

Secretary's Report

This report details the day to day activities of the ASCA® Board of Directors and includes issues brought before the ASCA® Board and communications done by mail, fax, e-mail and/or phone.

January 1 – 31, 2007

99:02 HALL OF FAME COMMITTEE - Certificates.

Motion by McNamara, seconded by Bryant.

I move the following be inserted into the Special Recognition rules:

All Hall of Fame qualifiers will receive a Certificate.

Comment: This policy shall be excerpted from the policy book and made into a rule by its placement.

Directors voting: Approve: MacRoberts, Walter, Bryant & Stevens. Disapproved: McNamara, Gray, DeChant, Berryessa & Hellmeister. Motion is disapproved.

97:09 DISPUTE RULES

The previous motion on this issue has been withdrawn and replaced with the following motion.

Motion by McNamara, seconded by Walter.

Withdraw the first one and replace with the below.

I move the following changes be made to the dispute rules:

In section 2:

Change the following from "Jurisdiction" to read: "To this end, ASCA® level proceedings and Board level proceedings."

In Section 2.1:

Insert the following into section 2.1: Affiliate Jurisdiction after

"The ASCA Show Rules and Regulations,;

"The ASCA Tracking Rules and Regulations,

The ASCA Agility Rules and Regulations,

"The ASCA Rally Rules and Regulations,"

Add the following to section 2.1: Affiliate Jurisdiction after "The ASCA Stockdog Rules"

"and Regulations,"

In section 2.2:

Create the following entries after paragraph "2.2.1 Breeder-Buyer and Co-Owner

Disputes": "The club does not deal with such disputes directly. ASCA will only enforce

the decrees or judgments of the civil courts when such a dispute is raised.

"2.2.2 Registry Discrepancies"

Insert the following in 2.2 "ASCA Board Jurisdiction": "The Board may also, at its sole discretion, transfer dispute resolution to appropriate committees."

In section 3.1:

Replace "Anyone" in 3.1.1 "Complainants" with "Any ASCA member in good standing throughout the time of the alleged incident and throughout the dispute process".

Insert in 3.1.2 "Hearing" after last sentence: "Hearing must involve collecting both plaintive and defendant arguments."

In section 3.2:

Replace "Anyone" in 3.2.1 "Complainants" with "Any ASCA member in good standing throughout the time of the alleged incident and throughout the dispute process".

Delete the last sentence of 3.2.1. (No fee required at the affiliate level.)

Insert in 3.2.2 "Deliberations" after second-to-last sentence:

"Hearing must involve collecting both plaintive and defendant arguments." (Supports current BOD policy)

In section 3.3:

Replace "Anyone" in 3.3.1 "Complainants" with "Any ASCA member in good standing throughout the time of the alleged incident and throughout the dispute process"

Replace "by" in 3.3.1 "Complainants" with "be".

Delete in 3.3.3 "Written and Oral Argument" any reference to oral argument. Insert the following in 3.3.4 before original text: "When a dispute has been properly filed through the Board of Directors, the Executive Secretary is responsible for maintaining the timelines and procedural duties cited in the chart and in this text. At the end of the deliberation period, the Executive Secretary is to submit a motion requiring no second to the Board for decision. This motion should contain all pertinent information (involved parties, dogs, location, etc) regarding the case and shall be phrased in favor of the complainant."

Replace 3.3.5 "Due Process" with: "Any party filing a complaint, appeal, or answer with the Board must file with the Business Office. The Business Office shall then forward the dispute to the Board and involved party by appropriate means in writing and by certified mail. Hearing officials shall then afford the accused 20 business days to meet the charges brought against him or her. This provision does not assume or admit that ASCA or the Board is bound by any Constitutional requirement of due process."

In section 3.4:

Delete this section in entirety.

In section 4:

Insert the following after the heading: "Notice of dispute resolution shall appear in all official communications including, but not limited to the Aussie Times, official ASCA website, and/or official ASCA® Internet discussion group."

In section 4.2:

Insert after last sentence: "Decisions made by the ASCA Board are final subject to a court of law ruling. Should additional facts or evidence arise, the complainant may resubmit the dispute following appropriate procedure."

In section 4.3:

Delete entire section per Carnese.

In addition, alter tables as appropriate.

Comments: I did not employ our attorney's suggestions relating to setting up a disciplinary committee and requiring a standard filing fee across the board. ASCA only has jurisdiction over members, so it's pointless to say "anyone" in some sections as we do now. It is safer to have all disputes dealt with in writing. Regarding arbitration, per Carnese: "Binding arbitration is of no advantage to ASCA whatsoever since there is always a risk of loss and the most that a 'win' brings is upholding a decision of the Board. Elimination of Arbitration Jurisdiction would make the decision of the Board final."

Directors voting: Disapprove: Unanimous. Motion is disapproved.

04:02 COMMITTEE PROCEDURES

Motion by McNamara, seconded by Bryant.

I move the following be inserted into the Committee Procedures, section 5:

e. All material from ASCA Committees must have the approval of their liaison before publication in the Aussie Times.

Comment: This policy shall be excerpted from the Policy Book and made into a rule by its placement.

Directors voting: Approve: McNamara, Gray, MacRoberts, Walter, DeChant, Bryant, Berryessa & Hellmeister. Disapprove: Stevens. Motion is approved.

98:02 MVA AWARD & COMMITTEE

Motion by McNamara, seconded by Bryant.

I move the following be inserted into the MVA rules, section 1:12

A memorial trophy will be awarded to the winner of the Most Versatile Aussie at every ASCA National Specialty in the name of Past President and Director Jean Carrillo (who passed away in 1997).

Comment: This policy shall be excerpted from the policy book and made into a rule by its placement.

Directors voting: Approve: McNamara, Stevens, Gray, MacRoberts & Bryant.
Disapprove: DeChant, Berryessa & Hellmeister. Abstain: Walter. Motion is approved.

98:15 OBEDIENCE COMMITTEE - Sec. 3

Motion by Hellmeister.

I move to accept the following recommendation of the Obedience Committee for a change of the rules:

Add to Section 3: Open Exercises and Scores

The order of exercises shall be chosen by the judge >from the five orders given and shall be posted 30 minutes before the open classes are run. The show giving club shall provide the sheet to be posted.

Orders of exercises:

I	II	III
Heel Free/Fig. 8	Drop on recall	Retrieve on the flat
Drop on recall	Broad jump	Fig 8/Heel free
retrieve on the flat	Heel free/fig 8	Retrieve over high jump
retrieve over high jump	Retrieve on the flat	Broad jump
Broad jump	Retrieve over high jump	Drop on recall
sit/down stay	sit/down stay	down/sit stay
IV	V	
Retrieve over the high jump	Broad jump	
Retrieve on the flat	Retrieve over high jump	
Broad jump	Drop on recall	
Drop on recall	Fig 8/heel free	
Heel free/fig 8	Retrieve on the flat	
sit/down	down/sit stay	

Directors voting: Approve: DeChant, Stevens, Bryant Disapprove: McNamara, Gray, Walter, Berryessa, MacRoberts & Hellmeister. Motion is disapproved.

Approved:

Retained Chuck Carnese as ASCA®'s Counsel for 2007

Revised a previous Motion and allowed a substitute Stockdog Judge's trial scores to count.

