



MISCONDUCT & DISCIPLINE

Hunting Programs

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UKC® Standard of Conduct

United Kennel Club® events are intended to be family-oriented recreation for dog enthusiasts and their UKC-registered dogs. Accordingly, UKC expects the highest standard of conduct at these events. Misconduct is defined as behavior or actions that are not in the best interest of the sport of purebred dogs. Conduct considered prejudicial to the sport of purebred dogs is any action or behavior that could cause an average, reasonable person or family to be offended or potentially repelled from the sport of purebred dogs; i.e., conduct incompatible with a family friendly environment.

There are three general categories of misconduct:

Category 1. Wrongdoing during or associated with a UKC Licensed event. This may include, but is not limited to, threatening, assaulting or battering another individual; falsifying any event-related document; cheating or conspiring to cheat in order to improve the standing of any dog competing at an event; abusing or neglecting a dog in conjunction with an event; abuse of motel rooms by dogs or persons attending the events; and any other UKC event rule infraction.

Category 2. Violation of UKC policies, procedures, or rules. This may include, but is not limited to, falsification of UKC registration papers; misidentification of a dog or the parentage of a dog; or non-eventrelated abuse or neglect of dogs.

Category 3. Uttering a payment with non-sufficient funds. This category refers to paying entry fees via a check with non-sufficient funds in the account, the use of a debit or credit card that is declined, forged or invalid money orders, or other forms of payment where an exhibitor's entry fees remain unpaid after competing.

Procedures For Handling Misconduct During or Associated with a UKC Licensed Event Covered By This Rulebook (Misconduct Category 1)

Jurisdiction

All persons present on the grounds of a UKC event during the event hours are subject to the jurisdiction of the UKC and are therefore subject to these UKC standards of conduct and disciplinary procedures. In addition, UKC has jurisdiction over misconduct associated with the event that may occur off the grounds of the event or outside event hours. This paragraph shall be interpreted as broadly as is necessary to regulate any off-grounds misconduct reasonably related to the event that is prejudicial to the interests of the sport of pure-bred dogs. One example of such off-grounds event-related misconduct is abuse of motel rooms by dogs or persons attending the events.

The Complaint

Any person who becomes aware of an act of event-related misconduct during the hours of a UKC Licensed event, must notify a UKC-licensed official or any host club official. A UKC Licensed Official so notified must immediately inform a host club official of the complaint. The host club may immediately expel any individual from the event where there is probable cause to believe that the individual threatened, intimidated, assaulted, or battered any person or abused or neglected a dog.

Upon receipt of a complaint, the host club official shall provide the complainant with a UKC Misconduct Complaint Form. The complainant must complete all of Section 1, including the complaint description, which must contain a complete, factual, and detailed description of the conduct alleged to have occurred, and the identity of all persons, potential witnesses, and dogs involved in the alleged misconduct.

The host club official shall enter the names, and where known, the addresses, daytime and evening phone numbers of the accused and all witnesses in Section 2 and Section 3 of the Misconduct Complaint Form. The Misconduct Complaint Form shall be forwarded to UKC with the Event Report. No action will be taken on a Misconduct Complaint Form unless it is signed and dated by the complainant.

Any person who becomes aware of an act or event related misconduct AFTER the event, must notify UKC with a written, signed complaint. UKC staff shall forward to the complainant a Misconduct Complaint Form. Complainant shall

complete Sections 1, 2, and 3 of the Misconduct Complaint Form. Section 1 must be filled out completely. Complainant must fill out as much of Sections 2 and 3 as he/she is able and return the form to UKC.

All signed Misconduct Complaint Forms will be reviewed by the UKC staff within thirty (30) days of receipt if possible. If in the sole judgment and discretion of the UKC staff there is sufficient cause to necessitate a hearing, UKC will notify the host club who initiated the complaint to hold a hearing on the complaint. UKC reserves the right to conduct its own investigation and to make a decision without a hearing. The notice to hold a hearing shall include a copy of the original Misconduct Complaint Form submitted and signed by the complainant and a UKC Hearing Procedure Form.

Notice To Hold A Hearing

Within fourteen (14) days of receipt of the UKC notice to hold a hearing, the Club President of the host club, or a surrounding club that received the UKC notice to hold a hearing shall:

1. Appoint a Hearing Committee Chairperson and two Hearing Committee members from among the club's officers and board members. No officer or director who witnessed the alleged misconduct or is the complainant or accused shall serve on the Hearing Committee;
2. Set the time and place of the hearing. The date shall be no more than thirty (30) days from the date the UKC notice to hold a hearing is received by the club. The date, place and time shall be selected to reasonably allow the person against whom the complaint is made (hereinafter referred to as the "accused") to attend;
3. Notify the accused by regular and certified mail (return receipt requested) of the date, place, and time of the hearing; the alleged misconduct which is the subject of the complaint; the name of the complainant; and the names of all witnesses. The Notice of Hearing shall further advise the accused that he/she will not be permitted to have an attorney present at the hearing and shall also notify the accused of the following:
 - a. The accused may be present during the testimony of all witnesses;
 - b. The accused may question all witnesses;
 - c. The accused may present witnesses on his/her own behalf;
 - d. The accused may testify in his/her own behalf;
4. Notify the witnesses by regular mail or telephone of the date, place, and time of the hearing; the alleged misconduct which is the subject of the complaint; and the name of the complainant.
5. The accused must notify the Club President within three (3) days of receipt of the Notice of Hearing if he/she is unable to attend. The Club President will make every reasonable effort to accommodate the accused in setting a new hearing date, time and place, but shall not postpone the hearing date any more than an additional ten (10) days.

If The Accused Fails To Appear At The Hearing

If, after having been advised of the complaint and the date, time and place of the hearing, the accused fails to appear, the hearing shall proceed without the accused.

The Hearing Procedure

The Hearing Committee must follow and complete the UKC Hearing Procedure Form when conducting the hearing.

1. The Hearing Committee Chairperson (hereinafter referred to as Chairperson) shall introduce himself/herself and the other members of the Hearing Committee.
2. The Chairperson shall designate a member of the Hearing Committee to keep a written record of the proceedings and who will also be responsible for completing the UKC Hearing Procedure Form. The record keeper shall try to provide as detailed summaries as possible in the spaces provided.
3. The Chairperson will advise the accused of the specifics of the complaint, and also of the following:
 - a. The accused may be present during the testimony of all witnesses;
 - b. The accused may question all witnesses;

- c. The accused may present witnesses on his/her behalf;
- d. The accused may testify in his/her behalf.

No party in attendance is entitled to nor permitted to have an attorney present at the hearing.

- 4. The Chairperson will introduce and swear in¹ in the complainant (if present) and witnesses in support of the complaint². Each will, in turn, present their testimony, followed by questions by the accused, and then any questions from the Hearing Committee.
- 5. The Chairperson will introduce and swear in¹ the accused (if present) and witnesses in support of the accused². Each will, in turn, present their testimony, followed by questions by the accused, and then any questions from the Hearing Committee.

¹ If a witness is unwilling because of religious or other beliefs to take the traditional oath (Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?), then the following affirmation shall be offered: "Do you promise to tell the truth, the whole truth, and nothing but the truth?"

² If the complainant or a witness is unable to attend in person, they may testify via telephone if a speakerphone is available. Clubs shall make a reasonable effort to provide a speakerphone where a witness is willing to testify but cannot because of distance or other compelling reason. In the alternative, the complainant or witness may make a signed, written statement to be read aloud at the hearing. The accused may not testify via telephone.

- 6. At the conclusion of all testimony, the accused may present a final statement in response to the complaint. If the accused cannot attend the hearing due to distance or other compelling reason that satisfies the Hearing Committee, he/she may submit a signed, written response to the complaint to be used at this stage of the hearing.
- 7. The Chairperson will then excuse the complainant, witnesses, and the accused to deliberate and make findings.
- 8. The evidentiary standard for findings is that of a preponderance of the evidence³. A simple majority is sufficient to make findings and a decision. In coming to a decision, the Committee may not consider the respondent's general reputation or status in the sport of purebred dogs, prior acts of misconduct for which no disciplinary action was taken, nor the extent of the respondent's investments in dogs. The sole consideration must be the specific instance of misconduct with which the respondent is charge.

³ If the amount of evidence you need to be absolutely certain of a fact is equal to 100%, then a preponderance is equal to 51%. In other words, the evidence must be sufficient to convince the members of the Hearing Committee that the fact asserted is more probably true than not true.

- 9. To come to a decision, the Committee must decide:
 - a. Whether the alleged misconduct was proven to have occurred;
 - b. Whether the alleged misconduct was prejudicial to the sport of purebred dogs⁴
 - c. Whether the alleged misconduct occurred in conjunction with a UKC event.

All three of these elements must be met in order to find against the accused.

⁴ Prejudicial to the sport of purebred dogs is that which could cause an average, reasonable person or family to be offended or potentially repelled from the sport of purebred dogs; i.e., conduct incompatible with a family friendly environment.

- 10. Once the Committee reaches a decision, the Chairperson will call the accused back to notify him/her of the findings of the Committee.
- 11. Within ten (10) days of the hearing, the Chairperson must forward the Hearing Form and any attachments, such as written statements, to:

United Kennel Club
Attn: Vice President of Hunting Programs
100 E Kilgore Rd.
Kalamazoo, MI 49002

Procedures For Handling Misconduct Not Associated With A UKC Licensed Event (Misconduct Category 2)

UKC Standard of Conduct

UKC dog breeders and registrants must comply with all UKC rules, regulations, procedures, and policies, as well as all local, county, state and federal government regulations for kennel operations.

Jurisdiction

All individuals who register individual dogs or litters with UKC are subject to the jurisdiction of the UKC and are therefore subject to these UKC standards of conduct and disciplinary procedures.

The Complaint

A person who becomes aware of an act of misconduct not associated with an event must notify UKC in writing.

The notification should include all known facts and circumstances surrounding the alleged misconduct; the date of and location where the alleged misconduct occurred; and any witnesses who may have additional knowledge of or information about the alleged misconduct.

Investigation, Findings, and Recommendations

UKC staff shall investigate such complaints and shall report findings and recommendations to the appropriate UKC Department Head.

Procedures for handling uttering a payment with non-sufficient funds (Misconduct Category 3)

1. When the club becomes aware of an act of uttering in the amount of \$100 or more, the Treasurer must make a written notification along with proof the violation and a copy of the dog's entry form(s) to UKC within 21 days of the event.
2. The Disciplinary Action Committee will review the complaint and if a violation is found, the following steps may be taken:
 - a. Invalid Entry. The dog's record for the event will be treated as an invalid entry when recording the Event Results.
 - b. The exhibitor must contact the club immediately upon notification from their financial institution that the payment was insufficient and resolve the insufficient funds entry payment to the club. Additionally, the club must make every reasonable attempt to collect sufficient funds.
 - c. The club may collect a reasonable amount of fees in addition to the entry amount from the exhibitor.
 - d. When the outstanding debt has been successfully paid by the exhibitor, which may include additional charges assessed to the club by their financial institution, the club must notify UKC within 7 days.
3. After UKC has been notified by the club or Event Manager that the uttering has been successfully paid, the exhibitor may make an appeal to re-instate the dog's points to the Disciplinary Action Committee. An appeal must be filed not later than 30 days from the date the uttering has been successfully paid to the club. The decision of the Disciplinary Committee shall be final.
4. Habitual Uttering. The UKC Disciplinary Action Committee may place on Probation or Suspension any exhibitor or owner for repeated instances of uttering as described in the Penalties section below. Misconduct by Host Club when any person or persons become aware of an act of misconduct by a club, its event officials, any person acting in an official capacity or acting event manager during the hours of a UKC event must make written notification of the violation by the club to UKC within 7 days of the event.

Actions For Misconduct

The Disciplinary Action Committee (DAC) of the UKC is the judicial body whose purpose is to properly handle violations of UKC rules, policies, and procedures. The DAC is in place to ensure that UKC policies are followed, protect the standards and philosophy of UKC, and assist UKC in standing behind the pedigrees that UKC is guardian over. The DAC shall review all Hearing Committee findings and results (Category 1 and 3 Misconduct) and make decisions for staff investigation findings and reports for Category 2 Misconduct. DAC shall decide if one of the following actions shall be taken:

1. **Written Warning.** Some situations may not be serious enough to necessitate a hearing or warrant discipline. In those cases, the DAC may issue a written warning to the accused to put the actor on notice that his or her actions were unacceptable, and to serve as a reminder of the rules. A file for that individual will be created, referenced, and taken into consideration should any future issues arise.
2. **Probation.** Probation shall serve as a reprimand or serious warning. During the period of probation, the individual shall be closely monitored by UKC. Any other instances of misconduct may result in immediate suspension or barring at the discretion of the appropriate UKC Department Head and may not require further DAC participation. If the probation is to be accompanied by a fine, the fine must be paid by the stated deadline, or the probation may be increased to suspension.
3. **Suspension.** Suspension (also referred to as barring) is a loss of event and registration privileges as defined under the Terms of Suspension. Indefinite and life suspensions shall be reserved for the most egregious offenses or repeat offenders. The loss of event and registration privileges shall begin upon UKC's mailing of the notification to the respondent via certified mail (return receipt requested), but if it is a defined period of suspension, the fine must be paid by certified check or money order before the end of the suspension period. If the fine is not paid by the end of the suspension period, the suspended individual will remain so until the fine is paid in full. Once the suspension period is served, event and registration privileges will be restored with an automatic 3 year probation period.

Terms of Suspension

During the period of suspension, the suspended individual:

1. May not register any dogs in his/her name (joint or individual ownership). A suspended person may transfer any dogs currently registered in his/her name (joint or individual ownership), except that no dog registered in the name of a suspended/banned person, regardless of co-ownership status, may be transferred to any member of that person's family, spouse, or companion. Companion is defined as anyone who resides at the same address as the suspended individual.
2. May not use dogs that are currently registered in his/her name for breeding purposes. No dog registered in the name of the suspended person (joint or individual ownership) may be used for breeding and no offspring of such a dog is eligible for registration with UKC.
3. May not register any litters or sign any litter registrations in any capacity.
4. May not enter or participate in any way in any UKC-licensed event, including, but not limited to: co-owner, handler, back-up handler, judge, guide, vendor, spectator, Master of Hounds, Bench Show Judge, Judge or Director for any Conformation, Performance, or Companion event, and are prohibited from holding office in any UKC approved club or association.
5. No dog registered in the name of a suspended person (joint or individual ownership) may be entered or participate in any way in any UKC-licensed event.
6. May not receive monetary payouts from any UKC specialty program, including the Performance Rewards Program, the Beagle Incentive Fund program, or the Merit Club Program.
7. May not receive Championship points for any dog registered in his/her name (joint or individual ownership).
8. May not advertise in any UKC publication or internet site.

Appeals

Any person placed on suspension may appeal directly, in writing, to the UKC Appeals Committee. The decision of the Appeals Committee is final.

UKC Inherent Rights and Powers

Notwithstanding anything herein, and regardless of whether these procedures are followed, under UKC's Inherent

Rights and Powers, UKC reserves the right to itself and its sole judgment and discretion, to investigate any suspected misconduct and to impose such sanctions and penalties as deemed appropriate.

The constructions and/or application of UKC rules, procedures, regulations, and policies are governed by the laws of the state of Michigan.

INHERENT RIGHTS AND POWERS OF UKC

Revised December 18, 2009

United Kennel Club holds and has reserved to itself certain inherent rights and powers in connection with conducting its business, registering litters, transferring registrations of dogs, licensing events, and awarding titles. These inherent rights and powers include but are not limited to the following:

United Kennel Club has the right to inspect all reports, scorecards and documents related to UKC events. Some, but not all, of the items subject to inspection are:

- a) scores;
- b) disqualifications of dogs for fighting or other reasons;
- c) errors by the recording person; and
- d) documentation excluded for any reason.

UKC reserves the right to correct any mistakes found during such inspection whether or not the document has the signature of a Judge or Club officer. UKC reserves the right to itself and in its sole judgment and discretion, to take such actions and impose such sanctions as would:

- a) Bar an individual from entering or participating in any way in any UKC licensed event.
- b) Bar an individual from transferring or registering any pups or dogs in that person's name (*joint or full registration*) or to any member of that person's family.
- c) Bar an individual from receiving Championship points for any dog registered in that person's name (*joint or full registration*).

By Way of illustration, the following constitute some, but not all, of the situations calling for the above sanctions:

- a) Falsification or alteration of a UKC Registration Certificate, Pedigree, UKC Easy Entry® Card or any other UKC document
- b) Falsification or alteration of any reports of wins issued by UKC.
- c) Falsification or alteration of receipts issues by UKC Judges.
- d) Switching, wrongfully using or attempting to use a UKC Registration Certificate, Pedigree, UKC Easy Entry® Card or any other UKC documents.
- e) Spelling or attempting to sell a dog with false or incorrect UKC Registration Certificate or Pedigree.
- f) Intimidating, threatening, or injuring a Judge, Club/Association member or official, event participant or spectator, or UKC representative.

The six illustrations above are only by way of example and UKC reserves to itself its inherent right and power to impose such sanctions in any other circumstances deemed appropriate by UKC.

Any individual who is found guilty by a court of law of a crime involving dogs will be barred from United Kennel Club for an indefinite period. A person shall be considered guilty in a criminal proceeding if they are convicted by a judge, jury, or if they enter a plea bargain or other arrangement to plea to a lesser offense, or if their case is disposed of by any form of deferred adjudication; a person shall be considered guilty in a civil proceeding if they are held responsible or liable by a judge, jury, or if a compromised settlement is reached between the parties.