

United Rottweiler Klub of America Inc. URKA Inc.

SECTION 1: Policy and Procedures of Misconduct of Members and Non Members.

- a. Bylaws of The United Rottweiler Klub of America Inc. Articles 4-3-C, , 5-4 and 5-5-C, gives the Board of Directors the right to fine, suspend or terminate an individual's membership for non-payment of dues, violation of the current URKA Inc. membership agreement, and/or conduct determined by the Board of Directors to be detrimental to the purposes, goals, and welfare of the URKA Inc.
- b. The Board of Directors will not investigate nor take action on allegations of misconduct regarding business dealings including but not limited to the buying or selling of dogs between individuals.
- c. Bylaws and/or Policy Manual of The United Rottweiler Klub of America Inc., gives the Board of Directors the right to fine a club, move a club to Provisional status or to terminate a club's membership if a club's dues or obligations are not current.
- d. Bylaws and/or Policy Manual of the United Rottweiler Klub of America Inc. gives the Board of Directors the right to fine, suspend or terminate an individual's privilege to participate in URKA Inc. events or programs.
- e. It the responsibility of the URKA Inc. Board of Directors to deal with misconduct alleged to have occurred. When dealing with such matters, the Board of Directors represents URKA Inc., its members, and persons who participate in URKA Inc. events.

Section 2: Procedures for Discipline

- a. All URKA Members and all URKA Full or Provisional Clubs shall settle all misconduct charges against other URKA members, URKA clubs and URKA event participants through the URKA Inc. Board of Directors and shall agree to comply and put into effect any decisions or agreements reached by the methods imposed under URKA Inc. bylaws or policy rules.
- b. Allegations of misconduct must be submitted to the Board of Directors in writing and those allegations must include the details of the alleged misconduct including all supporting documentation, written testimony from witnesses and any additional relevant information regarding the alleged misconduct.
- c. Ordinarily, allegations of misconduct must be filed with the Board of Directors within 48 hours of when the alleged misconduct occurs. Only in cases of extenuating circumstances, where conditions make it impossible or impractical to file complaints within 48 hours of the alleged misconduct, will the Board of Directors entertain a complaint received after the day of the occurrence of the alleged misconduct. Examples of such extenuating circumstances include discovery of the alleged misconduct after the fact, complainant being injured, family emergencies, or an injured dog needing immediate care. The decision to entertain or reject allegations made after 48 hours of the alleged misconduct rests with the Board of Directors.
- d. Anyone can file a complaint with the URKA Inc. Board of Directors alleging misconduct or a complaint may originate within the Board of Directors.
- e. For the protection of parties who may be innocent and to the fullest extent possible, the allegations, information, documentation and any resulting investigation, shall be handled by the URKA Inc. Board of Directors in a quiet and confidential manner. All activities and actions of the Board of Directors shall be done in an expeditious manner.
- f. No Board Member should be involved in an investigation unless they are prepared to carry out the duties fairly and impartially. A Board Member should recuse themselves, or be disqualified from the investigation and any subsequent voting, if the Board Member or an immediate family or household member will provide or has provided written testimony, the member has a personal or business relationship with the accused or complainant, the member co-owns a dog or dogs with the accused or complainant, or the member does not feel that they can be impartial.

g. A recusal occurs when a Board member voluntarily withdraws from the investigation and a disqualification occurs when a majority of the Board of Directors affirmatively votes to disqualify a member from further participation in the proceedings.

h. A preliminary investigation is to be conducted by the Board of Directors to establish whether the nature of the incident, if proven, would constitute misconduct in accordance with URKA Inc. Bylaws and Policy rules, not to establish guilt or innocence of the party or parties involved in the incident. If warranted, this may include a reasonable attempt to interview the accused.

i. If, after preliminary investigation, the URKA Inc. Board of Directors concludes that the nature of the allegations, if proven, would not constitute misconduct, the Board of Directors need not take further action.

j. If, after preliminary investigation, the URKA Inc. Board of Directors and the accused agree that a violation has occurred, and the accused does not desire a formal investigation, the Board of Directors will proceed with the appropriate disciplinary action.

k. If, after preliminary investigation, the URKA Inc. Board of Directors concludes that the nature of the allegations, if proven, would constitute misconduct, and the accused wishes to present a defense, the Board of Directors will conduct a formal investigation.

l. The Secretary shall notify the accused of the formal investigation and send one copy of the allegations to the accused member or to the accused club by email or certified mail. The accused shall be notified that they may present additional documentation, written testimony from witnesses on their behalf and their own written testimony.

m. The accused individual or club may respond with documentation or testimony in writing by mail or email to the Secretary within three weeks (21 days) of receipt of the allegations and notice of formal investigation.

n. The Secretary shall forward copies of the reply and any testimony to all members of the Board of Directors.

o. The URKA Inc. Board of Directors shall conduct a confidential investigation to review the allegations with supporting information and the response from the accused, if any. When possible, written statements for the record should be obtained from all principals (complainant, accused, witnesses).

p. At the conclusion of the investigation, the Board of Directors shall vote by ballot on an appropriate finding and recommendation for discipline, if any, to be imposed. The finding shall be one of the following;

- **Unfounded:** The evidence indicates misconduct did not occur.
- **Not Sustained:** There is insufficient evidence to either prove or disprove misconduct.
- **Sustained:** Misconduct is supported by sufficient evidence.

q. Allegations may be re-examined by the Board of Directors if additional information, documentation or witness testimony is obtained after the preliminary investigation or the formal investigation is concluded.

Section 3: Guidelines for Discipline

a. Incidents are Mitigated, Standard and Aggravated

b. Discipline in excess of the aggravated term, or less than the mitigated term, may be approved by the URKA Board of Directors. Discipline may be imposed for cases not covered by these guidelines.

c. Circumstances that could, but would not necessarily result in an act of misconduct being **mitigated** would include, but not be limited to:

- The lack of any prior offense.
- The lack of experience as a participant in events.

- The minimal nature of the offense.
- Recognition of wrongdoing and publicly apologizing.
- Extenuating or palliative circumstances.

d. Circumstances that could, but that would not necessarily result in an act of misconduct being **aggravated** would include, but not be limited to:

- A record of prior offenses.
- Extensive experience as a participant in events.
- The seriousness of the offense.
- Refusal to acknowledge wrongdoing.
- Premeditated acts of wrongdoing.

e. An especially egregious offense will result in a more severe length of suspension and/or fine than suggested in the guidelines.

f. Offenses may be cumulative. Multiple serious offenses may result in a lifetime suspension of all URKA privileges.

g. Suspension of an individual is suspension of all URKA Inc. privileges.

h. When discipline guidelines become less punitive, the new penalty (suspension period and fine) will be applied to persons currently under suspension for that offense.

i. These Guidelines may be reviewed from time to time. Discipline may be imposed for cases not covered by these guidelines. The Board reserves the right to issue fines, suspension or combination of both at all 3 levels of discipline. If any provision, fine or penalty in these guidelines becomes invalid, illegal or unenforceable, that shall not affect the validity or enforceability of any other provision of these guidelines.

A. Misconduct In the order of Mitigated / Standard / Aggravated

1. Substituting or showing the wrong dog at an event	\$250 3m / \$500 6m / \$1000 2yr
2. Judging Improperities (the judge himself/herself or complicity with a judge)	\$250 3m/ \$500 6m / \$1000 2yr
3. Attempting to influence a judge	\$250 3m / \$500 6m / \$1000 2yr
4. Entering/exhibiting altered dog (temporary alteration)	Rep / \$250 6m / \$1000 2yr
5. Entering/exhibiting altered dog (permanent alteration)	\$250 3m / \$500 6m / Lifetime
6. Willful refusal to return ribbon or prize after award disallowed	Rep / \$200 Rep / \$500 Rep
7. Falsification of or use of fraudulent information or documents	\$250 3m / \$500 6m / \$1000 2yr
8. Substitution of a dog for health certifications	Rep \$50 / \$250 6m / \$500 1yr
9. Failure to submit event funds or paperwork	Rep / \$250 / 500 / 1000 or Suspension
10. Improper use of the organization's assets, materials or information	Rep / \$250 / 500 / 1000/ or Suspension
11. Failure to return the organization's property, assets, materials or information	Rep / \$250 / 500 / 1000 /or Suspension
12. Improperly divulge or make use of confidential fact, information, or document	\$250 / 500 / 1000 /or Suspension
13. Physical altercation at an event	Lifetime Suspension of URKA privileges

For example, but not limited to, URKA will act upon the following: A physical altercation is a physical confrontation, tussle, or act of physical aggression that may or may not result in injury, or a threatening action that intentionally puts another person in reasonable apprehension of imminent harmful or offensive contact.

14. Verbal altercation (inappropriate, abusive or foul language) at an event	Rep / \$250 6m / \$500 1yr
15. Public criticism of a judge's decision that is disruptive or demonstrates a lack of sportsmanship	Rep \$50 / \$250 6m / \$500 1yr
16. Refusal or throwing down of ribbon or trophy at an event	Rep \$50 / \$250 6m / \$500 1yr
17. Leaving ring without permission at an event	Rep \$50 / \$250 6m / \$500 1yr
18. Refusing to continue to compete at an event	Rep \$50 / \$250 6m / \$500 1yr
19. Failure to follow a judge's instructions at an event	Rep \$50 / \$250 6m / \$500 1yr
20. Failure to properly control a dog at an event	Rep \$50 / \$250 6m / \$500 1yr
21. Disruptive behavior at an event (Any behavior that is hostile, offensive, or otherwise disruptive in nature)	Rep \$50 / \$250 6m / \$500 1yr
22. Personal property damage at an event	Rep \$50 / \$250 6m / \$500 1yr
23. Disregarding a club's event rules or regulations	Rep \$50 / \$250 6m / \$500 1yr
24. Impairing a club's ability to retain site	Rep \$50 / \$250 6m / \$500 1yr
25. Sportsmanship (non-event violation, to include social media) generalized harassment, publication of false or injurious statements that are derogatory of the URKA, member clubs, members, judges, participants, dogs or other. Actions that bring discredit upon the club, members, judges, owners, dogs or other, without substantiated and proven evidence.	Rep / \$250 3m / \$500 6m
26. AKC/CKC/FCI registration violations	Rep \$50 / \$250 6m / \$500 1yr
27. Falsification of information or documents to avoid discipline.	\$250 3m / \$500 6m / \$1000 2yr
28. Aiding and abetting in order to avoid discipline	Rep \$50 / \$250 6m / \$500 1yr
29. Judicial determination of cruelty, mistreatment or neglect to dogs	Lifetime Suspension
30. Cruelty, abuse, neglect or mistreatment at or in connection with an event by individual.	\$250 6m / \$1000 1yr / Lifetime

B. Violations by a Club

1. Nonpayment of dues	Rep \$100 / \$250 / \$500
2. Failure to hold event	Rep \$100 / \$250 / \$500
3. Failure to submit event paperwork	Rep \$100 / \$250 / \$500
4. Failure to submit event fees	Rep \$100 / \$250 / \$500

Rep = Reprimand

Approved by the Executive Board and adopted into policy March 23, 2019

Amended and Approved by the Executive Board and adopted into policy June 6, 2024.