

Charges, Code of Ethics, Suspension/Expulsion Policy, and Procedure
Final version will be part of the Operations Manual
To Board for approval — 10/14/2021

Operations Manual Sections

Section 3 - CCA Bylaws Article VI

Section 4 - I. Charges/Suspension/Expulsion Policy and Procedures

Section 5 - Appendices (Code of Ethics)

I. Code of Ethics and Ethics Policy

A. Code of Ethics (Adopted October 24, 2006)

INTRODUCTION:

This code shall establish a standard of conduct to be followed by all members of the Collie Club of America, Inc. in the normal course of breeding, selling, exhibiting. We recognize the difficulty of covering all situations and for this reason any failure to comply with the intent of the code shall be handled in the same manner as a specific violation. The welfare of all collies is the responsibility of all members.

1. No member shall knowingly sell or place, trade or give any Collie — of any age — to pet dealers, catalog houses, or other commercial sources; nor shall Collies be given as prizes, auctioned, or exploited to the detriment of the breed.
2. No Collie should be sold with defects of health or temperament that would interfere with its normal function as a suitable pet or companion. All known defects shall be disclosed to the new owner in writing.
3. All dogs shall be transferred, sold or placed in good condition, free of communicable diseases with health guaranteed for a reasonable length of time. This should include a written health record, including an inoculation schedule and an eye examination done either by a licensed veterinarian trained in veterinary ophthalmology or a certified ophthalmologist. It is also suggested that the dogs have some type of permanent identification, such as a microchip or tattoo.
4. Collie puppies shall not be released until eight (8) weeks of age. Puppies sold as pets shall be sold with AKC Limited Registration. Spay/neuter agreements are strongly recommended on all collies sold as pets.
5. A written agreement should be drawn up between buyer and seller for all transactions. The agreement should include a request that the seller be contacted in the event at any time the owner is unable to keep the dog. When contacted it will be the obligation of the seller to make every effort to assist the buyer in placement of the dog.
6. No member shall sell or aid in selling to a person who they have reason to believe cannot or will not provide proper care and environment to the Collie. Members shall not abandon or put dogs in shelters or pounds. If circumstances require emergency placement of a dog into rescue the owner is financially responsible for the care of the dog.
7. All members shall provide proper care and a suitable environment for their Collies. Collies shall not be kept in circumstances or numbers where their needs cannot be adequately met.
8. All breeding shall be done with the intention of advancing and protecting the breed. All Collies used for breeding shall be in good health and free from communicable disease. Dogs known to be sterile, cryptorchid or monorchid shall not be offered at stud. Stud dog and bitch owners shall notify the other of any physical problems and/or any known inherited genetic defects or any other condition in their dogs.
9. Bitches shall be bred only to selected stud. Owner of bitch is to be consulted before any other stud is used.
10. All financial arrangement and breeding arrangements will be in advance of sales or service and agreed to in writing by both parties. Only an actual witnessed tie or AI that has been agreed upon by all parties shall be considered breeding.
11. All advertising shall be honest and not in any way misrepresentative or fraudulent. Variety shall be designated in all advertising.

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12. Whether at home, traveling, at shows or motels, all members shall conduct themselves at all times in such a manner as to reflect credit on the sport of dogs and Collies in particular.
13. All members will be given a copy of this Code when joining and by the act of joining shall signify their acceptance of this Code in its entirety. Any member then violating this Code either in content or intent shall be punished according to the severity and intent of the violation up to and including expulsion from the club.

B. Ethics Statement and Scope of Authority

The Collie Club of America's Code of Ethics (COE) is a set of principles of conduct and sportsmanship within the CCA that guides the decision-making and behavior of its members. The purpose of that code should not primarily be seen as a disciplinary tool, but one that provides members, and other interested persons, with guidelines for making ethical choices in CCA member conduct. Professional integrity is the cornerstone of members' credibility and accountability. Members of an organization will adopt a Code of Ethics to share a dedication to responsible behavior and to declare the organization's principles and standards of practice. The Code of Ethics is provided to each CCA Member for acknowledgement and signature at the time of applying for membership and assumed each ensuing year thereafter when renewing membership.

The CCA's scope of authority must be understood and taken into consideration. It is recognized that the CCA has no legal authority and, therefore, any legal or contractual disputes should be handled through the legal/court system and will not be adjudicated by the CCA. Also, it is not the role of the CCA to mediate and/or investigate in matters of dispute. Decisions will be based on the evidence and defense presented by the parties involved. The CCA only has the authority to find judgement against a member if charges brought against that member are substantiated by the Board of Directors as either being conduct detrimental to the best interests of the CCA or to the collie. At times the Board may decide not to take jurisdiction — not based on the merits of the charges — but because those charges are not within the scope of authority of the CCA.

C. AKC Charges

1. Per Article VI Section 1 of the CCA Bylaws, Any member suspended from the privileges of the AKC will automatically be suspended from the privileges of the CCA for a like period.

D. Prior to Filing Charges

1. A member filing charges with the CCA should be aware of the club's Scope of Authority prior to making the decision to prefer charges.
2. An attempt should be made by the parties involved to resolve disputes before bringing formal charges to the CCA Board for Directors for an adjudication decision.
3. Utilizing the *AKC Working It Out* guidelines (link: http://images.akc.org/pdf/Working_It_Out_Guide_and_FAQs.pdf) is strongly encouraged.

E. CCA Complaints/Charges - Filing Charges

1. A CCA Member (or members) may prefer charges against another CCA member (or members) for alleged misconduct prejudicial to the best interests of the CCA or the collie utilizing the process described in CCA Bylaws Article VI Section 2, including the required \$250.00 deposit.
2. There is no provision in the Bylaws for charges to be brought against a member by a non-member. Because the CCA lacks authority outside its own entity, behavior which would be considered prejudicial to the best interests of the Club or the collie that impact persons who are

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not members must be brought forward by a member(s) for consideration and that member becomes the complainant.

3. Complaint/Charges may include violations brought against a member(s) by another member(s) as well as alleged Code of Ethics violations brought to the attention of the CCA.
4. If more than one member is named in the charges, it must be for the exact same incident, if not, charges should be filed separately. If more than one member is named as the complainant, all must sign the charges and jointly submit one deposit of \$250.00.
5. Charges/complaints arising from events at an CCA sponsored, AKC sanctioned event should, whenever possible, utilize the AKC Event Committee process if appropriate as noted in the rules dealing with misconduct found at this link: <http://images.akc.org/pdf/rulebooks/RDMSC4.pdf>
6. The AKC requires that club disciplinary matters be heard by “the Board of Directors (or a committee of at least 3 members of a Parent club board)” and that, “The authority to hear disciplinary matters cannot be transferred or delegated to any other individual.” “When processing disciplinary matters, clubs must make every effort to avoid even the slightest appearance of impropriety.” CCA will utilize the AKC language when considering Charges/Complaints brought forward for consideration. See http://images.akc.org/pdf/clubs/club_policies/bylaw_faqs.pdf
7. After an initial review of the complaint/charges and, if the CCA Board of Directors feels there is sufficient information/evidence to substantiate the charges **if proven**, the process will go forth as described in CCA Bylaws Article VI Section 2 and 3.
8. The Board of Directors and hearing committee must maintain a spirit of open-mindedness in its review and deliberations and all deliberations are considered **confidential**.

F. Role/Process of the Board of Directors when charges are filed (Based on AKC and CCA Bylaws language)

1. The following process will be followed when charges are filed:
 - Written charges with specifications must be filed in duplicate with the CCA Secretary.
 - Signature(s) of the complainant(s) must accompany the written charges.
 - Charges must be accompanied by a \$250.00 deposit which will be forfeited if:
 - Charges are not adjudicated
 - Charges are not sustained.
 - Upon receiving charges, the Secretary shall send a copy of the charges to each member of the Board of Directors within fourteen (14) days of receipt or present the charges at a board meeting if such meeting is within the 2-week time frame.
 - Every attempt should be made to avoid presenting charges at a board meeting unless the timing of the charges makes it the best option.
 - If charges are to be presented at a board meeting, and because it is the habit to provide a recording of the board meeting to all members, the Board should go into Executive Session to hear the charges.
 - The Executive session discussion will not be recorded for dissemination or otherwise be shared with members.
 - Charges will not be discussed on the electronic Board discussion list, instead a forum of the board will be scheduled within seven (7) days of board member notification of charges. This forum will be for discussion only and no action will be taken. Questions to be discussed at this forum should be emailed to the Secretary no later than two (2) days before the forum date. The Secretary shall provide an anonymous list of those questions at that forum.
 - A special meeting of the Board will be automatically called by the President (as provided in CCA Bylaws Article IV, Section 12) to be held fourteen (14) days following the Board notification of charges. The purpose of this meeting is to:
 - Determine whether the Board will entertain jurisdiction of the case,

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- Decide if the full Board will hear the case or establish a Board Hearing Committee (typically 3-5 members),
 - Receive the nominations of a hearing chair and committee members from the President and,
 - Vote on the Hearing Committee (if one is to be established).
2. The Board shall first consider whether the actions alleged in the charges might constitute (if proven) conduct prejudicial to the best interests of the club or breed and/or represents a violation of the Code of Ethics.
 - If the Board considers that the charges do **not** allege conduct which would be prejudicial to the best interests of the club or breed, it may refuse to entertain jurisdiction and will notify the accuser of this decision. The \$250.00 deposit is forfeited.
 - If the Board entertains jurisdiction of the complaint/charges, it shall fix a date for a hearing not less than three (3) weeks nor more than six (6) weeks after the decision to entertain jurisdiction.
 - The Board shall have the complete authority to decide whether counsel may attend the hearing, but both the complainant and the defendant must be treated equally regarding counsel attendance (CCA Bylaws Article VI, Section 3).
 - If a person participating in any way in or at a hearing is a minor (as determined by State law), it must be noted in the hearing record and a record of written consent must be submitted into the record including the name of the Authorized Adult (parent, legal guardian, or an adult authorized in writing by a parent or legal guardian to accompany the minor) who accompanied the minor during the hearing and provided permission for the minor to participate. Written consent may be provided by email (AKC Dealing with Misconduct Section V) .
 3. To be clear the timeline will be as follows:

Charges Timetable

Action	Timeline
Charges received by the Secretary	Receipt Date
Board Notification of Charges by Secretary	Within 14 days of receipt date
Board Forum Discussion	Within 7 days of Board notification of Charges
Special Board Meeting to consider Jurisdiction and Board Hearing Committee Established (if needed)	Within 14 days of Board Notification of Charges

G. Jurisdiction of Charges

1. The CCA Secretary will notify both parties of the decision by the Board to entertain jurisdiction and will send one (1) copy of the charges to the accused member by certified mail (return receipt requested) with a notice of the hearing. The defendant will be notified that he/she may personally appear in his or her own defense and bring witnesses if wished.
2. If a person involved in the incident is a minor, a parent or legal guardian of the minor must be notified prior to any testimony of the minor. The testimony may only proceed with the written or oral consent of the Authorized Adult (described above).
3. Detailed records of the dates and notifications of all parties needs to be kept by the Secretary.
4. The accused must be given reasonable time to secure witnesses and to prepare. It is up to the accused to request additional time if needed within the 3-6 week time frame set for the hearing in the bylaws.
5. Every effort will be made to set a hearing time to accommodate both parties as long as it mets the 3-6 week time frame established in the Bylaws.

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6. The Board may establish a Board Hearing Committee if it wishes of not less than three (3) members of the Board (preferably keeping the total an odd number) to conduct the Hearing.
7. Hearings may be held via video or telephone conference call as established in CCA Bylaws Article IV, Section 14.
8. If a Board Hearing Committee is established, The Board of Directors will appoint the chair and members of the Hearing Committee, taking into account the nominations of those positions by the President per CCA Bylaws Article IV, Section 2. The Board and/or hearing committee will decide where the hearing will take place, how it will take place, and approve any costs of those Board members to attend meetings if not done by video or telephone conference call.
9. Hearing Committee board members should have no relationship with either party in the dispute that might be considered a conflict of interest. Board members with anything that would be construed as a conflict should recuse themselves from the hearing to avoid the appearance of impropriety.
10. Either the complainant or defendant may submit specific objections to any board member participating in the disciplinary process (http://images.akc.org/pdf/clubs/club_policies/bylaw_faqs.pdf).
 - Objection must be made in writing (US Mail, Fax, or electronic) to the CCA Secretary within seven (7) days of receipt of the hearing notification
 - If the board upholds the objection of the board member and that board member's vote affected the decision during the jurisdiction phase, the remaining board members must re-consider the decision to entertain charges.
 - Both parties of the complaint are notified of the outcome within 7 days of receipt of the objection

G. Board Hearing:

1. If the hearing is recorded, all participants must agree to the recording
2. The Hearing Committee Chair shall call the meeting to order.
3. A designated board member should serve to keep hearing minutes.
4. Recommended outline of Board hearing (per AKC guidelines):
 - Introduction of members and participants
 - Any unauthorized attendees are excused. Certain witnesses might be asked to reenter the hearing as needed
 - The charges will be reviewed
 - Both the complainant and defendant are allowed to present his/her case, defend themselves, call, listen to, and/or question witnesses, and testify on his or her behalf.
5. Board members of the hearing committee will question participants as needed to clarify, amplify, or verify information provided in the charges, defense, or hearing.
6. The hearing committee will make its decision based on the information presented at the hearing and will not additionally mediate or investigate the charges outside of the hearing.
7. At the conclusion of the hearing, everyone except the members of the Hearing Committee are excused and the recording stopped. The committee deliberates, votes, and decides outcomes.
8. Findings are put in writing, signed, and filed with the Secretary.
9. The Secretary shall notify each party of the decision and penalty, if any.

H. Hearing Outcomes (See CCA Bylaws Article VI, Section 3 and 4)

1. If the Board Hearing Committee does not find that the charged conduct has been proven or if the charges are felt to be outside the CCA Scope of Authority, all charges will be dropped. The complainant will forfeit the \$250.00 deposit.
2. Should the charges be sustained after hearing all the evidence and testimony presented, the Board or its hearing committee may, by a majority vote of those present decide on:

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- **Reprimand:** A detailed reprimand may be sent directly to the member, but the published reprimand (in the minutes) should only state that member X has been officially reprimanded as a result of charges filed by member Y. A reprimand does not affect club privileges.
- **Suspension:** A suspended member will not be in good standing in the Club and will lose all privileges and rights of membership during the suspension period. A suspension is for a maximum period of six (6) months or until the next annual meeting if longer than 6 months. See Impact and Consequences of Suspension below.
 - Club suspensions are temporary in nature and the members' privileges are automatically restored (except as noted in the Impact and Consequences of Suspension) once the suspension period ends (<https://www.akc.org/pdf/Tips-and-Best-Practices-Effective-Club-Bylaws/>)
 - If the suspension time occurs during the dues renewal period, it is the responsibility of the suspended member to apply for reinstatement after the suspension is served. The reinstatement protocol must be followed and the application will be subject to a vote on reinstatement.
- **Expulsion:** The board may also recommend that a suspended member be permanently expelled from the club.
 - Expulsion requires a vote of the entire membership of the Club and is accomplished at either the annual membership meeting or a special meeting of the membership following a hearing.
 - Expulsion requires a two-thirds (2/3) vote of those members present and voting.
 - The suspended defendant shall have the privilege of appearing on his/her own behalf, though no further evidence shall be taken at this meeting.
 - The President shall read the charges and the Board's findings and recommendation, and shall invite the defendant, if present, to speak in his/her own behalf if he/she wishes. This is not to be construed that a second hearing will take place.
 - The members shall then vote by secret ballot on the proposed expulsion.
 - If the vote is in favor of expulsion the member is immediately expelled.
 - If the expulsion is not upheld, the member will remain suspended until the suspension period ends.

I. Impact and Consequences of Suspension

1. A suspended member is considered "not in good standing"; therefore, his/her membership years are interrupted for the time period of the suspension
2. The suspended member "resets" membership years for CCA judging appointments. Per the CCA Show Rules - "A CCA member that is a Conformation Judge for the CCA Specialty shall be an approved, authorized Judge in good standing with the AKC. They shall have continuously paid dues and be members in good standing with the CCA for four (4) years prior to their nomination and maintain membership through their assignment."
3. A suspended member will not be able to:
 - Vote in any elections,
 - Receive CCA publications,
 - Judge at any CCA event where membership in good standing is required,
 - Qualify for any CCA member-only trophies.
4. Suspension and Dues:
 - Annual dues renewal starts on October 1 and dues are due and payable by December 15.
 - If the suspended member is paid in full and suspension is not during the dues renewal period, then, at the end of the suspension, the member is restored to a member in good standing.
 - If the member's suspension term falls before or during the renewal dates and upcoming dues have not yet been paid, he/she will not be sent a dues renewal form. Upon the expiration of the suspension (unless expelled), it is the member's responsibility to initiate reinstatement by

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completing the reinstatement form, submit the proper membership classification dues and the Board approved \$15.00 reinstatement fee. The member will be subject to a vote for reinstatement by the Board (CCA Bylaws Article II, Section 5)

- If the member's suspension term falls after the dues renewal time has started but before the end of the renewal period, and the member has already submitted upcoming dues, the member will return to good standing after the term of the suspension is served.
- If the suspended member is part of a Joint membership:
 - The suspension only impacts the suspended member.
 - The unsuspended member has the option to convert his/her membership to a Single Membership.
 - When the term of the suspended member ends and the member wishes to be reinstated, he/she will pay a Single Membership dues amount, complete the reinstatement form, pay the Board approved \$15 reinstatement fee, and be subject to a reinstatement vote.
 - For the next dues cycle, the membership may once again be converted to a Joint Membership if both are members follow the procedure outlined above.

J. Impact and Consequences of Expulsion

1. Expulsion occurs by a two-thirds (2/3) vote by the membership at an annual or special meeting. (CCA Bylaws Article VI, Section 4).
2. All debts to the Club must be paid in full (CCA Bylaws Article II, Section 8)
3. A member whose membership has been terminated for any reason shall not be entitled to any refund of dues (CCA Bylaws Article II, Section 4)
4. An expelled member does not qualify for reinstatement.
5. If a member has been terminated by expulsion, the expelled person must formally apply as a new member (CCA Bylaws Article II Sections 3 & 5).