

**SOUTHEAST KREISGRUPPE DVG AMERICA, Inc.**  
**Constitution and By Laws**

**ARTICLE I: NAME & OBJECTIVES**

**Section 1: Name:**

- A. The name of the Organization shall be Southeast Kreisgruppe DVG America, Inc. (Hereafter. "Southeast Region or SEKG)
- B. The Southeast Region shall be a non-profit organization

**Section 2: Objectives**

- A. To promote & organize working dog sport activities within the geographic area of the Southeast.
- B. To monitor and regulate Schutzhund competition in the Southeast Region.
- C. To protect and advance the interest of all breeds of dogs by encouraging and requiring sportsman-like conduct at all events hosted by, promoted by or attended by any DVG member.
- D. Support working dog sport activities under the rules of the DVG.
- E. Abide by and be subservient to all rules, regulations and laws of DVG and its governing organizations.
- F. To devote all monies accrued to the above purpose and under no circumstances top pay a salary, fee, commission or dividend to any member.
- G. No member shall be permitted to use the name of the Organization for personal gain. No Member shall be permitted to conduct themselves in a manner detrimental to the best interest of the Southeast Region, DVG America and DVG.
  - 1. Determination as to what shall be considered detrimental conduct shall be determined by the KG Board or the Board may convene a Board of Inquiry comprised of all club presidents willing to serve on such a Board.

## **ARTICLE II: MEMBERSHIP**

### **Section 1: Type:**

- A. There shall be one form of membership in the organization and that shall be clubs within the geographic area of the Southeast Region that shall be defined from time to time, by the Landesverband DVG America or DVG. Currently that geographic area is defines as the states of Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida and the District of Columbia.
  - 1. Any DVG club residing within the geographical boundaries of the Southeast Region must be a member of the Southeast Region.

### **Section 2: Eligibility**

- A. To be eligible, members shall be subject to the By-laws of the Southeast Region and the laws, rules, and regulations of Landesverband DVG America, DVG, DHV and the VDH.
- B. Notwithstanding the fact that membership shall be restricted to clubs, individuals may apply for special membership in the SEKG if they are a member of the DVG and do not belong to a DVG Club. Such approved individuals will be made members of a non-voting Sarnmelgruppe having no voice in the governing of the KG.
- C. All applications for individual or club membership with DVG shall be submitted through the Secretary of the Southeast Region. No person shall be denied membership status because of race, religion or national origin.
- D. A member in good standing is one whose member club, Kreisgruppe, and Landesverband obligations and responsibilities are satisfied. Membership shall be denied to any person who is indebted to the LV, any Kreisgruppe, or any DVG club.
  - a. Members wishing to transfer from one club to another must be in good standing in their present member club before departure can be affected.
  - b. Should an individual leave a member club without satisfying his/her responsibilities to the member club, s/he will be considered as not in good standing and as such cannot become a member of another DVG club or Sarnmelgruppe. Additionally, may not be allowed to continue his/her DVG membership.

### **Section 3: Dues**

- A. Dues payable to the Southeast Region and DVG shall be submitted to and through the Southeast Region in a manner prescribed by the Southeast Region and DVG.
- B: AMOUNT: Calendar year dues are as prescribed by the Board of Directors for the Landesverband DVG America. However, an additional amount for Kreisgruppe dues may be assessed by the KG Board. Dues attributable to new individual DVG members gained during the calendar year will be pro-rated based upon calendar quarters remaining in the calendar year (i.e., new individual memberships effective during the period of January 1 through

March 31 will be assessed a full year's dues; individual members effective during the period of April 1 through June 30 will be assessed three-quarters (3/4) of the full year's dues; and so forth) unless the Landesverband provides for a different rule. However, dues paid to the SEKG shall not be prorated.

- C. PAYMENT: A club roster listing each member's mailing addresses, phone numbers & email address, all dues monies pertaining to the aforementioned list, and withdrawal forms for terminating individual members and applications for new members will be submitted to the SEKG Secretary for the new calendar year. Clubs must submit all monies to the KG Secretary by club check only (no individual checks by club members will be accepted). Club payments received by the SEKG Secretary after the announced cutoff date will be subject to a delinquency penalty. (10% x total monies due on renewals only).
  - 1. Five days late (not counting Sundays) incurs a 5% penalty. (5% x total monies club dues).
  - 2. Ten days late (not counting Sundays) late incurs a 10% penalty. (10% x total monies club dues).
- D. Sammelgruppe members are responsible for paying their dues directly to the SEKG Secretary no later than the payment due date prescribed for the Clubs. The delinquency penalty applies to Sammelgruppe members also
- E. Each club is obligated for the annual dues of any member whose withdrawal form (Abmeldung) is not submitted to the SEKG Secretary.
- F. The KG Secretary will send to every club a renewal notice at least 6 weeks prior to the prescribed renewal deadline date as set by the SEKG. If no response is received or if a club provides a negative renewal notice at any time, the KG Secretary will execute the appropriate letter to have the concerned club removed from the DVG roster.

#### **Section 4: New clubs**

- A. A group interested in forming a new DVG club shall contact the SEKG Secretary. The secretary shall send to the group information on starting a club, including New Club Requirements. Should the group wish to proceed with forming their club, the Secretary shall send the appropriate paperwork to the group, including but not limited to:
  - a. Club application check off list.
  - b. Application for Club membership
  - c. Current SEKG By laws
  - d. Sample By Laws
  - e. The History of DVG
- B. FILING FEE: There shall be a one time filing fee of \$50.00 on all new clubs or for the reinstatement of a disbanded club.
  - 1. \$25.00 must be sent to the KG secretary before the paperwork is sent to the group.
  - 2. \$25.00 must accompany the completed paperwork sent back to the KG secretary.

- C. Once the group submits their paperwork along with the filing fee, an announcement is made to the Southeast region. Clubs and KG members have 30 days to comment to the Board regarding the new club application and its eligibility for acceptance. Should the group be determined to be in good standing with the KG and its member clubs, arrangements will be made for the OfS to visit the group. The OfS shall inspect the group's training facilities, equipment etc. He will work with the group on their training abilities. The OfS shall report his finding to the Board. The group must be approved by a majority vote of the Board.
  - 1. The applicant group is responsible for the expenses of the OfS during the visit. This includes travel, food and lodging.
- D. The SEKG secretary shall inform the group within 10 days of the results of the vote.

### **Section 5: Termination of Clubs / Individual Membership**

- A. Any DVG Club affiliated with the Southeast Region may only be terminated by the Southeast Region on the following grounds:
  - 1. RESIGNATION of CLUBS: Shall only be at the end of a calendar year.
    - a. Written notification must be sent to the SEKG secretary no later than August 15<sup>th</sup> of the same year.
    - b. A club may not affect a club resignation by submitting individual membership resignations. Until a club resigns, it continues to be financially obligated for all membership assessments.
  - 2. Failure to pay required dues.
    - a. All dues must be received by the Southeast Region's Secretary no later than September 1<sup>st</sup>. Failure to pay the required dues on time will result in penalty fees or termination of membership.
  - 3. Expulsion for major or repeated violations of these By-Laws, the By-Laws and policies of DVG.
    - a. No refund of dues shall be given shall a member or club be expelled from the SEKG.

## **ARTICLE III: OFFICER DUTIES & TERMS of OFFICE**

### **Section 1: Officer Duties**

- A. All Executive Board Members shall be members in good standing of DVG and an affiliated club within the Southeast Kreisgruppe. Such Board Members shall also be a permanent resident of a state within the Southeast Region.
- B. The Executive Board shall be comprised of a President, Vice President, Secretary, Treasurer, and OFS. The geographic boundaries of each region shall be proscribed by the Board, from time to time. Each Board Member shall have one vote.

C. Duties of the President:

1. The President. As chief executive officer of the Gruppe shall preside at all meetings of the Board and the General Membership and shall perform all other duties customary and incident to the office.
2. To supervise and protect the general welfare of the Southeast Region.

D. Duties of the Vice-President

1. The Vice President shall have the powers and exercise the duties of the President in the event of the President's absence or incapacity. The Vice President shall assume the office of the President for the expired term in case of the President's removal, shall also perform those duties which may be assigned, from time to time, by the President or the Board.

E. Duties of the Secretary

1. The Secretary shall keep a record of all meetings of the Board, the general membership and any special meetings. The minutes of all meeting shall be sent to the Board Members and/or Club Presidents and Secretaries within 30 days of any meeting.
2. The Secretary shall have charge of the correspondence of the Southeast Region, notify Board Members of meetings.
3. Maintain a roll of names, addresses, and, if possible, telephone numbers of individual members of clubs within the Southeast Region.
4. To keep all books and papers pertaining to the general organization of the Region and turnover, in good order upon leaving office, to the Board of Directors all records, books, and other properties belonging to the Region.
5. To annually facilitate the renewal of clubs and individual members.
6. Carry out such other duties as are proscribed in these By Laws, and may be proscribed by the Board.

F. Duties of the Treasurer

- 1.. The Treasurer shall collect and receive all monies due to the Southeast Region by the Clubs and all amounts required to be paid by any individual member within the Southeast Region to DVG. The Treasurer shall deposit the same in a depository satisfactory to the Board or required by DVG, but only in the name of the Southeast Region.
2. To make expenditures of the funds shall be made only under authority granted by the Board.
3. The Treasurer shall maintain and make available to the Board, itemized books of the Southeast Region and at every regular meeting of the Board, report the condition of the finances and every item of receipt or payment not previously reported; and no later than by the end of the quarter following the end of the fiscal year, render a financial statement of all monies received and expended by the Southeast Region during the previous fiscal year.

4. The treasurer shall maintain an accurate dues roll of all DVG members residing in the Southeast Region in compliance with the requirements of DVG.
- G. Duties of the OfS
1. The OfS shall be primarily responsible for the testing and training of trial decoys. The OfS shall also perform those other functions of the position required by the laws and regulations of DVG or as may be assigned from time to time by the Board. The position of OfS may be a judge or other qualified specialist. No person shall be eligible for the office of OfS who has not met the following requirements at the time of nomination:
    - a) A member of a DVG club for a period of two years immediately preceding the taking of office.
    - b) Held the office of Training Director of any DVG schutzhund club for a period of two years.
    - c) Holds a Trial Helper Certification License by the DVG.
    - d) Trained no less than one dog through the titles of Schutzhund I, II, and III. ~~and be a national level certified helper.~~ (September 18, 2010 GM Meeting)
- H. The Board shall have the authority to appoint assistants to the Secretary and Treasurer with such positions to be appointed by the President and approved by a 3/5ths vote of the Board.
- I. Any elected officer may be removed from office for failure to perform the functions of office by a vote of at least 3/5ths of the remaining Board Members. Notwithstanding the forgoing, any elected officer shall automatically be removed from office if he or she shall fail to attend two out of four Kreisgruppe meetings. The replacement for such removed officer shall be in accordance with the appropriate nomination procedure otherwise set forth in these By Laws. If election of said replaced officer is required, it shall either by special or the next general election, at the discretion of the Board.
- J. Except as provided in Article III, 4, in the event of a vacancy in the office of President, the Vice President shall fill the position for the unexpired term. In the event of a vacancy in any other elected office, the office shall be filled at the next regular meeting by a majority vote of the Board.
- K. The representative to the Board of Landesverband DVG America for the Southeast Region shall be the President, or such person as he or she shall designate from time to time.

## **Section 2: Terms of Office**

- A. All elected officers--President, Vice President, Secretary, Treasurer, Director of Training/OFS-- shall be elected in accordance with these Bylaws and hold office for a term of two years, commencing on January 1<sup>st</sup> of each odd numbered year. No person shall be eligible who has not been a member of a DVG club for a period of two years immediately preceding the taking of office.

## **ARTICLE IV: CLUB YEAR**

- A. The Southeast Region's fiscal and official year shall commence on January 1st and end on December 31<sup>st</sup>.
- B. The President and one other Southeast Region member shall audit the financial records of the Southeast Region annually. This audit should be performed between January 30<sup>th</sup> and February 28<sup>th</sup>. Results of the audit should be sent to the Club Presidents no later than March 15<sup>th</sup>.

## **ARTICLE V: EXECUTIVE BOARD**

### **Section 1: Voting**

- A. A quorum of the Board of Directors shall be met by the presence of the President, or in the President's absence, the Vice President and no less than two other Board Members. Voting by the Board shall be by a simple majority of those present and eligible to vote, except where a greater majority is required by the other provisions of these By Laws. Voting by proxy shall not be allowed.

### **Section 2: Nominations**

- A. No person may be a candidate for office who has not been nominated in accordance with these By-Laws.
  - 1. Nomination for elected office shall be by each of the clubs within the Southeast Region.
- B. Each election year, the Secretary shall cause to have nomination forms prepared and mailed to all clubs within the Southeast Region. Such mailing can be in conjunction with or separate from the club renewal packages sent to each club secretary. Such mailing shall occur no later than August 1<sup>st</sup>.
  - 1. Each club may certify a slate of nominees for the offices to be filled, with such slate to be submitted to the Secretary on or before October 1<sup>st</sup> of the year of election. Each club may only submit one slate of nominees and no slate may contain more than one candidate for each office. A club's slate may contain nominees from any club within the Southeast Region.
    - a. A letter of acceptance of nomination must be included for each person nominated.
    - b. No person can be nominated who is indebted to the DVG, LV America, and Kreisgruppe or any DVG affiliated club, and/or is not a member in good standing at any of these levels.
    - c. No person shall be a candidate for an elected Gruppe office who has not reached his/her twenty-first (21st) birthday.
    - d. No person shall be a candidate for more than one office

2. The Secretary will then compile a list of all the nominations. Nominations shall be posted in the KGK and or the KG website and shall be sent to each club.

### **Section 3: Election**

- A. At the discretion of the Board voting shall be done by:
  - 1) Electronic or other technological means with each club president casting the ballot for their club.
  - 2) The KG secretary will send a ballot to each club along with the list of nominations. Each club will vote on the nominations listed and their club secretary shall return their ballot to the Southeast Region Secretary.
    - a. The number of votes for each club is based upon the number of members the club has on the current roster.
    - b. In order to be counted, a ballot must be received by the Secretary no later than midnight November 20<sup>th</sup>. The Board may choose a representative to assist the Secretary in opening and counting the ballots. No ballots other than those mailed to the Secretary shall be counted. Ballots shall remain sealed until the ballot counting which shall take place at the following General Membership meeting and not before. All ballots shall remain under the custody of the Board for a period of 12 months following the election, at which time they may be destroyed.
- B. The new officers shall be elected by a simple majority vote of all those cast for each office. In the event of a tie, the Board shall arrange for a run-off election between the two candidates. The run-off election shall be conducted in the same manner as before, except that all ballots be mailed as soon as possible to be returned no later than January 5 of the year following the first election, to be counted and certified on or before January 10<sup>th</sup>.
- C. The Board shall review the election results and certify the same in writing to the clubs on or before December 10<sup>th</sup> of the same year.

### **Section 3: Powers of the Executive Board**

- A. The Board of Directors of the Southeast Region shall have the power to exercise all rights and privileges granted to them by these By Laws and the laws and rules of the Landesverband DVG America or DVG. In addition, the Board shall have the authority to determine and administer policy on all matters of national concern through Landesverband DVG America, and to establish a relationship of cooperation and communication with the administrative officials and policy making bodies of Landesverband DVG America. All powers not expressly granted to the Board by this Article are reserved to the member clubs.

## **ARTICLE VI: COMMITTEES**

### **Section 1: Presidents Board of Inquiry**

- A. A standing committee comprised of all current club presidents.
  - 1. The Presidents Board of Inquiry (PBoI) shall, at the Executive Board's direction, hear any appeals hearing as outlined in Article X Section B.
  - 2. Other responsibilities granted them from time to time by the Executive Board.

### **Section 2: Other Committees**

- A. The Board may appoint chair people and standing committees to advance the work of the Southeast Region. Such chair people and committees shall also be subject to the final authority of the board.
- B. Except for the President Board of Inquiry, all appointed assignments terminate on January 1 of each year, unless extended by vote of the Board.

## **ARTICLE VII: MEETINGS & VOTING**

### **Section 1: Board Meetings:**

- A. Meeting of the Board shall be held at such time and place as specified by the Board. There must be at least seven days prior notice of the meeting or notice may be waived by all Board Members. Any Board meeting may be held by conference call.
- B. Special meeting of the Board may be called by the President at any time provided that seven days prior notice is given or notice is waived by all Board Members.

### **Section 2: Board Voting:**

- A. A quorum of the Executive Board shall be met by the presence of the President, or in the President's absence, the Vice President and no less than two other Board Members. Voting by the Board shall be by a simple majority of those present and eligible to vote, except where a greater majority is required by the other provisions of these By Laws. Voting by proxy shall not be allowed.

### **Section 3: General Membership Meetings:**

- A. General Meetings: General Meetings shall be held twice a year.
  - 1. One meeting shall be held in conjunction with the KG Championship.
  - 2. The second meeting to be held at a time and place decided on by the membership or Board at least 30 days before the scheduled meeting.
- B. At any meeting sanctioned by these By Laws, the most recent "Robert's Rules of Order, Revised" shall generally govern parliamentary practice on all matters, unless expressed otherwise in these By Laws.

- C. At general membership meetings, the order of business, so far as the nature and character of the meeting may permit, shall be as follows:
1. Call to order
  2. Approval of the minutes from the previous meeting.
  3. President's report
  4. Vice-President's report
  5. Secretary's report
  6. Treasurer's report
  7. OFS report
  8. Committee reports
  9. Unfinished business
  10. New business as listed on the agenda
  11. Adjournment
- D. All voting for the member clubs will be done through the club delegates. This also holds true for motion requests from the floor.
1. The club President has one vote. The President's vote may not be assigned to another.
  2. Additionally, each club is allowed delegate votes, dependent upon membership.
    - 1 - 25 Members: 1 Delegate
    - 26 - 50 Members: 2 Delegates
    - 51 - 75 Members: 3 Delegates
  - a. Each club shall have on file with the KG secretary a list of their appointed club delegates. Or the delegate may bring to the meeting a letter of authority signed by the club president, Vice President or Secretary to the meeting. Only those delegates on file with the KG secretary, or with signed authorization will be allowed to vote.
- E. Voting at any general membership meeting shall be by simple majority of the voting delegates with no quorum required
- F. The Board may from time to time call for a special vote in between General Membership meetings.
1. Issues to be voted upon shall be posted in the KGK and or the KG website and shall be sent to each club president and designated club delegates at least 30 days before the vote is to be held.
  2. Voting shall be done only by the Club Presidents and club delegates of record.
  3. Voting shall be done by electronic or other technological means or as designated by the Board.
- G. Agenda Items: All agenda items shall be submitted by a club only. If an individual SEKG member wishes to place an item on the agenda, he/she must first present it to his/her club. The club will then decide on the worthiness of the item. If the club deems the item worthy, the club President or secretary must submit the item to the KG Secretary thirty (30) days prior to the date of the meeting.

- H. Teleconferencing of the meeting may be done at the request of a club.
  - 1. Club requesting conference call pays all related expenses, including but not limited to:
    - a. Phone charges
    - b. rental of a facility where such a conference can be made.
- I. Any SEKG member club that is indebted to the any Kreisgruppe, the LV or DVG and is not considered a member club in good standing at the time of any meeting where voting is to be held, shall not be allowed to vote.

## **ARTICLE VIII: AMENDMENTS**

- A. Amendments to these By Laws shall be made on only one of two ways.
  - 1) Amendments may be proposed by a majority vote of the Board
  - 2) A petition signed by 30% of the then total DVG clubs with the Southeast Region, in good standing.
- B. Upon proposal of an amendment by either Board action or petition, the issue will be voted on by the membership at the next General Meeting. Any amendment shall be subject to approval by DVG.
- C. Upon a simple majority approval of the voting delegates, any amendment shall become effective 30 days following such approval or approval by DVG, Whichever date is later. The Secretary shall be required to forward copies of all amendments to the clubs.

## **ARTICLE IX: DISCIPLINE**

### **Section 1:Charges**

- A. Any DVG Club within Landesverband DVG America, individual member within Landesverband America, or the Board may prefer charges against any individual member for conduct harmful to the interests of DVG, the Southeast Region or any club within North America for violation of these Bylaws or the rules of DVG, inappropriate or unsportsmanlike conduct. Written charges must be filed by the complainant, signed and setting forth the specific facts supporting the complaint within 60 days of the alleged incident. All complaints shall be accompanied by a payment off \$100, which shall be forfeited in the event the charges are not sustained. The payment will be refunded in the event the charges are sustained.
- B. Charges against an individual member shall be filed with that member's club by filing the complaint and payment with the secretary of that club. The complaint shall be disposed

of in accordance with the procedure set forth for disciplinary proceedings established by that club. Each club in such a proceedings shall minimally provide standards for due process and fair hearing with all parties being allowed to submit relevant evidence concerning the complaint through witness and/or otherwise as the club shall determine. Following the disposition of the complaint, the Club, through its members charged with reviewing factual findings and whether the accused party is guilty of the violation which is the subject of the complaint. A copy of these findings shall be delivered to the complainant, the accused party, the accused party's club, and the Secretary of the Southeast Region within 10 days following the date that the club publishes its findings.

- C. Charges against a club may only be filed with the Landesverband DVG America in accordance with its By Laws.
- D. No DVG judge shall be subject to Disciplinary proceedings under this article for alleged acts committed while performing the functions of his or her office. All such complaints shall be made in accordance with the laws and regulations of DVG.

## **Section 2: Appeals**

- A. Upon the publication of the findings, either the complainant or the accused party have the right to file an appeal with the Board of the Southeast Region , provided written notice of appeal shall be delivered to the Board Secretary within 30 days of the date that the club publishes its findings. The Board or the assigned Presidents Board of Inquiry shall then hold an appeal hearing to consider the charges and, at that hearing allow testimony from witnesses either in person or by sworn affidavit. The accused party has the right to counsel during any appeal hearing at his or her own expense. The appeal hearing may be conducted by telephone conference. Within 30 days the days of the hearing, the Board shall give its decision in writing. The Board shall have the right to sustain or reverse the decision of the club, and additionally, modify any penalty imposed by the club. The decision of the Board shall be final in all cases, subject to approval by DVG in accordance with the By Laws and right of appeal to Landesverband DVG America, in accordance with its By Laws.

## **Section 3: Penalties**

- A. In the event that the accused party shall be found guilty of the charges, the penalties which may be imposed shall be one or more of the following:
  - 1. warning
  - 2. reprimand
  - 3. fines up to \$200 for each offense
  - 4. suspension from all official functions as a member of DVG and/or
  - 5. Expulsion of an individual member from DVG.

Length of suspension or expulsion shall be determined by either the Executive Board or Presidents Board of inquiry upon review.

## **ARTICLE X: DISSOLUTION**

- A. The Southeast Region may be dissolved at any time by the written vote of not less than 2/3 of the then member clubs of the Southeast Region, in good standing, and further provided the approval of DVG is obtained. Upon dissolution of the organization, its asset remaining after payment or provision for payment of all debts and liabilities of the organization shall be distributed to LV/DVG America or a non-profit fund, foundation or corporation which is organized and operated exclusively for educational or charitable purposes and which has established its tax exempt status under Section 501(c) 3 of the Internal Revenue Code.

## **ARTICLE XI: DEFINITIONS**

- A. For all purposes here under, the term “Individual Member” shall mean a person who is a member of DVG in good standing, as shown on the roles of the Southeast Region residing within the Southeast Region.
- B. For all purposes here under the term “Club or Member Club” shall mean a local club, within the geographic area of the Southeast Region, affiliated with DVG and in good standing.

## **ARTICLE XII: RULES of ORDER**

- A. Any matter not covered herein will be governed by Robert’s Rules of Order, the latest revised edition.

Approved by Kreisgruppe vote on December 6, 2008

Revised and approved by Kreisgruppe vote on September 18. 2010