

# **EDS2 Appeals Guidelines Discipline, Protest, and Grievance Procedures**

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## **I. Purpose**

The purpose of the EDS2 Discipline, Protest, and Grievance Procedures is to promote and ensure uniformity and consistency in the application of the rules and procedures of EDS2, STYSA, USYSA, USSF, and FIFA. In addition, it is the purpose of these rules to attempt to regulate and control unacceptable, unsportsmanlike, and unfair behavior on the part of players, coaches, managers, administrators, fans, and supporters, in order to promote the sport of youth soccer. All questions relating to the qualification of competitors, interpretation of the rule, disputes, protests, or grievances shall be referred to the EDS2 Appeals Committee. The decisions of the Appeals Committee shall be binding on all parties unless appealed and overturned by a higher authority.

## **II. Definitions**

A. "Appeals" arise as a result of an adverse decision from a protest hearing, administrative action, disciplinary hearing, or lower level appeal. Only those parties to the original action, who are adversely impacted by such decisions, shall be allowed to appeal.

B. "Assault" is an intentional act of physical violence. Assault includes, but is not limited to, the following acts: hitting, kicking, punching, slapping, choking, spitting at or on; grabbing or bodily running into; the act of kicking or throwing any object at another that could inflict injury; damaging a uniform or personal property, i.e., car, equipment (cards, whistle, notebook, etc.) or knocking equipment or other objects out of the hand.

C. "Abuse" is a verbal statement or physical act, which implies or threatens physical harm to an individual. It also includes verbal abuse, which is threatening, cursing, or demeaning a person or any member of his/her family.

D. "Automatic Suspension" shall mean that a coach, assistant coach, player, or spectator shall not participate in any EDS2, STYSA, USYSA or USSF sanctioned activity, including but not limited to season games, practices, practice games, tournaments play, or friendly games. The individual must immediately surrender to the Association Administrative

Assistant (Administrator) all player ID cards of the team members or player(s) suspended, until such individual petitions the STYSA Appeals Committee for a hearing and the committee reinstates. An automatic suspension may only be imposed for allegations of referee assault as per USSF Policy 531-9 or the acquisition of excessive penalty points as per STYSA Rule 4.9.

E. "Coach" is an individual who coaches, trains, or manages a team either permanently or temporarily. This includes assistant coaches, trainers and managers.

F. "Disciplinary Hearings" result from allegations of misconduct. Such misconduct must be a violation of a published rule, regulation, procedure or match related violent behavior and misconduct.

G. "Disciplinary Action" may be rendered by the Appeals Committee from a Preliminary Decision or upon the completion of a Disciplinary Hearing. This action may include but is not limited to: censure, fines as adopted by EDS2, STYSA or its affiliates, suspensions, institution of probation stipulations, prohibition of participation in specific EDS2 or STYSA sanctioned activities, and removal from office or official position. It shall not include the issuance of penalty points beyond that, which is prescribed in the STYSA Progressive Discipline System.

H. "Grievance" is any complaint, which is not a protest or an appeal, but in the opinion of the complainant is a violation of EDS2, STYSA, USYSA or USSF Constitutions, By-Laws, or Rules and Procedures. A grievance shall not encompass allegations of violations of FIFA Laws of the Game or matters of referee judgment.

I. "Preliminary Decision" is a preliminary step in the hearing process where the Appeals Committee receives a properly submitted protest or grievance; or upon any other matter the Committee deems appropriate, and renders a preliminary decision of disciplinary action. If a preliminary decision is reached, the Party defending the action shall have the right to request a disciplinary hearing. After receipt of a written request for a hearing, the Chairman shall promptly schedule a hearing. If the Chairman receives no request for a hearing within ten (10) days after the party's receipt of the preliminary decision, then the preliminary decision is final. All notifications and requests for hearings under this paragraph must be made in accordance with EDS2's Notification Requirements.

J. "Protest" is related to a specific game and is filed by one of the involved team's officials. Only those teams involved are permitted to protest a game result. Third parties cannot file protests, on a specific game. A protest may not be based upon the judgment call of a referee.

K. "Referee" includes the following:

1. All currently registered USSF referees, assistant referee, 4th officials or other duly appointed persons to assist in the officiating of a game or;
2. any non-licensed, non-registered person serving as a referee or;
3. any club linesman.

L. "Season" - The Fall season shall begin on September 1st and end on December 31st of each year.

M. "Season games" shall mean games, which are scheduled at the beginning of any playing, season or rescheduled during the season and shall not include any tournament games.

P. "Suspension" is defined as follows:

- (1) A coach, assistant coach, manager or trainer may not attend or observe one or more matches and may not participate in warm-up or half-time activities of the match or matches.
- (2) A player may not play in one or more matches; however, he/she may attend the next match or matches played by the team, but not in uniform.
- (3) Individual. Any other suspension of a person under these procedures will mean that the person shall not participate in any EDS2, STYSA, USYSA or USSF sanctioned activity, including but not limited to season games, practices, practice games, tournaments play, or friendly games. The individual must immediately surrender to the Association Administrative Assistant (Administrator) their player ID card or Coaching Pass. Suspension may also include removal and prohibition from maintaining any position within a Club, League, Association or STYSA.
- (4) Team. A team suspension shall mean that the team shall not compete in any EDS2, STYSA, USYSA or USSF sponsored activity including practices, season games, friendly games, or tournament play. No travel permits will be approved. Furthermore, no more than five (5) players from the suspended team may transfer to or play on any one team. The coach of the suspended team may not coach any of the players of the suspended team during the suspension with the exception of his/her child.

Q. "Standing" means in matters relating to grievances, protests, appeals or other D&P actions only the following will have standing before the Committee:

- (1) Currently registered players [and their legal guardian(s)];
- (2) EDS2 coaches;

(3) An elected / appointed EDS2 officer or administrator;

R. "Team" means a recognized entity of properly registered and rostered players with at least one registered coach, organized for the purpose of playing the sport of soccer, sponsored by EDS2.

### III. Line of Jurisdiction

- A. The line of jurisdiction on protest or appeals, except in the instance of assault or abuse of a referee or as modified in playoff competition, shall be as follows:
1. EDS2 Appeals
  2. STYSA Appeals
  3. As per USSF Rule 4020.
- B. Assault of Referee line of jurisdiction:
1. STYSA Appeals
  2. USSF Appeals Committee
- C. Abuse of Referee line of jurisdiction:
1. EDS2 Appeals or STYSA Appeals
  2. STYSA Appeals
  3. USSF Appeals
- D. Request for reinstatement following an Automatic Suspension of a Player or Coach:
1. STYSA Appeals unless referred to EDS2 Appeals
  2. STYSA Appeals if referred to EDS2 Appeals
  3. USSF Appeals
- E. Decision Shall Stand Until Overturned. All decisions at all levels of the appeal/protest process shall stand and be in full force and effect until changed by a higher authority and communicated to all of the affected parties in writing.
- F. Exhaust Lower Levels First. All lower levels of protest/appeal must be exhausted before a higher level will hear the appeal.
- G. Appeal to Higher Level. At all levels of the appeal/protest process if a decision is not reached within 30 days of receipt of the written appeal/protest, the party filing the appeal/ protest may submit the appeal/protest to the next higher level with no additional fee.
- H. Cannot Invoke Aid of Courts. No player, coach, official, referee, fan, supporter or their representative may invoke the aid of the courts of any State or of the United States without first exhausting all available remedies within the appropriate soccer organizations as set forth under the lines of authority herein.
- I. Penalty for Failure to Exhaust Administrative Remedies. Any person(s) or group(s) action through the court system without exhausting the administrative remedies listed herein or in the STYSA, USYSA, USSF rules is subject to the following:
1. Automatic Suspension. The person(s) or group(s) is/are automatically suspended from all soccer activities and forfeit any appeal/protest rights. The party may petition the STYSA Executive Committee for reinstatement upon conclusion of the action.
  2. Liability for all Costs. The person(s) or group(s) is/are liable to STYSA and/or its Member Association for all expenses incurred by STYSA, its Member Association and/or officers, directors, or administrators in defending the action, including, but not limited to:
    - a. Court costs
    - b. Attorney's fees
    - c. Cost of litigation, including depositions, expert witness fees, etc.;
    - d. Reasonable compensation for time spent by STYSA and Member Association administrators and employees in responding to and defending against allegations in the action, including responses to discovery and court appearances;
    - e. Travel expenses and;
    - f. Expenses for holding special STYSA or Member Association meetings necessitated by the court action.

## IV. Fees for Protests, Hearings, Grievances and Appeals

- A. The protest fee to the EDS2 Administrator shall be \$150.00,
- B. The grievance fee to the EDS2 Administrator shall be \$150.00.
- C. If the protest or grievance is upheld \$100 is refunded, if the protest or grievance is denied zero is refunded.
- D. The appeal fee of \$200 (refunded if successful) or protest fee of \$250 (refunded if successful) to the STYSA Appeals Committee
- E. All fees must be submitted in the form of cash, certified check, cashier's check or money order made payable to the EDS2 .
- F. If an appeal, protest, and/or grievance is completely successful, then all except \$50.00 of the fee submitted will be returned only after the time for additional appeals has passed.
- G. There shall be no fee for requests for hearings following an automatic and/or indefinite suspension or for grievances submitted to the STYSA Appeals Committee.

## V. Notification Requirements

- A. Proper notification will occur in writing and will be considered received if sent under the following procedures (in descending order of preference):
  - 1. Certified mail return receipt requested at the address of record.
  - 2. Express mail with receipt of acceptance.
  - 3. Hand delivery with written acceptance.
  - 4. Hand delivery without written acceptance but witnessed by two (2) persons or
  - 5. Fax with confirmation of receipt.
  - 6. Email

## VI. Protest Procedures

- A. There are only two (2) acceptable causes for protesting a game after it has been played. They are:
  - 1. A team plays an unregistered, ineligible, or suspended player, or;
  - 2. There has been an obvious error made in the application of the Laws of the Game that directly affects the outcome of the game.Matters of referee judgment cannot be protested at any time.
- B. To be valid and eligible for consideration, each protest filed with the Appeals Committee must include the following:
  - 1. The protest fee;
  - 2. Two (2) written copies (original plus one copy) of the grounds on which the protest is lodged clearly stating the following:
    - a. Name, address, phone number, and team affiliation of the plaintiff
    - b. The date and time of the game, field location, and age level of teams involved
    - c. The approximate time of the incident in relation to the start of the game
    - d. The rule or rules which have been violated and a description the violation
    - e. The score of the game prior to the incident, after the incident, and the final score
    - f. The name of the opposing team, coach, and club
    - g. Two copies of any information to be presented by witnesses, and
    - h. The name of the referee.

- C. The intention to file a protest regarding the misapplication of the Laws of the Game must be made known to the game referee and the opposing coach before leaving the field. This does not require that the protest actually be filed, but allows the referee the opportunity to write up usable game report information.
- D. All protests must be postmarked or received by the EDS2 Administrator within forty-eight (48) hours of the completion of the game being protested. Postage meter dates are not acceptable postmarks.
- E. Any protest relating to late starts, the field, goalposts, bars, or other appurtenances shall be entertained for consideration only if an objection has been lodged with the referee in writing prior to the start of the game on the official Game Report form. This protest must also be verbally communicated to the opposing coach.

## VII. Grievance Procedures

To be valid and eligible for consideration, each grievance filed with the Appeals Committee must include the following:

- A. The grievance fee
- B. Two (2) written copies (original plus one copy) of the grounds on which the grievance is lodged clearly stating the following:
  - a. Name, address, phone number, and team affiliation of the plaintiff,
  - b. The rule or rules that have been violated and a description of the violation,
  - c. The violating player, team, coach, or individual(s),
  - d. The age level of play involved,
  - e. Two (copies) of statements from any witnesses, and
  - f. Any other pertinent facts.
  - g. Any grievance must be filed within 14 days of the event, or within 48 hours of the end of regular fall seasonal play.

## VIII. Progressive Discipline System

- A. **Purpose.** Misconduct of players, coaches and fans continues to be a problem in soccer. More emphasis is needed to promote proper conduct and good sportsmanship, especially in our youth competition. The following system is an effort to discourage violent play and misconduct.
- B. **Responsibilities of Coaches, Players and Associations**
  - a. **Maintain Control of Fans and Sideline.** Coaches are required to maintain control of their players and the team's fans on the sideline. A coach or an assistant coach may be cautioned and / or ejected by a referee for the misconduct of a fan of the team which he / she coaches.
  - b. **Penalty Points.** Coaches are responsible for maintaining their individual penalty points and the individual penalty points of their players. Players are also responsible for maintaining their individual penalty points.
- C. **Misconduct by Fan / Supporter.** The parents, fans or supporters of any STYSA team by attending a STYSA sponsored event subject themselves to the jurisdiction of the member association and its affiliates the STYSA Appeals Committee, Executive Committee and the STYSA Governing Board. As such misconduct by a parent, fan or supporter can be investigated and disciplinary action can be taken by any of the various levels which have jurisdiction over the team involved. If action is not taken on the local level, the STYSA Appeals Committee may investigate the matter and hold a hearing to determine what discipline, if any, should be provided. Such discipline can include, but shall not be limited to, prohibiting the parent, fan or supporter from attending any STYSA sponsored event, including games, practices and tournaments for a period of time or indefinitely. The failure to comply with the discipline shall be cause for STYSA Appeals Committee to discipline the player related to the parent, fan or supporter; the team which the parent, fan or supporter supports; and or the coach of such team.
- D. **Penalty Points Awarded.** Penalty points shall be awarded to all individual players and coaches only as follows:
  - a. **Recorded cautions:** 3 points per caution to the individual
  - b. **Recorded ejections:** 9 points per ejection to the individual.

E. **Disciplinary Action for Penalty Point Accumulation.** An accumulation of penalty points shall result in the following disciplinary actions:

a. **Individual Penalty Points:** An individual player or coach shall be suspended as follows:

(1) Nine (9) penalty points

(a) Player - Suspension for the next game actually played by the team to which the player is currently rostered. Suspension shall not be served in forfeited, friendly or invitational tournament matches.

(b) Coach, Assistant Coach or Trainer Not Ejected – If a coach, assistant coach or trainer is not ejected or asked to leave a game by the referee, but reaches nine (9) penalty points, then suspension for the next game actually played by the team which played the game in which the coach reached his / her ninth (9th) penalty point. Suspension shall not be served in forfeited, friendly or invitational tournament games.

(c) Ejected Coach, Assistant Coach or Trainer – If a coach, assistant coach or trainer reaches nine (9) penalty points during a match in which he / she is ejected or asked to leave a game by the referee, then suspension:

(1) for the remainder of that day; and

(2) for the next regularly scheduled match day; and

(3) for the next game actually played by the team which played the game from which he / she was ejected. Suspension will not be served in forfeited, friendly or invitational tournament matches.

(2) Eighteen (18) penalty points

(a) Player - Suspension for the next two (2) regularly scheduled games actually played by the team to which the player is currently rostered. Suspension shall not be served in forfeited, friendly or invitational tournament matches.

(b) Coach, Assistant Coach or Trainer Not Ejected – If a coach, assistant coach or trainer is not ejected or asked to leave a game by the referee, but reaches eighteen (18) penalty points, then suspension for the next two (2) games actually played by the team which played the game in which the coach reached his / her eighteenth (18th) penalty point. Suspension shall not be served in forfeited, friendly or invitational tournament games.

(c) Ejected Coach, Assistant Coach or Trainer – If a coach, assistant coach or trainer reaches eighteen (18) penalty points during a match in which he / she is ejected or asked to leave a game by the referee, then suspension:

a. for the remainder of that day; and

b. for the next two (2) regularly scheduled game days; and

c. for the next two (2) games actually played by the team which played the game from which he / she was ejected. Suspension will not be served in forfeited, friendly or invitational tournament matches.

(3) Twenty-four (24) penalty points - Suspension for the next three (3) additional games actually played by the team to which the person is currently rostered; suspension shall not be served in forfeited matches or invitational games.

(a) Player - Suspension for the next three (3) regularly scheduled games actually played by the team to which the player is currently rostered. Suspension shall not be served in forfeited, friendly or invitational tournament matches.

(b) Coach, Assistant Coach or Trainer Not Ejected – If a coach, assistant coach or trainer is not ejected or asked to leave a game by the referee, but reaches twenty-four (24) penalty points, then suspension for the next three (3) games actually played by the team which played the game in which the coach reached his / her twenty-fourth (24th) penalty point. Suspension shall not be served in forfeited, friendly or invitational tournament games.

- (c) Ejected Coach, Assistant Coach or Trainer – If a coach, assistant coach or trainer reaches twenty-four (24) penalty points during a match in which he / she is ejected or asked to leave a game by the referee, then suspension:
  - a. for the remainder of that day; and
  - b. for the next three (3) regularly scheduled game days; and
  - c. for the next three (3) games actually played by the team which played the game from which he / she was ejected. Suspension will not be served in forfeited, friendly or invitational tournament matches.
- (4) Thirty (30) penalty points
  - (a) Player - Suspension for the next four (4) regularly scheduled games actually played by the team to which the player is currently rostered. Suspension shall not be served in forfeited, friendly or invitational tournament matches.
  - (b) Coach, Assistant Coach or Trainer Not Ejected – If a coach, assistant coach or trainer is not ejected or asked to leave a game by the referee, but reaches thirty (30) penalty points, then suspension for the next four (4) games actually played by the team which played the game in which the coach reached his / her thirtieth (30) penalty point. Suspension shall not be served in forfeited, friendly or invitational tournament games.
  - (c) Ejected Coach, Assistant Coach or Trainer – If a coach, assistant coach or trainer reaches thirty (30) penalty points during a match in which he / she is ejected or asked to leave a game by the referee, then suspension:
    - a. for the remainder of that day; and
    - b. for the next four (4) regularly scheduled game days; and
    - c. for the next four (4) games actually played by the team which played the game from which he / she was ejected. Suspension will not be served in forfeited, friendly or invitational tournament matches.
- (5) For the purposes of this section only, “regularly scheduled” means the game days routinely scheduled by a competition’s scheduler. “Regularly scheduled” does not mean make-up games scheduled on a day when the competition as a whole is not scheduled to play.
- (6) Maximum accumulation of penalty points in one game by a coach or player shall be nine (9) points.
- (7) Coaches will acquire penalty points cumulatively as a single entity, person or individual regardless of the number of individual teams he / she coaches or trains. Example: A coach with three (3) teams who accumulates three (3) points in a game with each team has a total of nine (9) points.
- (8) Penalty Point Carryover
  - (a) Post-season Games Play. Individual penalty point accumulations received during season games’ play shall be extended into the respective post-season tournament play (i.e., Western / Eastern District tournament play, STYSA Fall tournament play, President’s Cup tournament play, Director’s Cup tournament play, South Texas Cup tournament play, and USYSNC tournament play). Individual penalty point accumulations shall not be continued into USYSNC Regional and National tournament play. Game suspensions received due to penalty point accumulations in STYSA USYSNC tournament play that have not been completed in state tournament play shall be served after completion of USYSNC Regional and National tournament play and will be served in the next season’s matches. Each member association shall be responsible for reporting such point accumulations for each player and coach within the association who will participate in the tournament(s) to the respective tournament coordinators.
  - (b) Next Season. Penalty points obtained by individuals during specific season’s games, including post-season tournament play, shall not be carried over into the next season’s games.

(c) Invitational Tournaments. Unless an individual is under suspension / probation or other disciplinary action, penalty points for cautions and ejections obtained during invitational and / or commercially sponsored tournaments shall not count in the STYSA Discipline, Protest and Grievance Procedures, Progressive Discipline System; however, disciplinary action for improper conduct at such events may be taken.

(9) Suspension Carryover. Suspension shall carryover into the next season. If a player, coach or assistant coach is suspended during one season, but because of the number of games remaining in that season, does not serve the full suspension, then the number of games suspended but not served shall be served in the first and, if required, the second game of STYSA tournament play or the next season, if the person does not participate in STYSA tournament play.

(10) Player Transfers. If a player transfers to another team, he / she shall retain his / her individual penalty points.

b. **Penalty Point Challenge.** Any challenge to penalty points must be by protest at the game in which the points are accumulated. A protest must be filed before or just after the end of the game. The protest must be made known to the opposing coach and the referee. Furthermore, the protest may not be based upon a judgment call of the referee. Within forty-eight (48) hours of the game, a written protest must be placed in the mail to the STYSA State Office that will forward it to the Appeals Committee Chairperson for investigation and a hearing. The STYSA Appeals Committee Chairperson or his / her designee may refer the matter to a Member Association or Local Association / Club for the hearing. No appeal shall be allowed from the decision of the committee hearing the matter.

F. **Revocations of Cautions, Ejections and Penalty Points.** Cautions, ejections and penalty points may only be revoked by the STYSA Appeals Committee.

G. **Forfeits.** Any team that forfeits two games in a season shall be brought before the EDS2 Appeals Committee for possible disciplinary action.

H. **Ineligible Player.** Any coach or assistant coach who is responsible for knowingly playing an ineligible player will be subject to suspension from participation in any STYSA sanctioned program.

I. **Team Forfeits.** Any team shall forfeit any game(s) in which it played an ineligible player.

J. **EDS2 Exceptions/Additions to STYSA Progressive Disciplinary System**

1. Players, Coaches, Assistant Coaches, & Trainers.

a. Second ejection – A Coach, Assistant Coach, Trainer, or other adult is suspended for the remainder of the season upon receiving their second ejection. A Player is suspended for the next three (3) games actually played by that team. (Note: the STYSA rules will also apply.)

b. A Coach, Trainer, Assistant Coach or other Adult upon being ejected or ordered away from a game by the referee of the game will not be permitted to attend any EDS2 sanctioned game for the rest of that day and for the next regularly scheduled EDS2 play date and will be assessed a \$50 fine. (**Note:** the STYSA rules will also apply.)

2. Teams.

a. Teams are suspended for the remainder of the season upon the conclusion of the game in which any combination of players accumulates the fourth (4th) ejection of the season.

b. Teams are suspended for the remainder of the season upon the conclusion of the game in which the team accumulates seventy five (75) or more penalty points.

3. Spectators/non-field players – Teams are suspended for the remainder of the season in which non-field players enter the field of play

4. Individuals and Teams may request reinstatement of the suspensions in this section through the EDS2 Appeals Committee. A letter must be written to the EDS2 Appeals Committee and a non-refundable fee of \$150 must accompany the letter. This letter and fee will be mailed to the EDS2 Administrator.

5. The EDS2 Appeals Committee shall automatically impose the following minimum suspensions based upon the Committee's review of the referee's statements on the Game Report or supplemental USSF Referee Report. More severe discipline and/or sanctions may be imposed for multiple red cards during a season and for misconduct directed towards officials or administrators, or as dictated by the EDS2 Appeals Committee.
  - a.) Ejections resulting from "offensive or insulting or abusive language" and/or gestures directed toward a player, referee, assistant referee, administrator, spectator and/or tournament official will result in a two (2) game suspension.
  - b.) Ejections resulting from violent conduct including but not limited to the aggression of a player towards an opponent with clearly no intent to play the ball; fighting, hitting or punching will result in a two (2) game suspension.
  - c.) If the ejection in 5.a or 5.b above is a second ejection for a player (see J.1.a), then the player will be suspended for the next four (4) games actually played by that team.
  - d.) Ejections resulting from spitting on an opponent, referee, assistant referee, administrator or spectator will result in a three (3) game suspension.
- K. The EDS2 Appeals Committee reserves the right to review any issues related to misconduct and apply additional penalties as considered appropriate based upon the severity of the misconduct.

## **IX. Hearing Procedures**

### **A. General.**

1. No Conflict of Interest. Members of any committee hearing a protest, appeal, disciplinary hearing, or grievance shall be composed of persons having no conflict of interest in the matters being heard, and having no association with the principal parties in the matters. No person may adjudicate a matter at more than one level.
2. Record of Hearing. The chairperson of the committee shall appoint one committee member to make a record (minutes) of the proceedings.
3. Types of Hearings:
  - a. Open Hearings...Open hearings shall be held with the principal parties, witnesses for both sides, and all necessary evidence, actually appearing before the members of the Hearing Committee. Testimony from witnesses need not be taken in the presence of other witnesses, but the principal parties shall be present for all proceedings except the deliberations of the Hearing Committee.
  - b. Closed Hearings...Closed hearings require that all testimony and evidence (including the rules) be submitted in writing. The committee members on an individual basis may consider testimony and evidence, with a decision by mail or conference call.
  - c. Preliminary Decision...Both an open hearing and a closed hearing may be preceded by a Preliminary Decision. A preliminary decision is not a separate hearing, but is a preliminary step for a hearing. A preliminary decision may be rendered upon a review of any information received and any preliminary investigation the chairman deems necessary. If a preliminary decision is reached, the Party defending the action shall have the right to request a disciplinary hearing. After the Chairman receives receipt of a written request for a hearing, the preliminary decision is rescinded and the Chairman shall promptly schedule a hearing. If the Chairman receives no request for a hearing within ten (10) days after the party's receipt of the preliminary decision, then the preliminary decision is final and cannot be appealed.

### **B. Notification of Hearing/Conference Call**

1. Proper notification of a hearing will be given whenever an open hearing is scheduled. All parties must receive notification no later than three (3) days prior to the hearing. Individuals may waive their rights to the three (3) day notice, if done so in writing prior to the start of any hearing.
2. Proper notification will occur in writing and will be considered received if sent in compliance with the Notification Requirements as set forth above in Section V.
3. Hearing/conference call notification letters will contain the following information:

- a. Date of letter,
- b. Mode of delivery,
- c. Reason for the hearing and the case number,
- d. Role of the individual being requested to appear at the hearing (witness, accused, etc.),
- e. Date, time, location of the hearing,
- f. A brief description of the procedures of the hearing.

C. Agenda for Open Hearing/Conference Call...All parties, including witnesses, will be brought into the hearing room. The following items will be described by the chairperson:

1. Names of the parties involved (team, association, etc).
2. Specific event involved (game, tournament, etc).
3. Date of occurrence.
4. Rule number and description of rule(s) allegedly violated.
5. Procedures for Open Hearing:
  - a. The parties shall be allowed to remain in the hearing room. All witnesses are to wait outside of the hearing room.
  - b. All written evidence should have been presented in advance for distribution and inclusion in the evidence packet.
  - c. All written evidence presented at the hearing will be passed to the chairperson. The committee will decide on its acceptance as proper evidence.
  - d. All questions/statements from involved parties will be addressed to the Chairperson who will ask the appropriate individual for an answer/rebuttal if he/ she deems it pertinent.
  - e. Movant/Appellant will present case.
  - f. Witnesses for Movant/Appellant will be called individually.
  - g. Committee members may question parties and witnesses as deemed necessary.
  - h. Respondent/Appellee will present case.
  - i. Witnesses for Respondent/Appellee will be called individually.
  - j. Committee members may question parties and witnesses as deemed necessary.
  - k. Witnesses may be recalled after initial testimony for further testimony and/or clarification as necessary.
  - l. Movant/Appellant may make a closing statement.
  - m. Respondent/Appellee may make a closing statement.
  - n. Open hearing adjourned. The parties are excused and the committee shall deliberate.
  - o. The Chairperson may place restrictions on the time allowed for presentations, statements, and other items at his/her discretion.

D. Evidence and Testimony:

1. All evidence, such as identification cards, team rosters, referee game reports, letters, proof of age documents, and other sources of written or printed information shall be the original or official only. No copies shall be accepted unless the committee is convinced that the original document has been lost or destroyed.
2. All testimony shall be limited to the principal parties, eye-witnesses, and the recognized authorities on the subject (such as registrar on registration matters).
3. If a witness cannot appear at an open hearing, written testimony may be accepted. Notarization may be required at the option of the hearing authority.
4. Character witnesses and other third-party (non-eye-witness) shall not be allowed.
5. The Chairperson may limit the number of witnesses if the testimony is repetitive and in the interest of time.

E. Documentation...All written or printed evidence shall be maintained for a reasonable length of time from the final conclusion of the matter. A directory of documents should be created and maintained with the minutes and decision.

F. Decision...

1. The decision of the committee shall respond only to the specific complaint or appeal.

2. Any other issue and/or rule violation, which may become known or apparent during the hearing, shall be referred to the appropriate authority, except for physical violence, assault of a referee, or abuse of a referee which shall go immediately to the STYSA Appeals Committee. This referral may be accompanied by a recommendation for appropriate action.

G. Notification of Decision...

1. The parties will be notified of the decision in a reasonable amount of time after the hearing. Every effort will be made to make the notification within seventy-two (72) hours after the hearing. The notice may be orally or in writing. If notified orally, the parties shall also be notified in writing within ten (10) days of the hearing according to EDS2 's Notification Requirements (V.).
2. Written notification shall contain:
  - a. Date of the hearing
  - b. Decision including any disciplinary action and the effective dates;
  - c. The right methods and requirements of appeal;

## X. Appeal Procedures

A. All suspensions, decisions on protests or grievances upheld or overruled, or rulings by the EDS2 Appeals Committee are subject to appeal to the next higher authority.

1. No preliminary decision of the EDS2 Appeals Committee shall be appealable. Instead, the party disputing the preliminary decision shall first request a hearing before the EDS2 Appeals Committee. Only a final decision of the EDS2 Appeals Committee after a hearing shall be appealable.
2. Levels of Appeal.
  - a. STYSA D & P Committee
  - b. STYSA Board of Directors
  - c. USSF National Appeals Committee
3. All appeals must be submitted according to the time deadlines and procedures of each level of appeal. Any required appeal fee must be submitted with the appeal.

B. Appeal to Higher Level. At all levels of the appeal/protest process, if a decision is not reached within 45 days of receipt of the written appeal/protest, the party filing the appeal/protest may submit the appeal/-protest to the next higher level with no additional fee.

C. Cannot Invoke Aid of Courts. No official, club, league, association, team coach, referee, fan, supporter or player or their representative may invoke the aid of the courts of any State or of the United States without first exhausting all available remedies within the appropriate soccer organizations as set forth under the lines of authority herein.

D. Penalty for Failure to Exhaust Administrative Remedies. Any person(s) or group(s) bringing action through the court system without exhausting the administrative remedies listed herein or in the USYSA?USSF rules is subject to the following:

- a. Suspension. The person(s) or group(s) shall be subject to suspension from all soccer activities and forfeit any appeal / protest rights. A hearing will be held by the STYSA Appeals Committee to determine whether suspension is warranted for the specifics of the case.
- b. Liability for all Costs. The person(s) or group(s) is / are liable to STYSA and / or its Member Association for all expenses incurred by STYSA, its Member Associations and / or officers, directors or administrators in defending the action, including, but not limited to:
  - (1) court costs;
  - (2) attorney's fees;
  - (3) cost of litigation, including depositions, expert witness fees, etc.;

- (4) reasonable compensation for time spent by STYSA and Member Association administrators and employees in responding to and defending against allegations in the action, including responses to discovery and court appearances;
- (5) travel expenses; and
- (6) expenses for holding special STYSA or Member Association meetings necessitated by the court

## **XI. EDS2 Fine List**

1. No ID cards at game: \$10 per player, not to exceed \$40 per game
2. Improperly prepared ID cards: \$10 per player, not to exceed \$40 per game. Player can still play in the game if they are listed on the game report.
3. Game Forfeit 1<sup>st</sup> forfeit \$50, 2<sup>nd</sup> and up forfeit \$100
4. Game report received late after 10 day limit \$10. Game report not received within 14 days – game forfeit, see forfeit fine.
5. Any adult that is ejected or asked to leave by the center referee \$50
6. Any sideline person – no kidsafe pass \$25
7. Improperly completed game card (including but not limited to no jersey numbers for both teams, no referee names on game card, failure to mail both sides of the game card, etc) \$10