraternity entities and all levels of fraternity membership.

ALCOHOL AND DRUGS

1. The possession, use, and/ or consumption of ALCOHOLIC BEVERAGES by any fraternity member or guest, while on chapter premises, or in any situation sponsored or endorsed by the chapter, must be in compliance with any and all applicable laws of the state, province, county, city, and university.
2. No alcoholic beverages may be purchased through the chapter treasury.
3. No chapter members, collectively or individually, shall purchase for, serve to or sell alcoholic beverages to an individual under legal drinking age.
4. No chapter shall co-sponsor an event with an alcohol distributor, charitable organization or tavern (tavern defined as an establishment generating more than half its annual gross sales from alcohol) where alcohol is given away, sold or otherwise provided to those present.
5. No chapter shall co-sponsor or co-finance a function where alcohol is purchased by any of the host chapter, groups or organizations.
6. All rush activities associated with any chapter shall be DRY rush functions.
7. OPEN PARTIES, meaning those with unrestricted access by non-members of the fraternity without specific invitation, shall be prohibited.
8. No member shall permit, tolerate, encourage or participate in “drinking games”.
9. No alcohol shall be present at any pledge/ associate member/ novice program or activity of the chapter.
10. The possession, sale, and/ or use of any ILLEGAL DRUGS or CONTROLLED SUBSTANCES on the premises of the chapter house, at any sponsored event or at any event that an observer would associate with the fraternity, is strictly prohibited.
11. As a condition of obtaining recognition by the International Council of Acacia Fraternity, it is required that all new colonies, including reinstated former chapters, adopt and implement a written policy on substance free housing and living, that is acceptable to the Council.
12. As a condition for reinstatement, a chapter or colony that is suspended by the International Council for alcohol or drug-related problems, is required to adopt and implement a written policy on substance free housing and living that is acceptable to the Council.
13. It is strongly recommended that all Acacia Chapters, in cooperation with house corporations and alumni, carefully review their current policy on alcohol and drugs and make revisions as needed.
14. For those chapters that do not have a policy, it is strongly recommended by the Council that a written policy on alcohol and drugs be adopted and implemented.

Amended Council Policy on Alcohol and Drugs (July, 2000)

1. Effective immediately, as a condition of obtaining recognition by the International Council of Acacia Fraternity, it is required that all new colonies, including reinstated former chapters, adopt and implement a written policy on substance free housing and living that is acceptable to the Council.
2. Effective immediately, as a condition for reinstatement, any chapter or colony that is suspended by the International Council for alcohol or drug-related problems, is required to adopt and implement a written policy on substance free housing and living that is acceptable to the Council.

(See Acacia Fraternity Risk Management Policy on Alcohol and Drugs, Page 11)

New Recommendations for Chapters

1. It is strongly recommended that all Acacia Chapters, in cooperation with house corporations and alumni, carefully review their current policy on alcohol and drugs and make revisions as needed.
2. For those chapters that do not have a policy, it is strongly recommended by the Council that a written policy on alcohol and drugs be adopted and implemented.

HAZING

No chapter shall conduct hazing activities. No member shall permit, condone or participate in any hazing activity. Hazing activities are defined as:

“Any action or situation created intentionally, whether on or off fraternity premises, to produce mental or physical discomfort, embarrassment, harassment or ridicule. Such activities may include, but are not limited to, the following: use of alcohol; paddling in any form; creation of excessive fatigue; physical or psychological shocks; quests; treasure hunts; scavenger hunts; road trips or any other such activities carried on outside or inside of the confines of the chapter house; wearing of public apparel which is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities and any other activities which are not consistent with fraternal law, ritual or policy or the regulations and policies with the education institution.”

SEXUAL ABUSE

The fraternity will not tolerate or condone any form of sexual abusive behavior on the part of its members, whether physical, mental or emotional. This is to include any actions which are demeaning to women including, but not limited to, date rape, gang rape or verbal or physical harassment.

(UPDATE 8/1/15): Any member of the fraternity who has knowledge of sexually abusive behavior on the part of any of our own members has an obligation to report that information to the proper authorities. When in question, begin by reporting the behavior to your Chapter Advisor, who must then inform the Executive Director.

FIRE, HEALTH AND SAFETY

1. All chapter houses shall, prior to, during and following occupancy, meet all local fire and health codes and standards.
2. All chapters must have posted by common phones emergency numbers for fire, police and ambulance and must have posted evacuation routes from chapter houses, common areas as well, posted on the back of the door of each sleeping room.
3. All chapters shall review the fire safety program at the beginning of each academic session, with particular attention being paid to emergency procedures, hazard identification and the maintenance of all fire extinguishers and alarm systems in working order.

LIABILITY AND RESPONSIBILITY

In today's environment of litigation and injury lawsuits, chapters and each fraternity member must give particular attention to loss control practices and be aware of the aspects of their activities and inherent tendencies which could result in personal injury, property damage or litigation.

1. The chapter shall not sponsor or condone, nor any member participate in, any activity which places the physical well-being of any person(s) in jeopardy. Members shall maintain an awareness of possible risks to themselves and others caused by their personal behavior or the behavior of others and make every effort to prevent the occurrence of unnecessary accidents and injuries.
2. The chapter shall maintain and make known to all members, emergency/ crisis management procedures and utilize these procedures when necessary.

3. Handguns are strictly prohibited in the chapter house. The possession and presence of other firearms (shotguns and rifles) must be in compliance with all local and university ordinances. If permitted, rifles and shotguns may not be stored in individual rooms and only in locked/ secured areas. Firearms must be unloaded and disassembled. Ammunition may only be stored in separate locked/secured areas.
4. Each chapter and house corporation should implement specific rules restricting access to roofs and other premises hazard areas at all times. House rules should be established to protect individuals from injury and danger, with particular focus on behavior in proximity to decks, windows and porches. These rules should be especially enforced during social activities.
5. Chapters should be aware of the risks associated with transportation and use of vehicles for fraternity business with transportation and use of vehicles for fraternity business and/ or social activities. Prudent measures should be followed to determine that drivers are licensed, insured and responsible.

Acacia Fraternity Health & Safety Standards

1. Alcohol is only permitted in private living quarters of chapter facilities for residents above the legal drinking age, and must be below 15% alcohol by volume (ABV).
2. During a registered event, alcohol possession and distribution must be restricted to common spaces of a chapter facility for the duration of the event.
3. Alcohol above 15% ABV may only be served by a licensed and insured third-part vendor (regardless of event location) at registered events.
4. Each chapter of Acacia will comply with its local campus community's standard or cap on number of events with alcohol (regardless of event location).
5. Each fraternity will utilize a standardized event management and guest registration procedure (regardless of event location).
6. Events must be limited to a guest-to-member ratio of no more than 3:1 for events with alcohol and may not exceed the campus standard or fire code (whichever is lower).

**These policies serve as a minimum standard for all chapters. Facility and Institution rules that are stricter will not be replaced by these policies.*

The standards above further the efforts to protect our members and guests and are an extension of other policies, listed below, that Acacia follows as a member of the North American Interfraternity Conference (NIC).

- Have specific health and safety policies for our membership.
- Follow up with our chapters on compliance with such policies.
- Provide proactive harm reduction education related to such policies to its individual chapters.
- Provide documentation of such policies, organizational protocols and educational programs to the Conference; that address, at a minimum, the following topics:
 - Alcohol and drugs (inclusive of prohibition on the use of alcohol and drugs in new member education and recruitment activities)
 - Hazing
 - Sexual abuse and harassment
 - Fire, health and safety
- Carry Commercial General Liability Insurance.
- Have and enforce a policy prohibiting women's auxiliary groups (i.e. "little sisters") associated with their undergraduate chapters.
- Provide ongoing education to its undergraduate chapters on its risk management policies.

Adopted Spring 2018

Acacia

Medical Good Samaritan Policy

If a member assists another person or himself in obtaining immediate and appropriate medical care related to the use or consumption of alcohol, drugs, or to another medical emergency, then that member, as well as those who are assisted, will not be subject to individual disciplinary action from the International Fraternity with respect to the incident. This is the case even if the member who is assisting was a contributing factor to that emergency. An individual may benefit from this policy more than once, though repeated use of the policy may receive stricter scrutiny.

Should a situation arise in which a member or guest needs medical help, a member should IMMEDIATELY call 911 and get them the help that is needed. Immediately after calling 911, Venerable Deans should call the Assistant Executive Director Michael Weber at (515) 291-8718 and their Chapter Advisor.

Who to Contact:

Michael Weber
Assistant Executive Director
P: (515) 291-8718
E: mweber@acacia.org



**HOLMES MURPHY FRATERNAL PRACTICE
INSURANCE AND CLAIM MANUAL
PREPARED FOR
ACACIA FRATERNITY**



**EFFECTIVE FOR THE ANNUAL TERM:
2021-2022**

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Section 1

INTRODUCTION

This manual is a work product of Holmes Murphy & Associates. Its purpose is to give you an understanding of the insurance coverage provided under the Fraternity's insurance program. The information concerning insurance coverages found within this manual is a summary of coverages provided through your national organization. It is provided for informational purposes only and does not replace or supersede the actual insurance contract. For any specific questions regarding coverages, you should refer to the applicable insurance policy or contact your Client Service Consultant.

This manual also includes information to help you properly report all actual and potential insurance claims and assist you in locating other useful resources that you may find beneficial in your chapter or alumni organization's efforts to minimize your exposure to risk. Responsibility for the success in risk management rests with your chapter and members. It is always important to remember a successful risk management program is built on three pillars:

1. Loss Prevention
2. Loss Control
3. Risk Transfer (Insurance)

The undergraduate and alumni members' willingness to understand and assume the responsibility of sound risk management practices is a cornerstone of your Fraternity's risk management program.

Holmes Murphy strives to provide risk management resources to complement the loss prevention and loss control efforts of our clients. Please visit www.holmesmurphyfraternal.com to review the Holmes Murphy website. You will find many risk management resources that can assist you in your daily operations such as information on your insurance protection, how to apply for additional lines of coverage, claim reporting, and how to request an Additional Insured Certificate.

Section 2

INSURANCE PROGRAM OVERVIEW

General Liability

The following description is a summary only and is not intended to serve as a substitute for the actual insurance contract.

Acacia Fraternity’s insurance program provides Commercial General Liability Coverage with the following carrier, policy period, and limits of coverage.

Primary Insurer:	Landmark American Insurance Company
Policy Period:	October 1, 2021 to October 1, 2022

Limits of Coverage

Insured Entity	Insurer	Bodily Injury & Property Damage Per Occurrence Limit	Policy Aggregate	Policy Aggregate Applies Per Location?
Undergraduate Chapters & Alumni Associations and all other insured affiliate organizations	Landmark American Insurance Company	\$250,000	\$500,000	Yes

The General Liability policy provides coverage for claims brought by a third party alleging an Insured’s negligence resulted in damages associated with bodily injury, property damage, or personal injury. This policy protects the local undergraduate chapter, house corporations, alumni associations, chapter related educational foundations, and each of their officers, directors, employees, members, and volunteers from these types of claims subject to the policy’s limitations and exclusions.

ACACIA Fraternity Coverage includes:

- 1. COMMERCIAL GENERAL LIABILITY**
Covers liability arising out of Fraternity premises and operations.
- 2. HIRED & NON-OWNED AUTOMOBILE LIABILITY COVERAGE**
Applies to the situation when a chapter member, chapter employee or volunteer alumni driving their own car on fraternity business is involved in an accident. Its intent is to only cover entities of Acacia Fraternity and individuals not involved in the accident. The intent is not to provide auto liability coverage to those who are not prudent enough to purchase their own auto liability policy or ensure the vehicle they are operating has ample coverage to protect their interest. The auto insurance of the driver and/or auto owner will be the primary insurance coverage.
- 3. PRODUCTS/COMPLETED OPERATIONS LIABILITY**
Covers preparation and consumption of food and beverages.
- 4. PERSONAL INJURY & ADVERTISING INJURY**
Covers libel, slander, defamation of character, false arrest, detention, malicious prosecution, wrongful entry or eviction, invasion of privacy.
- 5. CONTRACTUAL LIABILITY COVERAGE**
Under certain circumstances, the liability coverage of Acacia Fraternity insurance contract is extended to protect other parties with whom a Acacia Fraternity chapter may enter into a contractual agreement. No contract should be signed by any entity/chapter of Acacia Fraternity,

without complete understanding of liabilities being assumed and insurance coverage, if any, that is provided.

6 WATERCRAFT LIABILITY

Covers hired and non-owned boats/watercraft providing it is less than 52 feet in length.

7. INCIDENTAL EMERGENCY MEDICAL CARE

Covers liability that arises against an insured chapter or an individual who provides emergency medical care for injuries on or off our premises.

8. DAMAGE TO PREMISES YOU RENT

Provides coverage for damages caused by an Insured's negligence to a premise rented by an Insured for a period of 7 days or less or if the lease is greater than 7 days, coverage is limited to the perils of smoke and fire.

9. WORLDWIDE COVERAGE

Coverage worldwide for suits brought in the United States and Canada.

Who is an insured?

The insurance coverage will pay claims up to the stated liability for the following organizations and/or people only while in compliance with the health and safety¹ of Acacia Fraternity:

- a. The local undergraduate chapter that is chartered and recognized by the Fraternity **when it complies with the laws** of the host institution, city, county, state, and country in which it operates and the policies of Acacia Fraternity. Undergraduate chapter officers, executive committee, committee chairman, and members while performing the duties of elected or appointed positions within the scope of their duties on behalf of the organization, and in compliance with Acacia policies.
- b. House Corporations, Householding Corporations, Chapter Education Foundations, House Associations, Alumni Control Boards, Alumni Advisory Boards, Alumni Associations, Alumni Corporations, Alumni Chapters, Board of Advisors, Board of Governors, executive Councils, and Parent Clubs, but only while acting within the scope of their duties on behalf of the organization and in compliance with Acacia policies.
- c. Officers, Directors, Trustees, Partners, Coordinators, Custodians, Committee Members, Council Members, Volunteers, Housemothers, Resident Advisors, Faculty Advisors, Fraternity Members, Member Candidates (Pledges), and Employees of the Named Insured, but only while acting within the scope of their duties on behalf of the organization and in compliance with Acacia policies.

¹ Note: Health and safety as noted above per the policy shall mean any written rules, regulations, policies, guidelines, manuals, memoranda, or other instructions regarding code of conduct or health and safety, as established by the Named Insured and in effect at the time of the alleged occurrence. In the event the insured is a fraternity chapter or colony, health and safety policies include all rules, regulations and policies imposed on such fraternity chapter or colony by its Host College or University. In the event that any individual rule, regulation, guideline, or instruction in the Named Insureds Health and Safety Policies conflicts with an individual rule, regulation, guidelines, or instruction of the host college or university, then that particular rule, regulation, guideline or instruction issued by the Named Insured shall control.

Who is *not* an insured?

- A. Any individual member, alumnus, trustee, or advisor who is performing tasks outside of his responsibility or not in compliance with Acacia policies (i.e. spontaneous social function planned by an individual member, chapter advisor consuming alcohol with undergraduates, hazing of members, etc.)
- B. Any member whose illegal or intentional actions result in death or injury to an individual or property damage.
- C. Any insured(s) that participate, supervise, or direct others to participate in Excluded Acts, including but not limited to Assault and Battery, Sexual Abuse or Molestation. "Participate" means to take part in an excluded activity, whether as a direct perpetrator of the excluded activity or as an observer of such activity. "Participate" also means to have knowledge of the excluded activity and fail to aid or respond to the care of anyone injured as a result of the excluded activity.
- D. Any insured(s) that participate, supervise, or direct others to participate in Hazing, as well as the "insured entity" to which the insured(s) belong. "Participate" means to take part in an excluded activity, whether as a direct perpetrator of the excluded activity or as an observer of such activity. "Participate" also means to have knowledge of the excluded activity and fail to aid or respond to the care of anyone injured as a result of the excluded activity.
- E. Members' parents or family members and guests of chapter members.
- F. College/University administration (see Adding Additional Insureds below).

What Does Our Coverage *Not* Include?

- A. Any claim of bodily injury and/or property damage from an incident resulting when:
 - 1. An illegal act was committed.
 - 2. An intentional act was committed
 - 3. A contract made by the chapter is broken.
 - 4. There is any discharge, release or escape of smoke, vapors, soot, fume, acids, toxic chemicals, etc. upon land, the atmosphere or any water course or body of water.
 - 5. An employee is hurt on the job. Workers' Compensation coverage must be purchased.
 - 6. Any act excluded from coverage by the insurance policy.
- B. Any claim of property damage to property owned by, rented by, used by, or cared for by an Insured. For example, the chapter rents a portable generator for an outdoor function, and while it is in the care, custody, and control of the chapter, it is damaged and the lessor holds the chapter responsible and liable. No coverage is available under Acacia Fraternity liability insurance policies. The only exception would be a premise rented for 7 or less days in which the Damage to Premises You Rent limit would apply.

Adding Additional Insureds

An Additional Insured may be added to this policy. A party requesting to be added as an Additional Insured may be your landlord, college, university, and/or proprietor from whom the chapter may be renting a venue for an event.

Please submit the Additional Insured Request Form, found in the found in Section4, Holmes Murphy Resources, at least (30) thirty days prior to the date it is needed to:

Acacia Fraternity, Attn: Michael Weber, Assistant Executive Director, 12721 Meeting House Road, Carmel, IN 46032; Phone: 317.872.8210; Email: mweber@acacia.org.

Upon review and approval of the Additional Insured request by Acacia Fraternity, a certificate of insurance will be issued by Holmes Murphy. The original forwarded to the Additional Insured and a copy to the National Headquarters.

Directors & Officers/Employment Practices

The National Insurance Program of Acacia offers Directors & Officers/Employment Practices Liability (D&O/EPL) Coverage to all Undergraduate Chapters, House Corporations, Alumni Associations and Chapter Educational Foundations. D&O/EPL coverage protects all directors, officers, volunteers and the entity for claims arising out of the failure or negligence of an Officer or Director in fulfilling their fiduciary duties of diligence, obedience and loyalty to the organization. Claims covered under a Directors and Officers Liability policy typically involve claims brought against an Officer or Director that allege financial injury to the organization due to their maleficence in their service to the organization. It does not protect Officers and Directors from claims involving bodily injury, property damage or personal injury. Those types of claims are covered under the General Liability policy.

In addition, the Directors and Officers Liability Coverage of the Fraternity provides Employment Practices Liability Coverage that protects the Undergraduate Chapter, House Corporations, Alumni Associations, and Chapter Educational Foundations from employment related claims. This would include issues of Discrimination, Harassment, or Wrongful Termination arising in an employer/employee relationship.

Overview of the coverage is as follows:

Insurance Carrier:	RSUI Indemnity Company
Policy Term:	October 1, 2021 – October 1, 2024
Limit of Coverage:	\$1,000,000 Policy Aggregate
Retention/Deductible:	\$5,000 Affiliates (Chapters & House Corporations) \$5,000 Employment Practice Liability

Only one Retention/Deductible will only apply for a claim involving the Fraternity and any Undergraduate Chapter, House Corporation, Alumni Association, or Chapter Educational Foundation.

Please make certain to report any potential claim immediately as the D&O policy is a claims-made policy. Also, according to the provisions of the Directors & Officers Liability policy, defense cost incurred by the insured or settlements made without the prior written consent of the Insurer will NOT be covered under the policy.

Commercial Crime Coverage

The Acacia Fraternity Insurance Program provides coverage for employee theft (which includes volunteers and officers) and forgery and alteration of checks of recognized undergraduate chapters, colonies, House Corporations, and Alumni Associations.

Insurance Carrier:	Zurich North American	
Policy Term:	October 1, 2019 – October 1, 2022	
<u>Line of Coverage</u>	<u>Limit</u>	<u>Deductible</u>
Employee Theft:	\$25,000	\$ 1,000
Forgery or Alteration:	\$25,000	\$ 1,000

Member Accident Protection Program

Insurance Carrier: Markel Insurance Company
Policy Term: October 1, 2021 to October 1, 2022
Limits of Coverage: \$100,000 Accidental Medical Expense and/or Dental Injury-
Accident Maximum
\$5,000 Accidental Dismemberment and/or Accidental Death Benefit
52 Week Benefit Period

The Policy does not cover loss nor provide benefits for:

- Expenses for treatment on or to the teeth, except for treatment resulting from injury to natural teeth
- Eyeglasses, hearing aids, and examination for the prescription or fitting there of
- Suicide, attempted suicide, or intentionally self-inflicted injury
- Injury due to participation in a riot
- Cosmetic surgery
- Loss resulting from air travel, except as a fare-paying passenger on a commercial airline
- Injury or sickness resulting from any declared or undeclared war
- Injury or sickness while in the armed forces of any country
- Injury or sickness covered by any workers compensation or occupational disease law
- Treatment provided in a government hospital unless the Insured is legally obligated to pay such charges
- Infections except pyogenic or bacterial infections caused wholly by a covered injury or sickness
- Claims occurring while parachuting or hang-gliding
- Expenses covered by any other policy
- Hernia in any form
- Sickness or disease, in any form
- Fighting, unless an innocent victim
- Injuries due to intramural tackle football, hockey, or rugby. All other intramural activities are covered
- All intercollegiate sport participation including off-season conditioning.

The Fraternity's insurance program includes member accident protection as a benefit of membership. This covers *all U.S. undergraduate members* of Acacia that meet the following criteria:

- In good standing with the Fraternity
- Membership has been reported to Acacia Fraternity
- Currently enrolled at the college or university where your chapter is located.

If the accident occurs during summer or holiday break, the member must have been enrolled during the prior school term and be enrolled for the next term.

This coverage is intended to complement health insurance. The student should have health insurance through their parents or another arrangement. The Member Accident Protection Program is not a substitute for primary health insurance. This is a supplemental ACCIDENT ONLY protection and does not provide any protection for medical costs arising out of a SICKNESS. The policy pays eligible medical expense that is not recoverable from any other insurance policy, service contract, or workers compensation policy. This policy will reimburse deductibles and co-pays of health insurance programs.

OPTIONAL INSURANCE COVERAGE

Chapter Property Insurance Program

If a local House Corporation of Acacia Fraternity owns a physical plant or building, there is no coverage for damage to the building under the general liability policy for Acacia Fraternity. The Fraternal Property Management Association Insurance Program is voluntary and open for participation of any House Corporation of Acacia Fraternity. If your chapter wishes to be provided a proposal for the property insurance program, please contact us by email at fraternalinsuranceapp@holmesmurphy.com or download an application from our website [here](#).

The property program provides all risk coverage for the building, contents, business income (loss of rents), extra expense, and boiler and machinery for property owned or leased by the local housing corporation. It must be understood, that this coverage does not insure the belongings of the individual members of the chapter. Each chapter member must ensure that their personal property is covered either under their parents' Homeowner's policy or secure a Renter's policy.

Workers Compensation Coverage

The Insurance Program of Acacia does not provide Workers Compensation Coverage for Chapter or House Corporation employees. It is the duty of each Chapter or House Corporation to make certain they are familiar with their State laws regarding the requirements to carry Workers Compensation Coverage for employees.

There are a few insurance carriers that will write small workers compensation risks on a monoline basis. In addition, each state has a State Assigned Risk Pool that will write Workers Compensation coverage for an employer in their state if they cannot find coverage on the open market. If your operations are in what is referred to as a monopolistic state (North Dakota, Ohio, Washington, and Wyoming), your only option will be to purchase insurance through your state's plan.

If you need assistance in procuring Workers Compensation insurance contact your Client Service Consultant with Holmes Murphy or a local insurance agent to obtain coverage. It is important to note that in addition to payrolls paid to a chapter cook and housemother, subsidized housing provided to chapter members in exchange for service in a position (i.e. house manager, kitchen steward, chapter officer) is also considered payroll and if injured, the individual likely has the right to recover damages under the Workers Compensation laws of your State.

All questions can be directed to:

Holmes Murphy
Jeannie Gilmore, Client Service Consultant
Phone: 402.898.4198 or 800.736.4327 Ext.4198
Fax: 800.328.0522
Email: JGilmore@holmesmurphy.com

Section 3

INCIDENT CLAIM REPORTING

General Liability claims can be numerous and usually arise out of activities of a chapter which cause bodily injury, property damage or personal injury to an individual. They will more than likely involve property damage or injury to someone other than an employee or an officer of the Fraternity.

While on the scene, if possible, get names, addresses and phone numbers of all parties involved, as well as any witnesses to the accident. Immediately complete the attached incident reporting form and submit.

What should be reported?

Report bodily injury of anyone other than an employee and any property damage for which there is the possibility a claim may be made against Acacia Fraternity. If you question whether to report a potential claim, **report it!**

It is imperative all losses or incidents be reported immediately to Acacia Fraternity. (See phone numbers and address below.) The Assistant Executive Director of Acacia Fraternity is responsible for providing the initial report of the claim to Creative Risk Solutions (CRS). (See phone numbers and address below.) Once the claim report is sent to CRS you will likely be contacted directly by them or an insurance company representative to discuss the incident. If you are unable to obtain all necessary details when first notified of any incident, still report any known facts.

Acacia Fraternity
12721 Meeting House Road
Carmel, IN 46032
Phone: 317.872.8210

Creative Risk Solutions
PO Box 9207
Des Moines, Iowa 50306
Email: Eclaims@creativerisksolutions.com

Michael Weber, Assistant Executive Director
Phone: 317.872.8210
Emergency: 515.291.8718 (after hours)
Email: mweber@acacia.org

There will be occasions when lawsuits may be served on a member of your chapter. As there is only a limited time to answer a lawsuit, the following procedure applies:

- a. Treat any potential or actual claim or lawsuit as a high priority item and immediately notify National Headquarters by phone.
- b. Utilizing the enclosed incident reporting form, note all relevant information.
- c. Forward the suit or incident report via email to Michael Weber, Assistant Executive Director, at mweber@acacia.org. If you do not have access to email, overnight the papers to Acacia Fraternity, 12721 Meeting House Road, Carmel, IN 46032. It is very important the claim or lawsuit be sent immediately.

All questions regarding insurance interpretation and coverage should be directed to:

Holmes Murphy
13810 FNB Parkway, Suite 300
Omaha, NE 68154

Jeannie Gilmore, Client Service Consultant
Phone: 402.898.4198 or 800.736.4327 Ext.4198
Fax: 800.328.0522
Email: JGilmore@holmesmurphy.com

Kari Barnes, Sr. Client Service Consultant
Phone: 402.868.4170 or 800.736.4327 Ext.4170
Fax: 800.328.0522
E-Mail: kbarnes@holmesmurphy.com

INCIDENT / CLAIM REPORTING FORM

When an incident occurs causing bodily injury or property damage to any person, the following information must be obtained immediately. This report is being prepared for submission to the Fraternity's General Counsel, so please be thorough. Do not withhold reporting an incident to obtain all required information. Because timeliness is of the essence, report it immediately and send a copy within **24 hours** to the National Headquarters. If the bodily injury is of a serious nature, a **telephone call** should also be made.

CHAPTER CONTACTS	
Chapter Name _____	Phone No _____
Address _____	
President _____	Phone No _____
Advisor _____	Phone No _____
Advisor Address _____	
INCIDENT	
Date of Incident _____	Time _____
Location _____	
Description of Incident _____	
INJURED PARTY	
Name _____	
Address _____	
Injury Description _____	
Where was injured party taken? _____	
How were they transported? _____	
WITNESSES	
Name _____	Phone No _____
Name _____	Phone No _____
POLICE / EMERGENCY PERSONNEL	
Name of Agency _____	Case No _____

Completed by _____ Title _____
 Phone No _____ Email _____

Section 4

HOLMES MURPHY RESOURCES

Event planning is critical; here are some tools available on our website to help you plan events:
HOLMESMURPHYFRATERNAL.COM

[Downloadable Resources for Sororities and Fraternities](#)

[Event Planning Guide](#) and App (Download HM Event Planner from the App Store)

[Contract Template for Third Party Vendors](#)

[BYOB Checklist](#)

[Security Vendor Checklist](#)

[Building a Guest List](#)

[Event Monitor Resource](#)

[Designated Driver Guidelines](#)

[Crisis Management Plan](#)

[Definitions for Insurance & Claim Manual](#)

We can also assist you in reviewing contracts.

Our review and analysis of your contract is provided to assist you in complying with the contract's Insurance Requirement Provisions and should not be read to infer or guarantee coverage for a loss. Any descriptions of the insurance coverage pursuant to our analysis of the Insurance Requirements and Provisions of the provided contract are subject to the terms, conditions, exclusions, and other provisions of the policies as provided by the carrier and any applicable insurance regulations, rules, and plans. Our review should not be inferred to be nor does it constitute legal advice or a legal opinion concerning any portion of the contract, including the Insurance Requirement Provisions listed above. We have not undertaken to identify all potential liabilities that may arise under the contract and, therefore do not guarantee the indemnification of all potential liabilities that may be assumed under the contract. Our review is provided for your information only and should not be relied upon by any third party for any purpose, including, but not limited to, as any comprehensive representation of your insurance exposures or coverage.

CONTRACT REVIEW: fraternitycontracts@holmesmurphy.com

Available at HOLMESMURPHYFRATERNAL.COM: [Contract Template for Third Party Vendors](#)

Holmes Murphy offers this educational information to provoke thought and discussion and it should not be viewed as a mandate or requirement. We view part of our role as an insurance and risk management professional to anticipate your needs and educate you in an effort to complement the organization's loss prevention and control efforts, not replace the decision making autonomy of our client organizations. We hope you find this educational piece to be of value and stand ready to discuss it further with you or any of your constituents.