



**SOUTH TEXAS YOUTH SOCCER ASSOCIATION
PROPOSED RULE CHANGE - # 2**

SECTION I: ADD OR CHANGE A RULE

Is there currently a rule that applies? Yes No

Rule Location: Discipline, Protest, Grievance and Appeal Procedures
Title of Section: Fees for Hearings and Appeals

**FAILED
LACK OF
MOTION**

Rule as it presently reads:

4.5. FEES FOR HEARING AND APPEALS

- 4.5.1. The fee to the STYSA Appeals Committee shall be \$200 (refunded if successful) for a protest filed with the Appeals Committee and \$250 (refunded if successful) for an appeal filed with the STYSA Appeals Committee.
- 4.5.2. The appeal fee to the STYSA Executive Committee shall be \$250, refunded if the appeal is successful.
- 4.5.3. All fees will be submitted in the form of cash, STYSA Member Association check, money order, certified or cashier's checks made payable to STYSA.
- 4.5.4. There shall be no fee for requests for a hearing following an automatic and/or indefinite suspension or for grievances submitted to the STYSA Appeals Committee.

Proposed Additions and/or Changes:

4.5. FEES FOR HEARING AND APPEALS

- 4.5.1. The fee to the STYSA Appeals Committee shall be \$200 (~~refunded if successful~~) for a protest filed with the Appeals Committee and \$250 (~~refunded if successful~~) for an appeal filed with the STYSA Appeals Committee.
- 4.5.2. The appeal fee to the STYSA Executive Committee shall be \$250, ~~refunded if the appeal is successful~~.
- 4.5.3. All fees will be submitted in the form of cash, STYSA Member Association check, money order, or certified or cashier's checks made payable to STYSA.
- 4.5.4. There shall be no fee for requests for a hearing following an automatic and/or indefinite suspension, **an appeal of a Kidsafe/Risk Management denial**, or for grievances submitted to the STYSA Appeals Committee.

SECTION II - JUSTIFICATION FOR THE PROPOSED RULE CHANGE:

Expenses are incurred each time a protest or appeal is filed with the State Association. To refund the fee based on the outcome of the decision does not negate the expense; it only requires these costs to be drawn from another aspect of the program. In these economic times, every effort is made to keep costs to a minimum but it's a costly venture to the state association to have expenses required to address issues involved with protests and appeals with no income source to offset the expenses. With increases in costs of conference calls and mail/delivery service rates, the current fees do not cover the cost of hearing a protest or appeal.

No fee is currently required for grievances or automatic suspensions. The appeal of a denial of eligibility based on a background check has been included in the types of requests not requiring a fee.

Submitted by: Don Bohnet, STYSA Executive Vice President

Rules Committee Recommendation: Recommends against passage of eliminating refund, but recommends passage of no fees for Kidsafe appeal.

Executive Committee Recommendation: Recommends passage

The Executive Committee recognizes that there is a cost to running our business; however, we had 39 hearings in 2009 which resulted in 5 appeals and issued 2 refunds equating to a net loss to STYSA of \$8,847 after expenses.