

**UNITED SCHUTZHUND CLUBS OF AMERICA
(USA)**

CONSTITUTION AND BYLAWS

Revised November 2010

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ARTICLE I. NAME, COLORS, PROFIT STATUS AND BUDGET

SECTION 1. NAME

- a. The name of this association shall be "United Schutzhund Clubs of America."
- b. The proper abbreviation of this name shall be "USA."

SECTION 2. COLORS

The colors of the association shall be red, white, and blue.

SECTION 3. PROFIT STATUS AND BUDGET

- a. The United Schutzhund Clubs of America is and shall be conducted as a not for profit organization within the meaning of Section 501(c)(7) of the Internal Revenue Code.
- b. Except for the Editor of the association's official publication and the Webmaster, no member may derive any income from the association. Persons who, in the course of official duties or in service to the association, incur expenses may apply to the Treasurer for reimbursement of these expenses.
- c. The President shall be responsible for submitting a budget to the Executive Board for its approval. This budget shall categorize and include all projected income and expenses for USA for a minimum of one year from the date of submission. The Treasurer is directed to pay all budgeted expenses as approved by the Board of Directors. After determining that the monies are available, the President shall have the power to direct payment of expenses of up to five hundred dollars (\$500.00) over existing budget limitations per category per year. No additional expenses shall be incurred unless full justification is submitted to and formally approved by the Executive Board of Directors.
- d. The fiscal year of USA shall begin on July 1 of each year and end on June 30 of the following year.

ARTICLE II. OBJECTIVES

The United Schutzhund Club of America is organized exclusively for educational, social, and recreational purposes within the meaning of Section 501(c)(7) of the Internal Revenue Code. The objectives of this association shall be to preserve the German Shepherd Dog in accordance with the breed standard as a working dog, to promote humane training methods for the working dog, and to support responsible dog ownership and breeding practices. Activities shall:

1. Promote Schutzhund and HGH (Herdengebrauchshund) herding dog training for the working dog.
2. Promote breeding and establish breed surveys for the working German Shepherd Dogs.
3. Promote HGH herding dog trials for the working dog.
4. Establish a Breed Registry for German Shepherd Dogs.
5. Promote events, which evaluate the conformation of German Shepherd Dogs.
6. Develop, qualify, and license local clubs in the United States and its possessions so that they may conduct Schutzhund trials, German Shepherd Dog Breed Surveys, conformation shows for German Shepherd Dogs, tracking tests for the FH degree (Faehrtenhundpruefung), HGH herding dog trials, and endurance tests for the AD award (Ausdauerpruefung).
7. Develop, as decided by the Board of Directors, any other tests to insure the further development and maintenance of the German Shepherd Dog as a working breed, and to encourage local clubs to implement these tests.
8. Promote training of working dogs among the youth.
9. Support the use of working dogs for search and rescue work, police work, customs and border patrol work, guide dog work, scenting work, and in other ways for which working dogs are utilized.
10. Publish a magazine to promote the objectives of the association.
11. Conduct annually a USA German Shepherd Dog National Championship to coincide with the meeting of the General Board of Directors between October 1 and November 20.

ARTICLE III. PERFORMANCE AND BREEDING REGULATIONS

1. Performance regulations for all USA working evaluations shall be identical to those of the Verband für das Deutsche Hundewesen (VDH), other than exceptions listed in the *USA Official Rule Book for All Workings Dogs Evaluations* under USA Variances. Any changes to the USA performance regulations require approval of the General Board of Directors.
2. Regulations governing German Shepherd Dog breeding, breed surveys, and breed shows shall be identical to those of the Verein für Deutsche Schäferhunde (SV), other than exceptions listed in the USA Breeding Regulations, USA Breed Survey Regulations, and USA Sieger Show Regulations. Any changes to the USA regulations require approval of the General Board of Directors.
3. Only judges licensed by USA, the SV, and/or other WUSV-member organizations that have been approved by the Board shall preside over events sanctioned by USA.

ARTICLE IV. INDIVIDUAL MEMBERSHIP

SECTION 1. TYPES OF MEMBERSHIP

This association shall be composed of five (5) types of individual memberships.

a. **Full Membership**

Full members shall be provided with an official membership card and shall receive a subscription to the association's official publication. If the member is also a member of a local club, he shall be eligible for election by his club as its Delegate to USA. A person so elected shall be a member of the General Board of Directors. Full members shall be eligible for special awards and privileges as established by the Board of Directors. A full member need not be a resident of the United States.

b. **Family Membership**

A family membership shall recognize two (2) persons in a family as individual full members of USA with all rights and privileges as described in part "a" above. This membership shall issue each person a separate membership card. It shall include one (1) subscription to the association's magazine. The dues for a family membership shall be one and one-half (1&1/2) times the dues for a full membership.

c. **Honorary Membership**

From time to time, as the association deems appropriate, a person or persons may be offered honorary membership. This is intended to honor a person or persons for an achievement or for a service to the association. Honorary members shall be given a special membership card and shall receive a subscription to the official publication. Honorary members shall have all rights and privileges of membership, but shall not vote or hold office.

d. **Lifetime Membership**

Lifetime members shall be provided with an official membership card and shall receive a subscription to the association's publication. Lifetime members shall also receive a National Events Pass, which shall admit such members to all of the association's national events, including the Sieger Show, National Championship, USA German Shepherd Dog Championship, and North American Championship. The names of all Lifetime members shall be published in an annual issue of the association's publication. A Lifetime Membership shall be an individual membership. Lifetime Members are subject to the same USA rules and bylaws provisions as members in other classifications. The Lifetime Membership and/or National Events Pass are non-transferable, and shall terminate upon the death of the member. Lifetime Memberships shall be available for limited periods determined by the Executive Board.

e. **Youth Membership**

This membership is available to persons 21 years of age and younger, and is intended to create interest in the objectives of USA among young people. The General Board of Directors shall determine dues and privileges of membership.

SECTION 2. RULES FOR INDIVIDUAL MEMBERSHIP

a. **Annual Dues**

The General Board of Directors shall establish the amount of dues for all types of membership. Honorary members shall be exempt from annual dues. Dues shall be honored for one (1) year from the

date of origin, except in the case of Lifetime Memberships. Lifetime Membership dues are payable in a one-time lump sum and shall be honored for the natural life of each Lifetime Member, who shall pay no further dues to the association. Lifetime Members remain responsible for payment of applicable local club dues.

b. Non-Payment of Dues

One (1) month before the expiration date of his membership, each member shall be so notified by USA. Any member whose dues are not paid by the expiration date shall have his membership canceled. Such cancellation shall result in loss of all rights and privileges of membership. In addition, local clubs shall cancel the membership of any person whose membership in USA is canceled.

c. Resignation

Any member of USA may resign from the association at any time and shall be deleted from the membership list. Resignations must be submitted to the USA Office in writing. There shall be no refund of dues or payment, in full, or on a pro rata basis, upon the resignation of any Lifetime Member from the association. Upon resignation from the association, the name of a resigning Lifetime Member shall not appear in the association's publication among the roster of Lifetime Members.

d. Transfer of Membership

Memberships are not transferable and shall terminate automatically on the death of the member.

e. USA members may not be members of, or be affiliated with, any competing German Shepherd Dog organization in the United States.

ARTICLE V. CLUB MEMBERSHIP

SECTION 1. LEVELS OF CLUB MEMBERSHIP

a. Affiliated Clubs

Affiliated clubs are formally connected with USA and may be represented on the General Board of Directors by a nonvoting Delegate. An affiliated club is considered an apprentice club and must complete a program of qualification before it shall be licensed to hold any USA sanctioned events or vote on the Board of Directors. A club may become affiliated with USA provided that the club:

- (i) Adopts a set of by laws and provides the USA Office with a copy. These bylaws shall state that the club is and shall be conducted as a nonprofit organization and the bylaws shall include: "The objectives of this association shall be to preserve the German Shepherd Dog in accordance with the Breed Standard as a working dog, to promote humane training methods for the working dog, and to support responsible dog ownership and breeding practices." The USA Office must be provided with a copy of any revised bylaws.
- (ii) Requires all members of the club to become full members of USA.
- (iii) Pays to USA an annual membership fee, the amount of which will be determined by the General Board of Directors of USA.
- (iv) Supplies to the USA Office, at the time of application, a list of names and addresses of all club members.
- (v) Submits a statement signed by two (2) club officers guaranteeing observance of the USA Constitution and Bylaws and ordinances.
- (vi) Is recommended by a Regional Director.
- (vii) Meets any additional requirements specified by the General Board of Directors.

b. Full Member Clubs

A full member club is licensed by USA to conduct Schutzhund Trials, German Shepherd Dog Breed Surveys, HGH (Herdengebrauchshund) Herding Dog Trials, and other events sanctioned by USA. If in good standing, a full member club may send a voting Delegate to the meeting of the General Board. A local club may gain full member club status in USA by:

- (i) Being upgraded from affiliated club status.
- (ii) Established clubs in good standing that are or have been affiliated with other American Working Dog Federation (AWDF) clubs may be admitted directly as full member clubs, without the requirement of an affiliation trial, if such clubs have operated continuously for the five (5) years prior to seeking USA affiliation and have conducted at least four Schutzhund and/or HGH trials during that five-year period.

- (iii) In order to be upgraded from affiliated status or to be granted direct admittance, a club must consist of not fewer than five (5) members, only two (2) of which may be part of any family membership.
 - (iv) To be in good standing, a club's dues to USA must be current, the USA dues of all members of the club must be current, and the club may not be under any disciplinary action from USA.
 - (v) Each full member club shall hold at least one (1) USA-sanctioned event per calendar year beginning January 1 of the year after the year in which the club is granted full member status. Every other year the USA-sanctioned event must be a USA-sanctioned trial. The Regional Director shall approve any waiver of this requirement, provided the club's dues and membership list are current. The Regional Director will advise all the clubs in the region of the proposed waiver and the reasons thereof. Failure to comply with this provision will reduce the club to affiliated status for at least one (1) year. The affiliated club shall meet all the requirements once again to become a full member club.
- c. An affiliated club may be upgraded to full member club status when it has met the following requirements:
- (i) Demonstrate satisfactory performance in the training of dogs by conducting an affiliation trial, which was judged by an approved individual who is not a member of the club.
 - (ii) Be approved by the Regional Director. The Regional Director is to submit to the USA Office and the club a letter of approval or disapproval, which must be accompanied by:
 - 1. A list of club members, including the club officers.
 - 2. A complete set of score sheets from the affiliation trial.
- d. A full membership shall consist of no less than five (5) members.

SECTION 2. RELATIONSHIP BETWEEN USA AND LOCAL CLUBS

- a. All local clubs within USA shall be classified as Schutzhund or HGH herding training clubs for working dogs. Events sponsored by these clubs through USA which evaluate the working conformation of dogs shall be restricted to the German Shepherd Dog.
- b. In the event of conflict between the provisions of the USA Constitution and Bylaws and/or rules and the bylaws and/or rules of local clubs, the provision(s) of the USA Constitution and Bylaws and/or rules shall prevail.
- c. Member clubs may not be members of, or be affiliated with, any competing German Shepherd Dog organization in the United States.
- d. A complete and current membership list, including full addresses and a list of the club officers, must be included with the club's annual dues. This information will be sent to the USA Office for verification. Clubs that fail to submit both annual dues and membership lists will not be granted trial authorizations by the Regional Director. Should club membership lists and dues not be submitted by the due date, any previously approved trial authorizations will be recalled. Trial authorizations will be restored when dues and membership lists are submitted and approved.
- e. Club dues shall be paid annually by June 1, with dues prorated for the year the club joins USA.
- f. Clubs whose dues are more than sixty (60) days in arrears shall not be clubs in good standing and shall be dropped from full club membership in USA. Any event authorizations for clubs in arrears for dues shall be null and void.
 - (i) Any club trials conducted while a club is not in good standing due to non-payment of dues shall not be USA-sanctioned events, and any titles obtained at such trials shall be null and void.
 - (ii) Only clubs in good standing may vote in regional and/or national meetings. Clubs in arrears for dues are not in good standing and shall not vote in regional or national meetings.

SECTION 3. LACK OF PROGRESS

- a. The progress of affiliated clubs toward the attainment of full member club status shall be monitored by the Regional Director. He shall report on the progress of affiliated clubs in his region to the Executive Board of Directors at least once a year.
- b. Lack of progress by an affiliated club toward the attainment of full member club status within a two (2) year period will cause an automatic investigation by the Regional Director.
- c. The Regional Director may extend until the end of the club's third year its affiliated status with a recommendation that no disciplinary action be taken if justification for lack of progress is shown.

- d. If no justification for lack of progress is shown, the Regional Director shall recommend to the Board appropriate disciplinary action which may include:
 - (i) Probation under the supervision of the Regional Director or someone appointed by the Board of Directors.
 - (ii) Expulsion of the club from USA.
- e. An affiliated club which has not attained full member club status by the end of its third year shall have its membership in USA terminated.

ARTICLE VI. REGIONS, REGIONAL DIRECTORS, REGIONAL BREED WARDENS

SECTION 1. REGIONS

- a. The area served by USA shall be divided into regions. There shall not be fewer than five (5) nor more than twenty (20) regions.
- b. Regional boundaries may be altered or regions may be divided by:
 - (i) Request of the Regional Director.
 - (ii) Request of a majority of full member clubs in the region.
 - (iii) Decision of the Executive Board after a review of the changing needs of a region.
- c. No regional boundary shall be altered without the approval of the Board of Directors.

SECTION 2. NUMBER AND VOTING RIGHTS

- a. There shall not be fewer than five (5) nor more than twenty (20) Regional Directors and Regional Breed Wardens.
- b. Regional Directors are members of both Boards of Directors and shall have a vote on each. Regional Breed Wardens do not have a vote on the Board.

SECTION 3. DUTIES

- a. USA Regional Director shall be the regional representative of the association. The Regional Director shall assist in the development of new clubs in the region and shall approve trial dates for all clubs in his/her region. The Regional Director shall forward requests for USA judges to the Director of Judges. He/she may be assigned other duties as needed.
- b. The Regional Breed Warden will:
 - (i) Promote the development of Breed Wardens and tattooers in his/her region.
 - (ii) Be responsible for supervising and training of local breed wardens. Local Breed Wardens will report directly to the Regional Breed Warden.
 - (iii) Dispense and collect breed paperwork and develop regional breeding statistics.
 - (iv) Keep regional reports of all breeding activity in the region and present results and recommendations at the regional meetings.
 - (v) Act as the Local Breed Warden when none is available.

SECTION 4. TERRITORY

- a. The territory over which each Regional Director/Regional Breed Warden shall have supervision shall be decided by the Board of Directors.
- b. A Regional Director/Regional Breed Warden shall have authority in his/her region only. If circumstances dictate, the President or the Board of Directors may require a Regional Director/Regional Breed Warden to take responsibility for an area or a club outside of his/her own region.

SECTION 5. ELIGIBILITY

- a. To be eligible for election, a nominee must be able to show significant experience in the training and/or breeding of dogs for the Schutzhund sport. He/she must be a full member of USA and must reside within or be a full and active member of a full member club which is within the geographical boundaries of the region. The nominee may not be less than twenty-one (21) years of age and may not be under current disciplinary action.

- b. Individuals who have been convicted of any felony are prohibited from holding positions as regional directors or regional breed wardens.

SECTION 6. NOMINATION AND ELECTION

- a. Candidates for the position of Regional Director/Regional Breed Warden may be nominated by a Delegate from a full member club in that particular region. All nominations must be seconded.
- b. One need not be nominated to receive votes. "Write in" balloting is permitted.
- c. Regional Directors/Regional Breed Warden shall have a term of office of two (2) years and shall be elected in odd numbered years.
- d. Elections may be held at a regional meeting or by mail between the dates of January 1 prior to the annual meeting and 14 days prior to the annual meeting of the General Board of Directors, provided all full member clubs in the region are notified in writing, not less than thirty (30) days prior to said election. If this election is held, the USA Secretary shall be notified of the result within ten (10) days.
- e. To be elected, a candidate must receive a majority of the votes cast by the full member clubs in good standing in that particular region who are in attendance at the regional meeting, or by the majority of votes cast by full member clubs in good standing in a mail ballot election.

SECTION 7. ASSISTANT REGIONAL DIRECTORS

- a. Each region shall elect an Assistant Regional Director to assist the Regional Director in his/her duties. The eligibility requirements, nomination, election, and term of office shall be the same as for Regional Directors.
- b. In the event the Regional Director resigns or is incapacitated, the Assistant Regional Director shall assume the position of Regional Director for the remainder of the term.
- c. If the position of Assistant Regional Director becomes vacant for any reason, an election to fill the office will be held within forty-five (45) days. A majority vote of the full member clubs in good standing in that particular region is required to elect.
- d. If the Regional Director is unable to attend a meeting of either Board of Directors, the Assistant Regional Director may attend in his/her place and shall have a vote on either Board.

SECTION 8. APPEALING REGIONAL DIRECTOR/REGIONAL BREED WARDEN DECISION

Any affiliated club, full member club, or individual member in good standing may appeal the decision of the regional director, assistant regional director, or regional breed warden to the Executive Board of Directors. The appeal must be sent to the Secretary, submitted in writing, and filed within sixty (60) days of the decision being appealed. After consideration of the appeal and allowing the regional director, assistant regional director, or regional breed warden to explain his/her position, the Executive Board of Directors may sustain, modify, or rescind the decision.

ARTICLE VII. BOARDS OF DIRECTORS

There shall be two (2) Boards of Directors which govern the affairs of the United Schutzhund Clubs of America. When a reference in this constitution and bylaws is made to "The Board of Directors" it shall mean either Board unless otherwise specified.

SECTION 1. GENERAL BOARD OF DIRECTORS

a. Definition

The General Board of Directors shall consist of Delegates elected from full member clubs, USA Officers, Directors at Large, and Regional Directors.

b. Duties

It shall be the duty of the General Board of Directors to conduct the affairs of the United Schutzhund Clubs of America. The General Board elects the Officers and standing committee members of USA.

c. Meetings

- (i) The General Board of Directors shall choose one (1) date per calendar year between October 1 and November 20 on which it shall conduct its annual meeting. The Secretary shall mail notification of

the meeting to all clubs and Executive Board members by electronic mail or regular mail not less than thirty (30) days prior to any General Board meeting. Notification shall contain the date, time, location, and agenda for the meeting. The agenda shall also be posted on the USA website.

- (ii) A special meeting of the General Board of Directors shall be called if a petition is received by the Secretary signed by delegates of a majority of the full-member clubs in good standing. The Secretary shall mail notification of the meeting to all clubs and Executive Board members by electronic mail or regular mail not less than thirty (30) days prior to any special General Board meeting. Notification shall contain the date, time, location, and agenda for the meeting. The agenda shall also be posted on the USA website.
- (iii) All actions of the General Board of Directors shall be reported as minutes. The minutes shall be sent to all clubs and Executive Board members within sixty (60) days of the meeting. The minutes may be sent by electronic mail or regular mail and shall be sent by regular mail to any individual member of USA upon request of that member. The minutes shall be published in *Schutzhund USA* and on the USA website.

d. **Quorum**

In order for any business to be conducted a quorum must be present. A quorum shall be deemed to be present if 20% of all full member clubs in good standing and at least three (3) USA Officers are present. The formula: USA Full member clubs in good standing divided by five (5) plus at least three (3) USA Officers shall be used to establish the number required for a quorum.

e. **Delegates**

- (i) Each full member club may send one (1) voting delegate and two (2) alternates to the meetings of the General Board.
 - (ii) Each affiliated club may send one (1) nonvoting delegate to attend the meetings of the General Board.
- f. A delegate to USA shall be elected from the regular membership of each USA club. A full member club may also elect two alternate delegates. The delegate shall be the club's representative of record for a period of one year beginning on the date of the annual meeting of the General Board of Directors. A club may replace its delegate and/or alternates as necessary or desired. The USA Secretary must be notified immediately of the replacement.
- g. Not less than thirty (30) days prior to the meeting of the General Board of Directors every USA club shall send to the USA Secretary a letter signed by two (2) officers of the club naming the club's Delegate. (The Delegate may not be one of the signers.) This letter shall specifically authorize this person to attend the meeting and vote on behalf of the club. The delegate and alternate shall carry a copy of the letter to the meeting naming him/her as the delegate/alternate. The alternate's letter shall be presented to the Secretary if it is necessary for the alternate to be seated in place of the club's Delegate. Clubs which are granted affiliated or full member status after the thirty (30) day deadline but before the meeting may send the required letter to the meeting with the club's Delegate. This letter must be presented to the Secretary before the Delegate or Alternate will be seated. Not later than two (2) days prior to the annual meeting of the General Board of Directors the Treasurer shall verify that a club is in good standing in order for its delegate to be seated.

h. **Club Fails to Send Delegate**

In the event a club does not send a Delegate to the General Board Meeting or, if the club fails to send a letter to the USA Secretary identifying the club's Delegate the club shall be declared to be without representation on the General Board of Directors.

i. **Voting at Meetings**

- (i) The Delegate from each full member club is entitled to cast one (1) vote on any given item of business.
- (ii) Each USA Officer, Director at Large, and Regional Director shall have one (1) vote to cast on any given item of business.
- (iii) No person may cast more than one vote on any given item of business.
- (iv) The alternate of any full member club may vote only if he has been seated in place of the Delegate at the time a vote is taken.
- (v) If neither the Delegate nor alternate of a club is present when a vote is taken, the club shall have no vote on that item of business.

SECTION 2. EXECUTIVE BOARD OF DIRECTORS

a. Definition

The Executive Board of Directors shall consist of all elected USA Officers, Regional Directors, and four (4) representatives from the membership who shall be known as Directors at Large.

- b. The General Board of Directors shall elect from the membership four (4) persons, who are not USA officers, to be members of the Executive Board of Directors. They shall be known as Directors at Large. They shall serve a two (2) year term and shall be elected in even numbered years. The election for Directors at Large shall be by plurality.

c. Meetings

- (i) A meeting of the Executive Board may be called at any time by the President. He/she may set the time and place of the meeting.
- (ii) A meeting of the Executive Board shall be called by the USA Secretary upon receipt of a petition signed by two-thirds (2/3) of the members of the Executive Board.
- (iii) The Secretary shall mail notification of the meeting to all Executive Board members by electronic mail or regular mail not less than thirty days prior to any Executive Board meeting. Notification may be by electronic mail or regular mail and shall contain the date, time, location, and agenda for the meeting.
- (iv) All actions of the Executive Board of Directors shall be reported as minutes. The minutes shall be sent to all clubs and Executive Board members within sixty (60) days of the meeting. The minutes may be sent by electronic mail or regular mail and shall be sent by regular mail to any individual member of USA upon request of that member. The minutes shall be published in *Schutzhund USA* and on the USA website. The General Board of Directors may rescind or modify any action of the Executive Board of Directors.

d. Duties

It shall be the duty of the Executive Board of Directors to conduct the affairs of USA that do not require a vote by the General Board of Directors as specified in these Constitution and Bylaws. The Executive Board shall not have the authority to amend or repeal these Constitution and Bylaws.

e. Quorum

In order for the Executive Board of Directors to conduct any business, a quorum must be present. A majority of members of the Executive Board shall constitute a quorum.

f. Voting

- (i) Only members of the Executive Board may vote at its meetings or on mail ballots.
- (ii) No person may cast more than one (1) vote on any item of business.
- (iii) In lieu of calling a special meeting, members of the Executive Board of Directors may be polled by mail or electronic communication ballot. One (1) week shall be allowed for the return of ballots before closing the vote. Complete and factual information on the subject(s) to be voted on must be supplied with each ballot. Voting by telephone on mail ballots is prohibited.
- (iv) The results of the mail balloting shall be printed in *Schutzhund USA* by roll call. All votes of the Executive Board shall be by roll call unless they pertain to the approval of an application for a judges license or for the selection of judges or helpers for national events.
- (v) Conference call meetings may be conducted, and voting by telephone during such meetings shall be allowed.

- g. Executive Board members may not be governing members of competing U.S. German Shepherd Dog organizations.

h. Eligibility

Individuals who have been convicted of any felony are prohibited from holding positions as members of the Executive Board.

SECTION 3. PARLIAMENTARY AUTHORITY

The current edition of "Roberts Rules of Parliamentary Procedures" shall govern this association in all parliamentary situations that are not covered in the law, or in these constitution and bylaws, or adopted rules. In case of a conflict between the provisions of these constitution and bylaws and the parliamentary

provisions of "Roberts Rules of Parliamentary Procedures," the provisions of these Constitution and Bylaws shall prevail.

ARTICLE VIII. OFFICERS OF THE ASSOCIATION

SECTION 1. OFFICERS

The Officers of USA are those people who handle the official affairs of the association. Officers shall have a vote on both Boards of Directors. The Officers of the association shall be:

- a. President
- b. Vice President
- c. Treasurer
- d. Secretary
- e. Director of Judges
- f. National Breed Warden

SECTION 2. TERMS OF OFFICE

All elected Officers shall have a term of office not to exceed two (2) years.

SECTION 3. DUTIES OF OFFICERS

a. President

The President is the Chief Administrative Officer and legal head of USA. The President exercises supervision over the association and its activities and employees. The President is responsible for handling relations between USA and external associations and represents USA in public, presides at business meetings, and has the authority to carry out the will of the organization. The President serves as Chairman of the Board of Directors. The President shall be an advisory member of all committees except for the Board of Inquiry and the Nominating Committee. The President shall be responsible for compiling and maintaining records of all trials, German Shepherd Dog breed surveys, the German Shepherd Dog breed registry, and German Shepherd Dog breed shows. The President shall also be responsible for compiling and maintaining records of individual accomplishments of all dogs entered in USA sanctioned events and may be given responsibility for additional duties and/or records by the Board of Directors. The President shall make or cause to be made a duplicate set of records, which will be kept at a location designated by the Board of Directors. He/she shall be responsible for the distribution of, to clubs and individuals, and for the collection of fees (if any) for all necessary forms for trials, breed surveys, breed registry, breed events, etc. The President employs and manages all the paid staff for USA.

b. Vice President

The Vice President shall assume the duties of the President in case of his/her absence or incapacitation. The Vice President shall assume that office for the remainder of the term in the event the office is vacated for any reason.

c. Treasurer

The Treasurer shall be responsible for collecting, accounting for and handling all funds of the association. The Treasurer shall insure that all funds are deposited in such financial institution as the Board of Directors may designate. He/she shall see that disbursements therefrom are made as is necessary and proper to meet the just and due obligations of USA. The Treasurer shall be bonded, and the cost of such bond shall be borne by the association. The Treasurer shall secure the services of a Certified Public Accountant to review the accounts of USA annually. This audit shall take place not more than ninety (90) days prior to the annual meeting of the General Board. The Treasurer shall present a financial report at every meeting of either Board of Directors, and at any other time as requested by the President or the Board of Directors. The Treasurer shall make all of his/her records available at the General Board meeting for review by any full member of USA. The Treasurer shall be responsible for overseeing the membership records of individuals and clubs. The Treasurer shall insure that all membership requirements for USA clubs are met and shall terminate the membership of any individual or club if dues are not paid as specified in Articles IV and V respectively.

d. **Secretary**

The Secretary shall be responsible for taking and preparing accurate minutes of all meetings of the Board of Directors and shall maintain a complete file of the ordinances, bylaw revisions, resolutions, and other official USA action. The secretary shall maintain a file of committees and the members thereof. The Secretary shall record all terms of office and inform the General Board when elections are due. During the meeting of the General Board, it shall be his/her duty to insure that only those persons with proper credentials be seated. The Secretary shall insure that only persons authorized to vote are allowed to vote and shall perform other duties as prescribed by the Board.

e. **Director of Judges**

The Director of Judges shall be the chairman of the Judges Committee. He/she shall be a USA Schutzhund judge or Schutzhund Judge Emeritus in good standing.

f. **National Breed Warden**

The National Breed Warden shall be the chairman of the Breed Advisory Committee.

SECTION 4. OFFICERS SHALL PERFORM DUTIES

Officers shall perform the duties prescribed by these constitution and bylaws and by the parliamentary authority adopted by USA.

SECTION 5. NOMINATION AND ELECTION OF OFFICERS

a. **Nominations**

Candidates for officer positions may be nominated:

- (i) By the Nominating Committee. The Nominating Committee shall make known its selections for Officers, Directors at Large, and standing committee members at the General Board of Directors meeting.
- (ii) From the floor. After the Nominating Committee has delivered its nominations and report, nominations will be accepted from the floor. Only members of the General Board may make nominations. All nominations must be seconded. Nominees for Officers, Directors at Large, and standing committees must be present at the meeting of the General Board of Directors or must have furnished the Secretary with a written statement of agreement to be a candidate.

b. **Eligibility**

- (i) To be eligible for election, a nominee or write in candidate must be a full member of USA. He/she may not be under twenty-one (21) years of age. He/she may not be under current disciplinary action.
- (ii) Individuals who have been convicted of any felony are prohibited from holding positions as officers.

c. **Election of Officers**

- (i) The General Board of Directors shall elect Officers and Directors at Large at every meeting which takes place in an even numbered year.
- (ii) The voting shall be by secret ballot only.
- (iii) A Ballot Counting Committee shall be appointed by the President. It shall determine the legality of the ballots cast, tabulate the results, and give them to the President, who shall announce the results of the election.
- (iv) A majority of votes of General Board members present is required to elect. Repeat balloting is required if no candidate receives the necessary majority. On reballoting, least vote getter would be dropped.
- (v) Newly elected Officers, members of the Executive Board, and standing committees shall be seated at the conclusion of old business except the Regional Directors who would be seated immediately upon their election.
- (vi) There is no limit to the number of consecutive terms a person may hold office.

SECTION 6. VACANCIES

- a. If the office of Vice President, Treasurer, Secretary, Director of Judges, National Breed Warden or Director(s) at Large should be vacated for any reason, or if the incumbent becomes incapacitated and

cannot or is unwilling to perform the duties of office, the Executive Board shall elect a replacement. For the purposes of these bylaws incapacitation shall mean illness or death.

- b. Nominations for the vacant office must be submitted to the Secretary. The Secretary shall conduct the balloting of the Executive Board. The Vice President shall conduct the balloting if the Secretary's office is vacant. Election shall be by a majority vote of the Executive Board. The President has the authority to appoint an interim officer until the Executive Board has conducted an election.
- c. The newly elected Officer shall hold office until the next General Board meeting. At that time he/she can either be ratified or replaced.

ARTICLE IX. APPOINTED POSITIONS

SECTION 1. EDITOR

The editor shall be appointed by the President of USA and confirmed by the Board of Directors. The editor shall publish, at regular intervals, a publication which carries information about, as well as the official views of, USA. The President of USA shall direct its editorial policy so as to promote the programs and policies of the association.

SECTION 2. APPOINTED COMMITTEES

The President shall have the right to appoint committees, as he/she deems necessary, but may not appoint a committee to perform a function which is given to an officer or standing committee by these constitution and bylaws. The right to appoint a committee brings with it the right to appoint the chairman of the committee.

ARTICLE X. COMMITTEES

SECTION 1. STANDING COMMITTEES

The committees indicated below are permanent. All members of these committees shall be elected by a plurality vote of the General Board. The members of the committee shall elect a committee chairman unless otherwise stipulated in these provisions. All members of standing committees shall serve a two (2) year term and must be full members of USA.

a. Auditing Committee

The Auditing Committee shall audit the financial accounts of USA. The committee shall consist of three (3) persons. The Treasurer shall not be a member of the Auditing Committee.

- (i) If the Treasurer has not secured the services of a Certified Public Accountant and/or has not presented the CPA's report to the General Board, the Auditing Committee shall perform a complete audit of USA financial records.
- (ii) The committee shall have the power to summon the Treasurer to answer any questions. A report of the audit and/or a report of the legitimacy of USA's expenses shall then be made to the General Board of Directors at the annual meeting.
- (iii) Members of the Auditing Committee shall be elected in even numbered years.

b. Nominating Committee

- (i) The Nominating Committee shall consist of five (5) members.
- (ii) The committee shall nominate candidates for Officers, Directors at Large, and standing committee positions in USA excluding regional directors.
- (iii) The committee shall solicit recommendations for the positions it is charged to nominate candidates for. It shall request information from candidates which will enable it to evaluate a person's experience, skills, and willingness to serve.
- (iv) The committee shall choose its slate by balloting. Candidates who receive a plurality of the votes from the Nominating Committee shall be named in the committee's report.
- (v) Not less than thirty (30) days prior to the annual meeting, the Nominating Committee shall send a list of the persons it is nominating to each full member club.
- (vi) The committee shall submit its report at the meeting of the General Board of Directors.
- (vii) Members of the Nominating Committee shall be elected in odd numbered years.

c. Board of Inquiry

- (i) The Board of Inquiry shall consist of ten (10) persons. Five (5) of these persons shall be full members of the Board of Inquiry. The remaining five (5) persons shall be alternate members. USA Officers, Judges, Directors at Large, and Regional Directors shall not be eligible to serve on the Board of Inquiry.
- (ii) It shall be the duty of this board to hear cases of alleged misconduct and alleged violations of USA regulations. This board shall not entertain any charges which are not filed within one (1) year of the date of the alleged misconduct or rule violation. This board shall, by majority vote, sustain or not sustain the charges or determine the relevancy. It shall report its findings to the Board of Directors and, if its finding is to sustain the charges, the Board of Inquiry shall recommend appropriate disciplinary action.
- (iii) The Board of Inquiry may conduct its business in person, by telephone, or by mail. Balloting by telephone is permissible but must be confirmed in writing.
- (iv) Should any full member of the Board of Inquiry be the subject of charges, the chairman shall, by drawing lots, choose one (1) of the alternate members to hear the case. This person shall also hear any other case which arises while he/she is seated as a full member of the board.
- (v) No member of the Board of Inquiry shall hear charges against any person who is a member of the same local club. The chairman shall, by drawing lots, select an alternate member to hear the case. Any full member so replaced shall hear any other case(s) which arises while his club member's case is pending.
- (vi) Any full member of the Board of Inquiry may request to be excused from hearing a specific case. No reason need be given. The member shall make his/her request to the chairman, in writing, who shall, by drawing lots, choose one of the alternate members to hear the case.
- (vii) If charges are sustained against any member of the Board of Inquiry, the recommendation for discipline shall include this member's removal from the Board of Inquiry for the duration of his/her term.
- (viii) Members of the Board of Inquiry shall be elected in even numbered years.

d. Judges Committee

- (i) The Judges Committee shall consist of the USA President, the Director of Judges, one additional USA Schutzhund judge, and two (2) members at large. The chairman of the committee shall be the Director of Judges.
- (ii) The judges shall be elected in even numbered years and the members at large shall be elected in odd numbered years.
- (iii) The committee shall be responsible for the judges at all USA trials. It shall be the keeper of the trial rules and regulations. It shall be responsible for the conduct of USA judges. It shall grant probationary judges licenses to apprentice judges who have successfully completed the apprentice judge program. It may recommend that a judge's license be revoked for conduct prejudicial to the interest of USA. A decision to accept or reject the recommendation shall be made by the Board of Directors. Any judge whose license has been recommended for revocation shall be permitted to speak at the Board of Directors meeting at which the recommendation is heard.
- (iv) The committee shall design and implement a program to select and train apprentice judges, to see to the ongoing education of licensed judges, and oversee the conduct of all apprentice judges and judges. No candidate for the apprentice judges program, apprentice judges, or judge shall be a professional. That is, he/she cannot earn a substantial portion of his/her income by breeding, handling, training, or selecting Schutzhund type dogs. The method of determining the income shall be any reasonable means determined by the committee.
- (v) The host body along with the Judges Committee shall recommend a slate of judges for all national working dog events. The Executive Board shall approve the slate or recommend alternatives. Only the Director of Judges may initially contact the approved judges.
- (vi) Individuals who have been convicted of any felony are prohibited from holding positions as judges.

e. Breed Advisory Committee

- (i) The Breed Advisory Committee shall consist of all Regional Breed Wardens, the USA President, the Director of Judges, and the National Breed Warden.
- (ii) This committee shall advise the Board on all matters pertaining to the breed registry. It shall recommend criteria for administering the program including the breed standard, tattooing, registration eligibility, etc.
- (iii) This committee shall be the keeper for rules of conformation shows and breed surveys.

- (iv) The committee shall recommend judges for the national breed events to the Executive Board.
- (v) The committee shall recommend the endorsement of future Breed Judges and advancements to the post of Breed Selection Masters (Koermeisters) to the Board.

f. World Championship Committee

It is the duty of this committee to recommend rules for the selection of a team to represent USA at the World Schutzhund III Championship for German Shepherd Dogs. The committee selects a person to act as team captain. The committee consists of four (4) members and the President of USA. The committee will be elected every even year by the General Board of Directors.

g. National Events Committee

It is the duty of this committee to oversee national championship events as determined by the Board. It shall establish rules and procedures for use by the host clubs which conduct such events. The committee consists of four (4) members and the President of USA, and the committee will be elected every odd year by the General Board of Directors.

h. Nominations and Replacement

Nominees for standing committees must be present at the meeting of the General Board of Directors or must have furnished the Secretary with a written statement of agreement to be a candidate. The President/Board may appoint/replace committee member(s) to the above committees, except for the Board of Inquiry, if the elected member resigns, becomes incapacitated for any reason, or unable/unwilling to do the work.

SECTION 2. SPECIAL COMMITTEES

Either Board of Directors shall have the authority to create special committees as deemed necessary. Such a committee shall be dissolved when the task assigned to it is completed. Election to a special committee shall be as determined by the creating authority.

ARTICLE XI. DISCIPLINE

SECTION 1. CHARGES

Any full member of USA may prefer charges against any USA club and/or USA member for violating USA regulations or for conduct that is prejudicial to the interests of USA. To be heard, charges must be filed within one (1) year of the date of the alleged misconduct or rule violation, or from the time it was known or reasonably should have been known that a violation or misconduct occurred. All matters involving actions by USA judges, *as* judges, shall be referred exclusively to the USA Judges Committee.

SECTION 2. PROCEDURE

Charges must be processed according to the following procedure:

- a. The charge(s) against the accused member and/or accused club must be submitted in writing and must be notarized. The charge(s), and all substantiating witness statements and/or documentary evidence upon which it is based, shall be forwarded to the USA Secretary with a deposit of two hundred dollars (\$200) for the initial charge. A "charge" shall consist of a single, specific, allegation. There shall be an additional fee of fifty dollars (\$50) for each additional allegation filed with the initial charge. The charging party is responsible for providing sufficient copies of all electronic media documentation or evidence (video, audio recordings, photos, etc.) for each Board of Inquiry member and the USA Secretary (8 copies). The deposit shall be forfeited for each charge or allegation that is not sustained. All charges filed without notarization and/or electronic copies shall be returned to the member as a defective filing.
- b. The President and Secretary of the organization may file charges on behalf of USA against members or clubs without a deposit. Such charges shall be required to be notarized.
- c. The Secretary shall send copies of the charges to the Board of Inquiry full members and alternate(s) (if applicable) within fifteen (15) days of receipt.
- d. The Secretary shall also send one (1) copy of the charges to the accused member and/or to the accused club in care of contact person of record listed in Schutzhund USA within fifteen (15) days of receipt.
- e. The accused member and/or accused club may respond to charges in writing to the Secretary within thirty (30) days of receipt of the charges, and may also provide testimony from witnesses. The Secretary shall forward copies of any response and/or any testimony to the Board of Inquiry full members and

alternate(s) (as applicable) within fifteen (15) days of receipt. If no answer is received, the Secretary shall so inform the Board of Inquiry within thirty (30) days.

- f. The Secretary shall use certified mail/return receipt for transmittal of all documents to the accused and the accuser, and shall use U.S. mail, electronic mail, and/or digital communication for transmittal of all documents to the Board of Inquiry.

SECTION 3. BOARD OF INQUIRY ACTION

- a. The Board of Inquiry shall make a determination about the relevancy of the charges and whether the charges shall be considered within fifteen (15) days of receipt of the charges. If not relevant, the accuser and accused shall be notified by the Secretary within seven (7) days of the decision of the Board of Inquiry. If the charges are determined to be relevant, the Board of Inquiry shall conduct a confidential investigation of the charges. By a majority vote, the Board of Inquiry shall, within sixty (60) days of receipt of the response to the charges, vote sustain or not sustain the charge(s). The Board of Inquiry shall issue a determination letter setting out its findings; which shall be sent to the accused, the charging party, and the Executive Board with within the sixty (60) days of receipt of the response to the charges.
- b. The Board of Inquiry shall recommend, if the charges are sustained, appropriate disciplinary action.
 - (1) If a full member club is found guilty, appropriate disciplinary action may include:
 - (a) Reprimand of the club.
 - (b) Monetary fine in an amount commensurate with the seriousness of the offense.
 - (c) Placement of the club on probation under the supervision of some person appointed by the Board of Inquiry or the Executive Board of Directors.
 - (d) Suspension of the club for a specified period of time, during which the club may hold no USA-sanctioned activities.
 - (e) Cancellation of the club's license (reducing the club to affiliated club status).
 - (f) Expulsion of the club.
 - (2) If an affiliated club is found guilty, appropriate disciplinary action may include Items a, b, c, d, and f above and also may include delaying consideration of the club for upgrade to full member status for up to one (1) year.
- c. If the accused member is found guilty, the Board of Inquiry shall recommend an appropriate disciplinary action and present that recommendation to either Board of Directors. The recommendation shall be sustained, modified, or rejected by the Board of Directors.
- d. No member who has been suspended or expelled by USA may participate in any activities sponsored by the association, or in activities sponsored by any of its clubs, for the duration of the suspension or permanently, if expelled.
- e. If any charges against a club and/or member fail to be heard within the time frame specified by Article VI, Section 3.a. as provided in these bylaws, all money deposited with USA by those filing the charges will be refunded and a full report by the Board of Inquiry will be made to the either Board of Directors.
- f. Disciplinary action taken by a local club against a member or members of that club is an internal affair of the club and does not affect the USA membership of those individuals. Such local club disciplinary actions need not be recognized or honored by other local clubs.
- g. Non-compliance with the disciplinary decision(s) of the Executive Board and/or General Board of Directors shall result in suspension for a minimum of ninety (90) days.
- h. In the event that the Board of Inquiry determines that charges filed against a member or club are knowingly false, the Chair of the Board of Inquiry shall indicate such in its determination letter and the President or Secretary shall file charges against the charging party for abusing the disciplinary process, as such conduct is prejudicial to the interests of USA. In the event that the Board of Inquiry determines that a witness provided knowingly false testimony (including forged or altered documentation), the Chair of the Board of Inquiry shall indicate such in its determination letter and the President or Secretary shall file charges against that member for abusing the disciplinary process, as such conduct is prejudicial to the interests of USA.

SECTION 4. APPEAL PROCESS

- a. Any appeal from the Board of Inquiry determination shall be made within fourteen (14) days of receipt of the Board of Inquiry determination letter by filing a statement of appeal by certified mail with the USA Secretary.

- b. Review of the Board of Inquiry file shall be made by the Directors at Large, who will review the charge(s) (including any witness statements and documentary evidence), the response of the charged party (including any witness statements and documentary evidence), and any independent evidence developed by the Board of Inquiry to determine the reasonableness of the Board of Inquiry determination. An appeal by either party shall constitute a waiver of confidentiality, allowing the Board of Inquiry members to fully disclose to and discuss with Executive Board members all of the evidence presented during the investigation.
- c. The appeal shall not be a hearing de novo, meaning that the matter shall not be reinvestigated by the Directors at Large, but the Directors at Large shall review all the evidence presented and either sustain the appeal or deny the appeal. In the event the appeal is sustained, the charge is referred back to the Board of Inquiry for further specified investigation or consideration. In the event the appeal is denied, the Executive Board, without entertaining further argument from any party, shall vote to accept, modify, or reject the Board of Inquiry determination.

ARTICLE XII. FELONY PROHIBITION WAIVERS

Individuals with felony convictions are prohibited from serving as officers, directors at large, regional directors, assistant regional directors, regional breed wardens, and judges. In order to effect the necessary background checks, USA will contract with a firm providing such services on an annual basis. The cost incurred in obtaining a background check will be borne by the member elected to office. A member may petition the Executive Board of Directors for a waiver of the felony prohibition, based upon extraordinary circumstances. "Extraordinary circumstances" includes, but is not limited to, conduct that no longer constitutes a felony. The petition must be submitted in writing, and the Executive Board must review and render a decision within thirty (30) days of receipt of the petition. The Executive Board's decision shall be by ballot and is final.

ARTICLE XIII. AMENDMENTS

- a. These Constitution and Bylaws may only be amended at the annual meeting of the General Board of Directors by a two-thirds vote.
- b. Amendments to these Constitution and Bylaws may only be considered when written notice of the proposed amendment has been mailed to all clubs and Executive Board members by electronic mail or regular mail not less than thirty (30) days prior to the annual meeting of the General Board of Directors. The proposed changes must be specified. If such notice is published in the association's official publication not less than ninety (90) days prior to the meeting date, the requirement for mailing written notice shall be waived. If amendments to specific articles of these Constitution and Bylaws are proposed in compliance with this provision, further amendments may be made from the floor of the General Board of Directors meeting for that respective article.

ARTICLE XIV. DISSOLUTION

- a. The United Schutzhund Clubs of America may be dissolved at any time by the written consent of two-thirds (2/3) of the members of the General Board of Directors. The motion to dissolve shall require the same vote as described in Article XI for a bylaw amendment.
- b. Dissolution may only be considered at a meeting of the General Board of Directors. A special meeting for this purpose shall be called if the Secretary receives a written request for such a meeting from a majority of USA full member clubs.
- c. Dissolution may only be considered if written notice of the intent to dissolve is sent to all full member clubs, Regional Directors, and USA Officers not less than thirty (30) days prior to the special meeting called for this purpose.
- d. If the association is dissolved, all just debts and liabilities of the association shall be paid. After payment of all debts and liabilities of the association, its assets and properties shall be distributed to a non-profit fund, foundation, or corporation which is organized and operated exclusively for dog training purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code.