

The Issue of Tail Docking

The question of whether or not tailed Rottweilers should be permitted to earn an AKC Championship title has been a hotly debated topic for some time now, and is of importance to all ARC members.

Some months back, the membership of the American Rottweiler Club (the "guardian" of the Breed Standard) was polled regarding their desire to petition the AKC to allow the revision of only the tail section of the Rottweiler Breed Standard; the majority of members responding to that poll DID want to open the tail section of the standard only; the AKC subsequently granted that permission.

As a result, the ARC Board has presented its membership with wording for a proposed revision to the tail section of the Breed Standard. Additionally, a valid petition was submitted to the ARC Board which contains alternate wording for a proposed revision to the tail section of the Breed Standard. (See the link at the left to the November 25, 2005 letter to the membership for more details).

In the fairly near future, an official ARC Standard Revision Ballot will be mailed to all ARC members. Three choices will be presented, the ARC Proposed Standard Revision wording, the Petitioning Membership's Proposed Standard Revision wording, and a choice to make NO change to the current Breed Standard.

However you vote, when you do receive your ballot in the mail, be sure to return it, properly completed according to the enclosed instructions, within the allotted time period.

January 4, 2006

ARC Members,

The ARC Board has had two Board meetings since receiving the December 13, 2005 American Kennel Club Board of Directors written notice informing us that they do not support the proposed wording change submitted by Petition. We have discussed the ramifications of their decision on our process of submitting a proposed wording change to the Rottweiler Standard. In addition, the ARC Board has read and is taking into consideration the following portion of the Minutes of the AKC Board of Directors December 12, 2005 meeting:

“Breed Standards

There was a discussion on proposed breed standard revisions being considered by the American Rottweiler Club. The Board had concerns with the language in one of the proposals and would not support such language if presented by the club for a standard revision. This concern will be relayed to the club.”

We have made the decision to proceed with the ARC standard revision process as follows:

- 1) Publish the letter from the AKC Board of Directors in the 4th Quarter ARK along with letter of response to the AKC letter from petitioners. In addition, the Board will publish an article clarifying the AKC Process to Change a Breed Standard and the ARC Board’s plan regarding next steps in that process. The membership must be made aware of the AKC Board of Director’s position and the ultimate impact on the ability of the ARC to achieve a change to the wording of the standard.
- 2) Mail a postcard to ARC members the first week in January to explain the reason for postponing the ballot and directing the membership to read the update relating to the standard change process in the 4th Quarter ARK.
- 3) Encourage members to work on a wording proposal that would be acceptable to the ARC membership and the Board of Directors of the AKC.

Please be aware:

- A breed standard is jointly “owned” by the parent club and the AKC. Neither party can make a change to the standard without the agreement of the other. The ARC Constitution & By-Laws, Section 2 c states: to urge members and breeders to accept the standard of the breed as approved by The American Kennel Club as the only standard of excellence by which Rottweilers shall be judged;
- ARC Constitution & By-Laws, Article VIII, Section 3: No amendment to the Constitution and By-Laws (or to the Standard for the breed) that is adopted by the club shall become effective until it has been approved by the Board of Directors of the American Kennel Club

ARC Board of Directors officially requested in writing to the AKC to open the Rottweiler Standard for revision in July 2005. A response from Mari-Beth O'Neill was received on July 11, 2005 acknowledging her receipt of our request and she states "I will be in contact with Mr. Piusz to discuss the best time frame to present the proposed revision to the AKC Board of Directors, prior to the ballots being sent to the club membership."

The Board opened the standard and set and communicated a process and timeline to the ARC membership and the AKC for achieving the standard revision per the ARC Constitution & By-Laws. No petition from the membership can negate, supersede or override that process. The C & B-L allows for either one **OR** the other. The wording of Article VIII, Section 1 provides a means by which the membership can initiate amendments if the Board has not done so. Either the Board can open the standard for revision or the membership may do so, but the first process set in motion must be concluded before the other may begin. The Board chose to include the wording proposed by the petitioners in addition to our original proposal and presented the wording to the AKC Board of Directors as requested in the wording of the petition: "The ARC Membership petitions the Board to present the following wording to the AKC...."

Now that the Board of Directors of the American Kennel Club has stated that it will not support the wording proposed by the petition, it is imperative that the membership be appraised and encouraged to provide input regarding new wording for the ballot. Any member interested in contributing to the process to reword the original proposal may submit their recommendation for publication in the 1st Quarter ARK. Letters should be received by Editor Haden no later than February 28, 2006.

Respectfully,
ARC Board of Directors

ARC Standard Revision

Many questions have been raised relative to the process of proposing a wording change to an AKC standard. This section of the ARK contains factual answers to the most important of those questions. **Please take the time to read this information in order to make an informed decision regarding your participation in this process.**

Ownership of Breed Standard/clarification of AKC process

a. Who owns the breed standard, ARC or AKC? Neither organization can change the standard without the agreement of the other. The AKC cannot initiate a change to a standard, nor can a parent club change the standard without AKC approval of the proposed wording. From the AKC Complete Dog Book, "The official standard for each breed and any revision of the standard originates with the parent club, *not* with the American Kennel Club. The membership of the parent club must vote on and approve the standard or revision before it is submitted to the AKC Board of Directors for approval."

b. Why did the ARC BOD request AKC BOD review wording proposals prior to Balloting? Step C of the AKC Process to Change a Breed Standard (see ARC website for complete document) requires that the parent club "Submit revisions to AKC staff for input while being developed, as well as documentation that the membership has been appraised of the revisions and has been given the opportunity to submit input. January 1999, the AKC Board of Directors has requested final revisions to be presented to the AKC prior to balloting membership." Clubs that do not follow this process are denied their revision and told to go back and do it by the book.

ARC Process

a. Has the Board failed to follow the ARC Constitution & By-Laws, Article VIII, Section 1, with regard to sending a valid petition for an amendment to membership for a vote within three months? No. The referenced Article VIII allows amendments to the standard to be initiated by the ARC BOD or by written petition signed by 20% of members in good standing. Parliamentary interpretation of that language clarifies that "or" does not mean *both* at the same time, it means *one or the other*. Once a process to amend has been set in motion by either method, it must be followed through to completion before another proposal method can begin. The first method of amendment is not overridden by the second, nor is it invalidated or nullified.

The Board informed the AKC in writing on June 20, 2005 that the American Rottweiler Club was opening the breed standard for revision, had appointed the Committee of One to propose wording, and outlined the process the club would follow. ARC Members were informed by mailing July 1, 2005 that the standard amendment process had begun, and were provided with the proposed wording to discuss and requested to provide feedback through the 3rd and 4th quarter ARK. This constitutes officially opening the standard for amendment. The Board does not submit a petition in its process to amend. A petition from members containing an alternate wording proposal was received two months after the Board had officially opened the standard for revision.

The ARC BOD had two choices:

1. Hold the member petition until the ARC BOD's proposal had been sent as a ballot to the membership.
 - a. If the BOD's proposal did receive the approval of 2/3rds of the members returning valid ballots and was approved by the AKC, then the standard would be changed and the AKC's 5-year moratorium on standard changes would go into effect. The petition would then be null and void.
 - b. If the ARC BOD's proposal did not pass, then the petition could have been processed.
2. Since the BOD has the right to amend their own process, they listened to the members who signed the petition and added the member proposed wording to the BOD process. In November, the ARC BOD submitted to the AKC BOD a proposed ballot that included both wording proposals for their review.

It is important to note that had the situation been reversed, the By-laws would have been applied in the same manner. If a valid petition from members had been received by the ARC Secretary before the ARC BOD had opened the standard with the AKC, then the ONLY wording on the ballot would have been that of the petition. After receipt of the petition, the ARC BOD would not have been able to add any wording they would have liked to propose.

As was stated in the November letter to the membership, the ARC BOD intended to send a ballot to the membership in January 2006 containing both the ARC BOD's and the petitioner's proposed wording, if the wording was approved by the AKC BOD. Unfortunately, the AKC Board did not respond favorably to the petition wording proposal. The ARC Board was obligated to inform the members of the latest development in the process.

b. Why has the ARC Board misled members to think the AKC BOD had already ruled on proposed wording? The ARC Board published to its members the Dec. 13, 2005 letter from the AKC BOD stating, "The verbiage in the **Membership Petition**, "must be" is considered to be ambiguous. The use of must infers there is an action to be taken if the tail is not docked. As submitted, it is ambiguous as to what is to occur, leaving the judge to determine the severity of the fault. This is not a disqualification. If this section were to be approved by the membership, the Board of the American Kennel Club would be reluctant to approve. The club should be aware of this if it proceeds." (See AKC letter pg. 14 this ARK)

In addition, *From The American Kennel Club Board of Directors meeting minutes, meeting held December 12-13, 2005: " **Breed Standards** There was a discussion of proposed breed standard revisions being considered by the American Rottweiler Club. The Board had concerns with the language in one of the proposals and would not support such language if presented by the club for a standard revision. This concern will be relayed to the club".*

Does this mean that the AKC BOD would not approve the "must" wording if it was duly voted on by the membership? The ARC Board has tried to obtain clarification from AKC, but there is no way to know if their Board would actually accept or reject. The possibility of rejection does exist, and the AKC has informed the ARC Board that "*the club should be aware of this if it proceeds*". The ARC BOD determined the letter from the AKC, as well as the relevant section of the AKC BOD minutes, had to be published in the 4th Qtr.2005 issue of the ARK to comply with the AKC directive to make the club membership aware. The ARK is the only communication between club members to which ALL members have access. It is important that the ENTIRE membership have a chance to read this information before any balloting occurs. ARC members are being provided a copy of the AKC letter not to persuade or dissuade, simply to inform.

c. What about the use of the word "must" in existing breed standards? The Rottweiler standard contains the words, "Dewclaws must be removed." The German Shorthair Pointer standard contains "must be docked" with regard to the tail. However, the Rottweiler standard wording has been in effect since the 1979 standard revision and the GSP since at least 1946. The "must" wording that exists in breed standards has no bearing on what the current AKC Board of Directors will approve in 2006. Remember, the AKC cannot initiate or require a parent club to initiate a change in their standard even if AKC dislikes the way the standard is currently worded. The AKC does have control over what changes they will approve when the parent club initiates a standard change.

The AKC changed its process for approving revisions to standards in the early 1990's. Clubs that initiate revisions today follow a new set of guidelines for format and language. In 2001, AKC initiated the requirement to submit revisions to the BOD for review while being developed and prior to balloting to allow them to provide feedback on terms used, and proportions proposed to establish consistency. After the Hammer suit, the AKC issued their judges policy confirming that each judge is free to express their own preference and judge, place the dog, or excuse the dog without regard to a standard. Both the AKC Chairman and staff have stated that this policy will not change in the future.