
DOVE NOTES - Special Risk Management Edition

1 message

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DOVE NOTES

THE E-NEWSLETTER OF ZETA PHI BETA SORORITY, INCORPORATED
MARY BREAUX WRIGHT, INTERNATIONAL GRAND BASILEUS



SPECIAL RISK MANAGEMENT EDITION



Congratulations on a successful 2016 - 2017 Sorority Year. I enjoyed meeting many of you at ZOL and your Regional Conferences and I thank you for all of the feedback and questions. You are truly protecting Zeta by implementing risk management techniques and enhancing your knowledge of Zeta's governing documents.

I look forward to working with the Regions, States and Chapters during the 2017-2018 Sorority Year. We've compiled the 2017 Risk Management Moments for your review as you plan for your chapter retreats and the new Sorority year. New "Moments" will begin in September.

Need help? Have questions? Contact me at ZPBNatDirRiskMgmt@gmail.com.

Soror Gina Merritt-Epps, Esq.
National Director of Risk Management



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Please print and provide a copy to Sorors who are unable to access the newsletter.

PROTECTING ZETA - 501(C)_____

Zeta Phi Beta Sorority, Inc. is exposed to various types of risks, seven of which are outlined in the Risk Management Policy. One of those risks is the possibility that our organization, on levels, will suffer financial loss due to the failure to comply with all applicable laws and regulations, including the requirements in the Internal Revenue Code.

The IRS offers more than a dozen different classifications of tax exempt status. Zeta Phi Beta Sorority, Incorporated is NOT a 501(c)(3) organization, but a 501(c)(7) organization under the Internal Revenue Code. The primary benefit of this type of organization is that it does not pay federal taxes on its day to day activities. The National body, and all Regions, States, Chapters and members must ensure compliance with this regulatory provision.

The requirements for a 501(c)(7) are outlined below:

- The club must be organized for pleasure, recreation, and other nonprofit purposes;
- Substantially all of the organization's activities must be for pleasure, recreation, and other nonprofit purposes;
- No part of the organization's net earnings may inure to the benefit of a private shareholder; and
- While membership can be limited consistent with the organization's purpose, the organization is prohibited from discriminating on the basis of race, color, or religion.

All members are required to assist with mitigating financial risk by adhering to the above requirements.

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PROTECTING ZETA - SOCIAL MEDIA FOCUS

Below are tips to mitigate the risk to our image, branding and reputation that can result from violation of Zeta's Social Media Policy.

Note: The full Social Media Policy can be found in Section 10 of the National Handbook, Fourteenth Edition

SOCIAL MEDIA TIPS

- Act Responsibly - remember that all members must protect Zeta's reputation, intellectual property and trademarks. When misused, social media can cast Zeta in a negative light.

- Use Discretion - be sure to show respect for Zeta and its leaders, and refrain from disclosing confidential information and displaying unauthorized text or images.
- Be Finer - adhere to the Code of Conduct and remember that what you do on social media has a direct impact on how others perceive Zeta.
- Speak for Yourself - Only the International President can speak on behalf of Zeta Phi Beta Sorority, Inc. Be sure that to indicate that the views expressed on your social media platform are your own and do not reflect the views of the organization.
- Protect Zeta Resources and Intellectual Property - members may not use Zeta's name, mottos, logos and symbols or content from the official Zeta website or social media platforms without Zeta's permission.
- Exercise Control - be sure to adhere to all Zeta policies when publishing sorority events.
- Avoid impermissible uses, which include but are not limited to:
 - Harassment, abuse or intimidation
 - Promoting partisan political causes or specific candidates
 - Defaming Zeta, Zeta members or any third party

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CODE OF CONDUCT SPOTLIGHT - BEHAVIOR AT ZETA FUNCTIONS

Pursuant to the Code of Conduct, as members of Zeta Phi Beta Sorority, Inc., we must uphold and act at all times to foster the ideals of Scholarship, Service, Sisterhood and Finer Womanhood. This directive applies to our conduct at meetings and Zeta functions. Item 8 of the Code reads as follows:

I will not display hostile or threatening behavior in Zeta meetings or while attending Zeta functions.

Unfortunately, many of us attended meetings on all levels where members, while addressing the body or at other times during the meeting, have engaged in behavior that is intimidating, adversarial, and/or combative. While we will not always agree, hostile and threatening behavior should not be tolerated as it is inconsistent with the Sisterhood principle and the Code. The presiding Officer should not permit this type of behavior as it will also negatively impact Chapter operations.

The Code addresses many situations, and violations of the Code may subject a member to disciplinary proceedings. The situations addressed by the Code include:

- Financial obligations
- Confidentiality
- Written communications
- Sorority funds and resources
- Intellectual Property
- Compliance with all laws
- Use of Sorority symbols

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PROTECTING ZETA - E-NEGOTIATIONS

Email has become our primary way of communicating in the business setting. In Zeta, we not only use email to provide information regarding Zeta's initiatives and operations, we also use email to communicate with venues and other counterparties with whom we intend to enter into legal agreements.

It is important that we ensure that the final, executed, legal agreement is the document that sets forth the Zeta's legal obligations. We do not want the counterparty to attempt to use emails as the basis for those obligations. All emails sent as part of contractual negotiations must contain a notice that unless the email is explicitly and conspicuously labeled with the words "E-Contract Intended" or similar language, the emails do not constitute a contract offer, a contract amendment, or an acceptance of a contract offer. Sample language is below:

This communication is for use by the intended recipient and contains information that may be privileged, confidential or copyrighted under applicable law. If you are not the intended recipient, you are hereby formally notified that any use, copying or distribution of this e-mail, in whole or in part, is strictly prohibited. Please notify the sender by return e-mail and delete this e-mail from your system. Unless explicitly and conspicuously designated as "E-Contract Intended", this e-mail does not constitute a contract offer, a contract amendment, or an acceptance of a contract offer. This e-mail does not constitute a consent to the use of sender's contact information for direct marketing purposes or transfers of data to third parties.

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PROTECTING ZETA - MEETING MINUTES

In order to draft effective minutes, you have to understand the Business Judgment rule and the legal duties of all members - duty of care and duty of loyalty, and follow the guidance below:

- Official minutes should be the only record of the body's actions
- Minutes show that the members were informed of material facts by the members, experts or consultants
- Minutes show that the members adequately informed themselves
- Minutes reflect recommendations, discussion and deliberations
- Minutes provide evidence of compliance with legal requirements, approvals and delegations of authority
- In litigation, the Court will look to the minutes to evaluate the chapter and member actions
- Minutes are the prima facie/best evidence of member conduct
- Minutes are discoverable and subject to third party audit
- The minutes should reflect a "tidy informational and decision making process" - each member receives supporting data in advance - the data becomes an exhibit and forms the basis of the body's deliberations and decision
- This process is reflected in the minutes - absent this process, the court is forced to rely on secondary evidence, which is far less reliable
- Assume that the minutes will be seen in litigation

- The goal is to create a record for the Business Judgment rule

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PROTECTING ZETA - SERVING ALCOHOL

All members must abide by the law and ensure that their actions reflect on the Sorority on a positive way. The possession, sale, use or consumption of alcoholic beverages, while on Sorority premises or during a Sorority event, in any situation sponsored or endorsed by the Sorority at any level, or at any event an observer would associate with the Sorority, must be in compliance with all applicable laws, college/university policies, and Sorority policies. Consumption of alcoholic beverages, which is only permitted in accordance with applicable law, is discouraged while wearing Sorority apparel, jewelry, or accessory, whether in Greek letters or written "Zeta Phi Beta."

No alcohol shall be present at any undergraduate or MIP event, or Sorority ritual or ceremony. No member shall consume tobacco products or illegal substances while wearing Sorority apparel, jewelry, or accessory, whether in Greek letters or written "Zeta Phi Beta."

Listed below are tips for graduate chapters when planning events when alcohol will be served:

- All marketing materials should remind invitees of the legal drinking age
- The chapter or venue should verify that those consuming alcohol are of legal drinking age
- If the event is in or near a hotel the chapter should offer a block of rooms (for booking and payment by the guest)
- The chapter should ensure that there is food for consumption
- The chapter should considering hiring security or asking the police to be present to assist with monitoring
- Chapter members should serve as monitors, particularly as guests leave
- Obtain the proper insurance
- Offer non-alcoholic beverages
- Prevent loitering
- Preferred Guest/Host Ratio = 2:1
- Be prepared to assist guests by calling cabs

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Dove Notes is the e-newsletter to keep the Sisterhood updated on the activities and initiatives of the Sorority. Feel free to forward this email to your chapters! Please do not forward outside of the Sisterhood.

Do you know a Soror who is not receiving emails from the Sorority? Let her know she can sign up here: <https://www.surveymonkey.com/s/membershipemailFY1415> .

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