

KGBA Disciplinary Procedures

Complaints

A complaint may relate to a personal grievance, a collective grievance or an alleged breach of the KGBA Code of Conduct or other serious matter.

Raising an issue informally

It is anticipated that most issues can be resolved at local level between the parties involved, ie between members themselves, or with the assistance of another member, Chapter Leader or individual Board member. For individuals uncomfortable addressing an issue directly, a complaint can also be sent to any Board member and addressed informally while maintaining complainant's anonymity. The sooner an issue is raised informally the better as it can often be resolved quickly and in a low key manner.

Where this is not possible/appropriate or where such an approach fails to address the matter satisfactorily, the formal complaints procedure should be followed.

Formal Complaints

This procedure is intended to be used only where issues cannot be resolved at local level with other members or local leaders. The aim of this procedure is to ensure that all association members and affiliates act in a manner designed to protect the good name of the KGBA.

Disciplinary Procedure

Formal complaints must be submitted in writing to the KGBA's primary address, clearly stating the issue and relevant details and signed by the Complaining Party. The complaint should identify any efforts (where applicable) that were made to try and resolve the matter personally or at a local level. Complaints relating to the misrepresentation as to the pedigree of any animal bred or owned by him/her; the willful misrepresentation of facts concerning any animal owned or bred by him/her; the use of fraud, deception or misrepresentation in securing any membership offered by the Association; or any conduct detrimental to the Association will be dealt with under the disciplinary procedure. Conduct detrimental to the Association is defined as any conduct which tends to injure the good name of the Association, disturb its well-being, hampers it in its work or violates its Code of Conduct.

All complaints will be submitted to the Board of Directors. If the Board determines the complaint justified, the Association will send a copy of the complaint to the Respondent

by certified mail at the Respondent's last known address as reflected in the Association records. Within twenty-one (21) days of Respondent's receipt of the complaint from the Board of Directors, the Respondent may file an answer to the complaint setting forth any defense to the charges in the complaint or any other matter Respondent believes helpful to the resolution of the Complaint. The answer shall be sent to the current address of the Association's principal place of business. Once the board has received the complaint and response, or the time for receiving a response has expired, the Board of Directors shall address the complaint and response. If the complaint is deemed justified, a hearing will be conducted within sixty (60) days. At least a two-thirds (2/3) majority of the members of the Board of Directors voting shall be required for the acceptance of any disciplinary action taken against a member. Any issue, procedural or otherwise, that arises during the complaint process that is not specifically covered by this Article, shall be determined by the Board of Directors.

The disciplinary action available to the Board as to both members and non-members includes, but is not limited to any one or more of the following (in order, based on severity of misconduct):

- An informal warning as to future conduct
- A formal (recorded) warning as to future conduct
- Require a letter or apology within a specified time
- Denial of privilege to advertise in KGBA official publications
- Revocation of participation privileges in all KGBA approved events (including sanctioned shows) for a definite or indefinite period
- Denial of privilege to judge or evaluate Kinder goats for a definite or indefinite period
- Revocation of participation in KGBA board, groups or committees for a definite or indefinite period
- Revocation or denial of membership privileges or access to KGBA services for a definite or indefinite period of time
- Permanently terminated membership privileges
- Suspension of the use of any registered herd names
- Terminating in whole or in part a participating non-member's access to KGBA services
- Taking any other lawful action the Board deems appropriate
- Registration certificates may be corrected or cancelled and registration applications denied if deemed false or fraudulent

Appeal

The member or members have the right to appeal the outcome of the KGBA Board/Disciplinary Committee's decision. An appeals Board will be established by the

President, consisting of one Board member and at least two independent club members from outside the Committee. This decision shall be final and binding.

or

All disciplinary decisions of the Board are final and not subject to appeal. If a judicial action is brought against KGBA in connection with any disciplinary actions, the petitioner shall reimburse the KGBA for its reasonable attorney's fees, court costs and other expenses incurred in defense of the lawsuit.

No Duty: Nothing in the KGBA bylaws or disciplinary procedures shall impose any duty or obligation on the KGBA to either initially investigate or continue to investigate any complaint, or to enforce any purported contract or agreement between the parties to any transactions. In the event any court action is commenced which relates, mentions or pertains, in any manner, to a complaint, KGBA, in its sole discretion, may either temporarily or permanently terminate its investigation.

Animal Abuse - Upon review by the Board of Directors, a member found guilty of animal abuse in a civil or criminal court will automatically be reviewed by the Board of Directors and, if deemed appropriate, expelled from membership and denied use of the registry and its services. If the individual is not a member, he/she may be denied future membership and use of the registry and its services.

****No Director or member shall serve as a hearing officer or member of a hearing committee who has a financial interest in the outcome of the proceeding.**