

DISCIPLINE & APPEALS MANUAL

Dear St. Louis Youth Soccer Association Soccer Member:

This manual has been compiled for your reference. It is intended to be utilized as a guide, and assist you in your Discipline and Appeal activities. This is a guide only and should not be perceived as a mandate.

Hopefully you will find some valuable tips inside, and answers to questions you may have.

Because this is a reference manual, it is considered uncontrolled and shall not be included in updates made to controlled policies and procedures referenced within. It is the responsibility of each holder of the manual to ensure applicable reference documents are properly maintained.

Above all, it is the responsibility of each individual to BE FAIR! Remember, we are all neighbors and friends.

Should you have any questions, comments, or suggestions, please feel free to contact the St. Louis Youth Soccer Association Soccer office.

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Fair Hearings

The operative phrase is "fair hearings". A task seemingly simple enough, but a concept requiring continuous involvement and participation.

In this manual you will find helpful guides conducting a fair hearing. We will lay out each step along the process of the hearing and include notes for what can and cannot be done to ensure all parties receive a fair hearing.

The applicable definition of hearing as prescribed by Webster: A listening to facts and evidence, for the sake of adjudication; a session of a court for considering proofs and determining issues. While certainly we are not in a legal court, we would do well to enter a hearing with the same approach. A hearing should be a place where facts come out and determinations are made to bring closure to acts or behaviors.

Discipline

According to the American Heritage Dictionary discipline is defined as: To punish in order to gain control or enforce obedience. Using this definition in our approach of conducting fair hearings will serve to remind us that the punishment must fit the offense.

If we approach hearings as an attempt to resolve conflicts we will be better fit to be fair to all parties involved.

This includes the punishment phase as well as the hearing itself. The Association committee exists to assist where needed and serve as a higher authority in the Discipline and Appeals process when needed. Neither discipline nor appeals should be taken lightly. Judicious use of the system as well as prudent exercise of authority will guarantee what is important comes first:

The Game of Soccer

Member Organization Responsibilities

SLYSA Clubs and teams, are charged with the responsibility of ensuring SLYSA Bylaws, Rules, Regulations and Policies, league bylaws and policies are adhered to during the discipline and appeals process.

Any misconduct by a coach justifying a report by a referee or any other person shall be directed to club with which the coach is affiliated.

SLYSA's Discipline and Appeals Committees are directed to extend severe punishment to those players, coaches, assistant coaches who are guilty of extreme violent conduct while participating in a match and for violence toward any person or property after being ejected, while on the touch line or approaching or leaving the game site.

If the coach, assistant coach, or manager is unable to control his or her spectators, the Soccer Club (where individual is associated with) is directed to take appropriate actions toward the identifiable, unruly spectator, or if unidentifiable; towards the team itself. The misconduct report shall be sent to the SLYSA Office for review and further action if it feels it is warranted.

Any report of assault or abuse by any person towards a game official must be submitted timely manner to SLYSA, Attention: Discipline & Appeals Chair, 2275 Cassens Drive, Suite 126, Fenton, MO. 63026, for review and handling.

Any report alleging misconduct by a referee must also be submitted to SLYSA for review and handling.

Receipt of Misconduct Report

Referees are instructed to turn in written misconduct reports within 72 hours of game time.

***Under certain circumstances this may not be possible, but the SLYSA should always require this of their referees and assistant referees. Instances where the referee has failed to turn in a misconduct report in a timely manner may necessitate a reminder by the assignor, league official, or member organization. Continued failure to report misconducts may be forwarded to the SLYSA Referee Administrator for appropriate action.

The referee's misconduct report is required to implement league rules with regards to suspensions. A written record is required to enable the member organization D&A Committee to issue additional punishment beyond that required by the rules. Member organization D&A Committees may issue more severe disciplinary action than required by SLYSA rules, but may not reduce disciplinary action below what is required by the rules.

No disciplinary action beyond what is required by the rules may be issued without the individual being given the opportunity to appear before the D&A Committee. A suspension must never be handed down before a hearing to an individual without the person having the right to a hearing with the exception where there is concern for the safety of the participants at stake, or the issue is in regards to referee assault.

Any report of assault or abuse by any person towards a game official must be submitted immediately to SLYSA for review and handling. These are heard strictly by the SLYSA D&A Committee.

Any written report alleging misconduct by a referee must be submitted to SLYSA for review and handling. All matters involving apparent misconduct by a referee or game official will be the responsibility of the SLYSA D&A Committee.

No further disciplinary action beyond what is required by the rules shall be taken without a written report.

Receipt of Complaint

From time to time members of the local member organization have complaints they believe merit a hearing.

Parents, park and city officials, coaches, and others may provide reasons to set up a hearing. All complaints must be put in writing and contain the name of the complainant. Should the party alleging the complaint not wish to put it in writing, no further action of the member organization D&A Committee is required. The member organization D&A Chairman may be the sole party to determine the validity of a requested hearing.

Naturally there are many other valid reasons to conduct a hearing. There are also reports given to the member organization D&A Chairman which should not be valid reasons to conducting a hearing. Some examples are: Ability or judgment of referee

Once the member organization D&A Chairman has received the letter of complaint, he or she should determine the validity of the request and may require contacting the complainant for clarification. Remember, the main goal in setting up a hearing is to present a fair and impartial forum where you may bring closure to an event or complaint. In an attempt to stay as unbiased as possible, only the member organization D&A Chairman should have advanced notification of the subject matter to be heard. The correlation between a D&A hearing as a courtroom setting would be the D&A Chairman would preside as the hearing authority much like a judge. The Committee would be representative of the jury, the complainant would be the accuser, and the defendant would be the party for whom the hearing was requested. For this purpose, the D&A Chairman should validate the reason for the hearing without doing investigative work. It is not the responsibility of the D&A Chairman to prove or disprove the allegation, only to decide whether the complaint has enough merit to be heard.

In cases where the D&A Chairman believes there is not enough material to convene a hearing or the complainant believes it could be settled in a friendly manner, he or she may do so after consulting with the member organization D&A Committee. It is a requirement for the D&A Chairman to have enough knowledge of the situation at hand in order to select a fair and unbiased panel. The panel convened will be covered later in this manual, but the intent is for the D&A Chairman to proceed based on limited knowledge he or she is afforded at the time.

Rights of the Parties

This chapter defines due process and is the largest single reason for appeals both in SLYSA and the USSF. Of all chapters in this book, this is probably the most important! Everyone involved in the discipline process should familiarize themselves with this section and ensure hearings are run accordingly.

SLYSA will provide equitable and prompt hearing and appeal procedures to guarantee the rights of individuals to participate and compete (if prevented from playing for a period of time) and ensure due process to the accused. In all hearings conducted, the parties shall be accorded the following:

- 1. Notice of all specific charges or alleged violations in writing and possible consequences if the charges are to be found true;
- 2. Reasonable time between receipt of the notice of charges and the hearing within which to prepare a defense;
- 3. The right to have the hearing conducted at a time and place so as to make it practicable for the person charged to attend;
- 4. A hearing before a disinterested and impartial body of fact finders;
- 5. The right to be assisted in the preparation of one's case at the hearing;
- 6. The right to call witnesses and present oral and written evidence and argument;
- 7. The right to confront witnesses (minor with adult present), including the right to be provided the identity of witnesses in advance of the hearing if requested;
- 8. A written decision, with the reasons for the decision, based solely on the evidence of record issued in a timely fashion and including appeal rights and procedures;
- 9. Notice of any substantive and material action of the hearing panel in the course of the proceedings;
- 10. Equality concerning communications, and no ex parte communication is permitted between a party and any person involved in making a decision or procedural determination except to provide explanations involving procedures to be followed.

Notification of Hearing

Following a request for hearing, the next step in the process is for the member organization D&A Chairman to verify whether there is sufficient reason to merit a hearing. Assuming the request has been validated, the Chairman would then set up a hearing. He or she needs to define a date, time, and place for the hearing to be held and notify the parties involved. Notification of the hearing may be done by telephone (with a written follow-up), by mail, by Mailgram, or by telegram. Whatever method is used, follow-up notification should always be in writing with proof of delivery. This provides you with proof that notification was provided, and when it was received. Notification should be provided to all involved parties at the same time. Unless competition dictates otherwise, a minimum of ten (10) business days should be allowed for the accused to adequately prepare his defense. In the event it becomes necessary to hold a hearing on very short notice, a follow-up notification should be sent via certified mail noting the time and place of the hearing.

The notification should contain:

A statement of the reason for the hearing with all specific charges or alleged violations in writing and possible consequences if the charges are to be found true

A copy of the primary complaint against the accused

The time, date, and place of the hearing

An outline of the procedures to be followed such as who will be allowed to testify and any time limits to be imposed

A date by which any written testimony is to be received

The notification for these hearings is extremely important so as to provide appropriate due process. The

SLYSA D&A Chairman will need to review the complaint in its entirety, and the letter written citing all possible charges which may be included, and what the range of punishment could be if those charges are found to be true. Keep in mind due process is not a luxury, it is a requirement.

Hearings should not be held at the same time as board meetings. The two types of meetings are not complementary, and might involve unnecessary participation of the higher authority should either party wish to appeal the decision made at the hearing. The next level of appeal is typically the SLYSA Board of Directors but must be consistent with the Bylaws of SLYSA. The next level of appeal should remain uninvolved to ensure impartiality.

Selecting Committee

The SLYSA President submits the name of an individual for the position of Chairman of the D&A to the Board for approval. The D&A Chairman then submits a list of potential Committee Members to the board for approval.

There are some common sense rules to remember when selecting your panel from your Association's D&A Committee Members. The overall purpose is to provide a fair and impartial hearing. No one can be impartial when his or her child or team is involved. No one can reach a fair decision when he or she is affected by the outcome. Friendships should be set aside, and every effort must be made to be as unbiased as possible.

It is highly recommended to have Committee Members who have varying degrees of experience and cover different ages, teams, or clubs inside your organization. This provides the Chairman the opportunity to select panel members who are as far removed from the case as possible. In no case, however, should minors be a part of a D&A Committee.

The hearing Committee MUST be impartial. It is required to have at least three people in the Committee (exclusive of the Chairman). NO member should be involved in the circumstances being heard; nor in any way, closely associated with any of the involved parties. If necessary, alternate members should be available should such an involvement or affiliation exist. It is suggested you have an odd number of voting panel members, so as to reduce the possibilities of having a tie during the deliberations.

Hearing Preparation

Once notification has been sent out to all parties detailing the specific charges to be addressed at the hearing, the D&A Chairman must prepare for the hearing itself. Copies should be made of all information relative to the charges or testimony and presented to each participant and panel member so they may look at their own copy. Included in the packet of information should be an outline of the procedures to be followed during the hearing. Details should be included as to the Participants, date, time, and place along with Committee Members names. (A sample form is included)

The room for the hearing should afford reasonable comfort. There should be adequate seating for all participants, equipped with the basic amenities for the benefit of those in attendance. The room should be laid out so each participant is equidistant from the hearing Committee. The layout of the room should be one conveying fairness and impartiality.

The time chosen for a hearing should be one which provides the minimum inconvenience for the parties concerned. In the event either party is unable to attend the hearing with sufficient reason, the D&A Chairman should re-schedule if possible. The hearing should not be un-duly delayed by constant re-schedules. If the participant is continually unable to attend, he or she should submit their testimony in writing prior to the hearing so the hearing may go forward.

The Member organization Bylaws and the SLYSA Bylaws, Rules, Regulations and Policies should be on hand for reference should any Committee Member deem reference to be in order.

Hearing Procedures

The following are the procedures to be followed during the hearing:

- 1. The D&A Chairman shall call the meeting to order
- 2. Introductions should be made detailing what everyone's role will be
- 3. Chairman will call for the name and position relative for all participants
- 4. Chairman will note that proper decorum will be maintained throughout the proceedings
- 5. The charges will be stated and procedures for the hearing itemized inclusive of time restrictions
- 6. The party alleging the complaint will be allowed time for testimony from him/her self and witnesses
- 7. Opposing party (or alleged violator) will be allowed equal time and opportunity
- 8. Committee members will be allowed time for questions and cross-examination
- 9. Both parties allowed equal time for closing statements and arguments
- 10. Chairman will detail the time and place for the Committee to reach its final decision
- 11. Chairman notifies all participants of the manner in which they will be notified of the decision
- 12. Chairman adjourns the hearing

Guidelines and Recommendations

During the hearing, proper notes should be taken by the Chairman or designate for reference should the Committee request during deliberation. It is also advisable for the Chairman to have these notes as a reference should either party appeal the decision of this Committee. These notes need not be all encompassing, and are most often personal notes of the hearing but may be a record of validating or implicating statements made during the course of the hearing. SLYSA recommends using a digital recorder or tape recorder to serve as a transcript if one is needed at a later time.

Testimony of witnesses of both parties should be allowed, but caution used as to how many may speak. The time given should be sufficient to hear testimony from these witnesses, but equal time and opportunity must be given to the opposing party. Keep in mind you do not wish to have repetitive statements, but if the accused feels as though the testimony is vital he or she may wish for it to be incorporated. Another way to approach this would be to request all testimony in writing prior to the hearing if there may be multiple witnesses. A benefit to stipulating a time constraint in advance will help you to limit repetitive testimony.

The accused party should be present at all times during testimony. The rights of the accused stipulate they have the right to face their accusers and confront their testimony. It should be apparent at all times throughout the procedure that everything is totally beyond reproach. It may be a good idea to ask both parties if they have questions of the other. Proper decorum needs to be maintained throughout the hearing, and if this is strictly adhered to, in most cases the parties will be able to ask questions without risking disruption.

Hearsay and verbal testimony other than what has occurred during the hearing should not be included in the Committee's decision.

Make sure the hearing progresses along the lines of it's intent. Keep in mind what the specific charges are for which the accused is present, and of what he or she has been notified. If additional items surface during the hearing which could be cause for other charges levied against the accused your options are:

- 1. Disregard the new items and stay the course for which they are present
- 2. Continue with the hearing, and schedule another hearing for the new charges (decisions made should only involve the charges for which they are present)
- 3. Suspend the hearing and re-send notification of a new hearing time and date with the additional charges
- 4. Allowing the accused the option of continuing with the new charges for which he or she may not be adequately prepared (not suggested without documenting their agreement).

The D&A Chairman must advise both parties of the next step of their appeal rights.

Determining the Result

Following the hearing and in accordance with the time, date, and place for the decision to be made as stipulated by the D&A Chairman, begin the deliberations. The Committee should be advised to consider the evidence brought before them and not to allow outside factors to impact their decision.

Not all hearings will result in the accused being found to have committed the offense, but whenever found so, a good rule of thumb to keep in mind is "The punishment must fit the Offense".

After hearing all the facts related to the offense and before entering the discipline phase of the hearing the Committee will consider the following:

- 1. How serious is the offense for which punishment is prescribed?
- 2. Is the punishment assessed in the best interest of all involved? (Club, SLYSA, and soccer in general)
- 3. How will other people be affected by the discipline?
- 4. How deeply, if at all, are personal feelings involved in the decision?
- 5. Does the punishment fit the offense?
- 6. Is it intended to suspend from SLYSA activities?

Specific rules should be referenced in the decision whether from the SLYSA By-laws, Rules, Regulations and Policies.

Notification of Findings

Written notification of all Committee decisions must be provided to all parties involved. This written notification should include:

- 1. Decision of Committee
- 2. Rules applied to reach the decision
- 3. Consequences for not adhering to the decision
- 4. Appeal rights including fee, time frame for filing, and method of appeal
- 5. Copy sent to SLYSA Office

It is highly suggested written notification be sent to the involved parties via certified mail with return receipt requested so you may know when the recipient was officially notified of the hearing results.

All appeals to the SLYSA D&A Committee must be submitted in writing and received within ten (10) days of receipt of the appealed decision. A fee of \$100.00, in the form of cashier's check, certified check, or money order shall accompany all appeals. Personal checks and cash are not accepted.

The SLYSA D&A Committee, at its discretion, may, when requested in writing to do so or deems appropriate, waive the time limit for filing appeals.

Once the written appeal is received the SLYSA D&A Committee Chairman will then notify the involved Member organization and all members of the Committee. In cases of controversy as to timely receipt of appeals, the postmark date will govern.

Upon receipt of an appeal, properly submitted, the Chairman of the SLYSA D&A Committee shall set a time and place for a hearing and will advise all appropriate parties. Such hearing settings are solely the responsibility of the Committee, but all such hearings must be scheduled within ten (10) days of receipt of the appeal and the appealing party is bound to present all information and evidence relative to the appealing party's case at the hearing.

The Right to Appeal

Appeals are a very important part of the D&A process. Appeals fall into two categories: appeals of a decision of a league officer or to decisions of a committee, typically the D&A Committee. Protests are related to the actual competition on the field and involve misapplication of the rules or laws. Although they involve vastly different types of matters, the method of handling them is very similar.

The same steps apply here as were comprised in the request for hearing:

- 1. The request must be made in writing
- 2. Determination of the merit or validity of request
- 3. Chairman sets the time, date, and place for the appeal hearing
- 4. The Appeal hearing follows the same guidelines and procedures as the initial hearing

The difference between the initial request for a hearing and a request for an appeal hearing is typically the grounds for the appeal. Typical grounds are:

- 1. Failure to comply with appropriate By Laws, rule, or regulations
- 2. By-law, rule, or regulation fails to conform to the rules of USYSA, USSF, or FIFA or the rule has been applied arbitrarily under the facts of the appeal
- 3. Disagreement as to the facts as determined by the entity whose decision is being appealed
- 4. Failure of the entity whose decision is being appealed to provide the party with due process



Date	
Name	
Address	
City, State & Zip	
Title & Name,	
This letter is in reference to the game	·
received a red card for	attempting to strike an opposing player. It is
requested that you appear, with	, before the SLYSA Discipline &
Appeals Committee on Date & Year p.m., at th	e SLYSA Office, located at 2275 Cassens Dr.,
Suite 126, Fenton, MO 63026, to discuss	actions.
Please contact the SLYSA Office upon receipt of	this letter for confirmation purposes. If you
have any questions regarding this matter, pleas	se feel free to speak to a SLYSA Official.
Sincerely,	
Name	
Discipline & Appeals Chair	
Cc: (Club Director & Head Coach)	



Date
Name
Address
City, State & Zip
Title & Name,
The following letter is to advise you of the action taken by the SLYSA Discipline & Appeals Committee in regard to the disciplinary hearing held on
The action taken is in accordance with the rules, regulations and policies set by Slysa as guidelines for the conduct and behavior of coaches, players and parents.
 will not be suspended any additional SLYSA league games. You can not be with the team before, during or after the game. Any red/yellow cards issued to during the rest of the spring session of Slysa could result in additional game suspensions.
If you have any questions regarding this matter, please feel free to contact the SLYSA office.
Sincerely,
Name
Discipline & Appeals Chair
Cc: (Club Director & Head Coach)

Section 5. Discipline and Appeals Committee

- A. Composition. The committee shall be composed of at least three (3) people and a Chair.
- B. Chairman. Chairman shall be the Vice President of SLYSA
- C. Election to Committee. The committee chairman shall appoint enough additional members to the committee to provide a panel of three, disinterested and impartial, body of fact-finders for each hearing or appeal. The members of the committee shall be confirmed by the president or board of directors. Committee members shall serve at the discretion of the chairman of the committee.
- D. Accountability. The committee shall report to the president and executive director.
- E. Hearing Procedures. All hearings conducted under these Bylaws, shall comply with USSF Bylaw 701 and USSF Policy 701-1, and also refer to SLYSA Rules, Regulations and Policies.
- F. Litigation.
- 1. No member organization, player, coach, trainer, manager, club, team, administrator or referee may invoke the aid of the courts in the United States or the State of Missouri without first exhausting all available remedies within the appropriate soccer organization and as provided within St. Louis Youth Soccer Association, Missouri Youth Soccer Association, US Youth Soccer and United States Soccer Federation.
- 2. For violation of this bylaw, the offending party shall be subject to suspension and fines, and shall be liable to SLYSA for all expenses incurred by SLYSA and its officers in defending each court action, including but not limited to the following:
- a. Court cost;
- b. Attorney's fees;
- c. Reasonable compensation for time spent by SLYSA officials and employees in responding to and defending against allegations in the actions, including responses to discovery and court appearances;
- d. Travel expenses;
- e. Expenses for holding special meeting necessitated by the court action

SLYSA Rules, Regulations and Policies

- 3. Disciplinary Rulings, and Minimum Punishments (All Sections listed below are minimums)
- A. Minimum Penalties. SLYSA may adopt more stringent penalties, which will prevail, but in no event may penalties be less than those listed.

PLAYER

- B. Player Fighting. A player guilty of fighting before, during or after games shall receive a minimum of two-game (2) suspension.
- C. Player Profanity. A player guilty of using profanity, either by word or sign, against a referee, another player, coach, spectator, or any SLYSA official shall receive a minimum one (1) game suspension.
- D. Player Threats. A player guilty of making threatening gestures against, referee, another player, coach, spectator, or any SLYSA official shall receive a minimum one game (1) suspension. Verbal threats are remarks that carry the implied or direct threat of physical harm. Such remarks as "I'll get you after the game" or "You won't get out of here in one piece" shall be deemed Official abuse.
- E. Player Striking Official. A player guilty of pushing or striking any coach, referee or any SLYSA official shall receive a minimum one-year (1) suspension.

COACH

G. Coaches Threats. Coaches or team officials who make threatening gestures, physical contact or use threatening language to other players, coaches, referees or any member organization officials shall be disciplined according to the following schedule:

First Time: Minimum two-game (2) suspension.

Second Time: The offender shall appear before the SLYSA board of directors and be suspended for a minimum of four (4) games.

Third Time: The offender will be suspended for not less than one (1) year.

SPECTATOR

H. Misconduct of Spectators. Any individual who makes threatening gestures, physical contact or uses threatening language to players, coaches, referees, other spectators or SLYSA officials shall be disciplined according to the following schedule:

First Time: Minimum two-game (2) suspension.

Second Time: The offender shall appear before the SLYSA board of directors and be suspended for a minimum of four (4) games.

Third Time: The offender will be suspended for not less than one (1) year.

Coach is subject to comparable consequences.

REFEREE

I. Misconduct of Game Officials. In case of misconduct by referees or other game officials consistent with previously stated policy:

First Time: Minimum two-game (2) suspension.

Second Time: The offender shall appear before the SLYSA board of directors and be suspended for a minimum of four (4) games.

Third Time: The offender will be suspended for not less than one (1) year.