

OYSAN
Ohio Youth Soccer Association North

Disciplinary and Appeals Policy

Adopted March 9, 1998; Amended June 10, 1998; Amended
Sept. 27, 1998; Amended June 15, 2000; Amended August 29,
2001; Amended August 25, 2002; Amended Sept. 25, 2006;
Amended August 16, 2007

Ohio Youth Soccer Association North Disciplinary and Appeals Policy

Statement of Policy

1. The Ohio Youth Soccer Association North recognizes that from time to time there is a need to enforce organizational rules, hear disputes between members, provide disciplinary action as well as hear appeals from any disciplinary action applied. In addition, member leagues need clarification of certain aspects of discipline and appeals, and need guidelines for establishing the league policy.
2. The basis of the OYSAN policy derives from the United States Soccer Federation Policy Manual, Policy 531-9, Misconduct Toward Game Officials, and United States Soccer Federation Bylaw 701, Hearing Procedures; Bylaw 705 Appeals Procedures, and U.S. Soccer Appeals Manual, first issued 2/24/00 (amended 6/17/00). The Discipline and Appeals Committee shall not dictate, change or amend OYSAN Disciplinary and Appeals Policy (amended 9/25/06).
3. DIVISION OF DISCIPLINE AND APPEALS. **Disciplinary Hearings** are to be held pertaining to alleged violations of section 201 (b) (6) of the Amateur Sports Act of 1978. This section of the act, “provides an equal opportunity to amateur athletes, coaches, trainers, managers, administrators, and officials to participate in amateur athletic competition, without discrimination on the basis of race, color, religion, age, sex, or national origin, and with fair notice and opportunity for a hearing to any amateur athlete, coach, trainer, manager, administrator or official before declaring such individual is ineligible to participate.” Disciplinary hearings can be held on all matters including disputes between members or disputes between members and those doing business or involved in activities with members not involving declarations of ineligibility to participate. Disciplinary hearings can be held to fine teams or place them on probation for activities that may be deemed negative in behavior or performance of agreement.

Appeal Hearings are held to determine the fairness of a lower level hearing or penalty or other decisions applied as a standard penalty.

Definitions and Clarification of Terms and Understandings

1. Disciplinary Hearing. A meeting held to decide whether or not disciplinary action is needed for an incident with all parties having a chance to participate.
2. Standard Penalties. A league or OYSAN may, by a vote of the board, maintain a list of standard penalties to be applied in the case of an infraction. The decision to apply the penalty resides with the president, chairman of the disciplinary committee or other designated person. Notice of application of a standard penalty must also include notice of the appeal process.
3. Payments. Any adult participant, coach, trainer, manager, administrator, official, league, team, club or group fails to pay for an activity, registration, permit, fine, or any proper payment, to the state can be denied the opportunity to participate in that activity or in any state activity or receive a travel permit until the payment is made or acceptable arrangements can be made for payment. This decision is appealable to the state Appeals Committee for a state activity, posting a fee in the amount of the disputed sum as a hearing fee. If the appellant's position is NOT upheld, the fee will be retained by the state and the fee will be considered as payment for the activity (if paid in full). If the appeal is successful, the hearing fee will be refunded to the appellant. At that time, the suspension will be rescinded.

If a player has completed registration (paperwork and fees have been filed and paid to the state) for the current year, but his/her fees are in arrears from program a previous year, or from a program in the current year, the player can continue to play in league games, but may not enroll in any state program or travel until all fees are current. This can be appealed with the fee for appeal being the amount in question. If a player has not completed registration for the current year and his/her fees are in arrears from the previous year, the league or

state are permitted to not register the player for the current seasonal year until the fees are current. (amended 9/27/98)

4. Bad Standing. Any club, team or league, for which it is judged is in bad standing with one OYSAN member organization, is considered in bad standing with all members. For example, a club placed in bad standing with a league is in bad standing with OYSAN and with any other leagues. In order to place an entity in bad standing, a disciplinary hearing must be held. It is not necessary for another league or for OYSAN to hold additional disciplinary hearings, but OYSAN may hear the appeal.
6. Written Notice. Persons subject to discipline have a right to proper notice, which shall consist of notice of the date, time and place of the hearing or appeal. This notice must be mailed to the address known for the person within 10 days business (amended 08/16/07) from the receipt of the request from the complainant for a disciplinary hearing.
7. Written Record. All aspects of disciplinary or appeal hearings must be documented. Minutes recording the persons present, persons speaking, and the formal outcome of the hearing as well as any other documentation used in the hearing will be a part of the permanent record of the hearing and will be maintained by the OYSAN state office. Taping of the proceedings is also acceptable as documentation, with the cost for transcription to be borne by the person requesting the transcription. (amended 6/15/00)
8. Notice of Appeal. All persons subject to a judgment at a level below the state level, are to be notified as a part of the written notice of judgment of their right to appeal, and the process, time and cost to do so. All state level decisions, which are appealable, shall include notification to the person, as a part of the written notice of judgment of their right to appeal, the process, time, and cost to do so.
9. Probation. Probation is a condition of warning to the person that additional hearing panels may use in determining a harsher penalty for subsequent offenses. (added 8/25/02)

10. Mediation. Mediation is a process agreed to by both parties to come to a resolution of a case. No member of the Disciplinary Committee including the Chairman or Appeals Committee including the Chairmen may participate in the mediation. Both parties must agree to the mediation result in writing, agreeing not to pursue the matter in appeal. The mediator and the result must be acceptable to both parties. If one party does not agree to a result, the Disciplinary or Appeals Committee will hear the matter. Any matter can be subject to mediation (except those in state sponsored programs due to the immediacy of the necessity to hear the matter). Mediation should be offered in every case that is brought for a Disciplinary Hearing or an Appeal Hearing, but must not interfere with the timeliness of the hearing or the appeal, unless the accused party or appealing party agrees to the mediation, in which case the hearing may be delayed until after the mediation if resolution is not obtained.
(amended 8/23/02)

BOARD POLICY DA-1:

Board Policy for Establishment of Disciplinary Action including General Matters, League Level Hearings, State-Run Program Hearings, and State Level Hearings.

Section 1. Disciplinary Hearing (General)

- A. When an allegation of misconduct by any member is made, according to the guidelines of the United States Soccer Federation, the United States Youth Soccer Association and the Ohio Youth Soccer Association North, the parties are notified of the appropriate hearing in writing within 10 business (amended 08/16/07) days of receiving the allegation of misconduct.
- B. The OYSAN Executive Director or Chairs of the appropriate panel (Discipline and Appeals) will ask both parties if they would like the matter to be referred to mediation. The mediation will be described as follows: (added 8/25/02)
 1. Mediation is to be offered in the case to settle it prior to a formal hearing.

2. Both parties will meet together and separately with a mediator, who will be agreed upon by both parties.
 3. If a common result can be gained, and if both parties will agree to abide by the terms of the document, no appeal will be available in the matter.
 4. If, at any time either party withdraws (amended 08/16/07) from the mediation process, the Disciplinary or Appeals process will begin from that point.
 5. OYSAN will cover the cost of the mediator unless one of the parties withdraws in which case, the withdrawing party shall pay half of the mediation costs (amended 08/16/07).
- C. If the misconduct is an assault or abuse against a referee, and the referee does not agree to mediation, a disciplinary hearing will be held. (amended 6/15/00 and 8/25/02)
- D. Disciplinary Hearings will be held in accordance with the rules concerning notices, records, etc.
- a. The notice of a hearing must be in writing and describe in detail the grounds for the hearing.
 - b. Parties filing a request for hearing, and parties receiving notice shall have access to all pertinent information regarding the incident or action. Affiliate soccer organizations shall not deny access to any information that could apply to the appeal. The United States Soccer Federation Appeals Committee shall base its decision upon the evidentiary record of the league, state disciplinary or appeals committees. (amended 6/15/00)
 - c. NOTE: players who are in jeopardy of losing playing time for other than red card suspensions or referee assault, may request to their league president if a league hearing is to be held, or to the OYSAN Executive Director if the hearing is at the state level, for the player's hearing be held prior to the player's next game. If the hearing cannot be "fast tracked" to accommodate this, then the player will be permitted to play until the hearing. (Red Card and referee assault suspensions are covered in the first section of this policy.)
 - d. The League or State Disciplinary Committee shall have the right to decline a hearing if—

1. A party other than the original parties files the request for a hearing. League officers are considered original parties in matters pertaining to league matters.
 2. The proper procedures have not been followed in requesting a hearing to the committee; or
 3. The information necessary to make a fair and just decision on the hearing has not been furnished.
 4. The league or OYSAN can refuse to conduct a Disciplinary or Appeals hearing if the offense is not against a rule, law, policy or other written article.
- e. The committee can meet together, on a conference telephone call, or a combination of the two.
 - f. At all levels of the process, if a decision is not reached within 30 days of receipt of the written notice, the party filing for the hearing may submit the request to the next higher level without determination.
 - g. Decisions of the lowest disciplinary committee shall be binding at all levels unless a higher authority overturns the decisions. Failure to abide by the decision of the committee shall be grounds for disciplinary action by the League Board of Directors, if at the league level, or the OYSAN Board of Directors if the matter is at the state level.
 - h. At the conclusion of the disciplinary process, the Chairperson of the Disciplinary Committee shall forward any suspension to the OYSAN Executive Director, who will cause a list of all suspensions to be sent to member leagues at least four times per year listing the name, position, league, offense, and date the suspension is to be completed.
 - i. Players, coaches or officials suspended from activities by a league or by the state, or by any affiliate or associate member of the United States Soccer Federation are not permitted to participate in the programs or activities of any other league, state or affiliate of USSF.
- E. For every league or state disciplinary hearing that may involve penalties against a player, the committee must include an OYSAN player or former player over the age of

18 years old who has participated with a USSF National Team, a USYSA Regional Team or an OYSAN State Team.

Section 2. Disciplinary Hearings: Leagues (In addition to rules in Section 1)

- A. Leagues can establish a discipline committee to hear alleged violations of league rules that deal with suspensions of an athlete, coach, trainer, manager, administrator, official, and club.
- B. Referee assault and abuse violations are dealt with at the state level. Referee Assault and Abuse cases must be reported in writing to the OYSAN Executive Director in a timely manner. Failure to do so may result in the inability to verify the incident and the case will not be heard. (amended August 2001)
- C. Rules for and violations by parents/spectators may be included in league rules. Leagues have the responsibility to make and enforce parent/spectator rules for behavior and for referee assault and abuse. League discipline for parents/spectators concerning sideline behavior are not appealable.
- D. All decisions of the league discipline committee are appealable to the OYSAN Appeals Committee except decisions dealing with the behavior or actions of parents and spectators, which are not appealable.
- E. The league must establish rules of notification of parties, makeup of the committee, etc. following the guidelines at the end of this document.

Section 3. Disciplinary Hearings: State (In addition to rules in Section 1)

- A. The OYSAN may provide for fines and probation to members at any level. If approved by the Board of Directors, the OYSAN Disciplinary Committee can apply fines and probation as a matter of course for specified offenses. These fines and probation can be appealed to the OYSAN Appeals Committee.
- B. Members having disputes with each other can request a state disciplinary hearing. However, the matter may be referred to mediation or a grievance hearing, which are not covered under these rules. (Amended August 2001)

- C. The State Disciplinary Committee will hear all cases of alleged referee assault and abuse. When the Executive Director verifies an allegation of assault, the person is automatically suspended until the hearing on the assault. The rules for the hearing on referee assault are to be found in a special section in this document. (amended 6/15/00)

Section 4. Disciplinary Hearings: State Sponsored Programs (In addition to rules in Section 1)

- A. Players, coaches, managers, officials at state cups and Bothwell Cup (amended 08/16/07) are subject to disciplinary actions by the State Cup or Bothwell Cup (amended 08/16/07) Site Disciplinary Committee.
 - 1. Site Disciplinary Committees can be formed at each site according to the rules in the OYSAN Site Directors Manual.
 - 2. The only appeal on site will be vested with the official Tournament Director or designee.
 - 3. In lieu of an on-site appeal, decisions can be appealed to the State Appeals Committee.
- B. Players, coaches, managers, officials, parents and spectators at out-of-state Olympic Development Program activities may be subject to disciplinary actions by the ODP Disciplinary Committee. Players, coaches, managers, officials, parents and spectators at in-state activities are subject to disciplinary actions by the State Disciplinary Committee.

For out-of-state situations:

- 1. A committee shall be formed that does not include the highest-ranking (amended 08/16/07) **OYSAN** ODP official on site. Ranking will be as follows: Executive Director, Program Director, State Registrar, Director of Coaching, Boys or Girls Head State Coach, Team Administrator of the player(s) in question, Team Administrator of another team, Head Coach of the player(s) in question, Assistant Coach of the player in questions, Coach of another team. (Amended August 2001)
- 2. The only on-site appeal is to the highest-ranking (amended 08/16/07) state ODP official on site.

3. In lieu of an on-site appeal, decisions can be appealed to the OYSAN Appeals Committee upon return to the state.
- C. Parents or spectators at a state-sponsored event who commit referee assault will be arrested.
 - D. A state cup, Bothwell Cup (amended 08/16/07) or ODP official will counsel parents or spectators, who commit referee abuse at a state-sponsored event. The allegation of abuse will be in the judgment of the state cup, Bothwell Cup (amended 08/06/07) or ODP official. The second offense of alleged abuse for that team (which can occur concurrently) will result in the team not being allowed to have any spectators or parents present for subsequent games, as determined by the site director, if a state cup, Bothwell Cup (amended 08/16/07) or the senior ODP official, if an ODP activity. Failure of the parents/spectators to abide by the ban from attending will result in forfeiture of games; forfeiture of bond, if any; and a fine of up to \$500 per occurrence..
 - E. The above are appealable to the OYSAN Appeals Committee after the event.

Section 5. Penalties (amended 08/16/07)

- a. No state association, official, club, league, team, coach, referee, 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.
- b. For violation of this rule, the offending party shall be subject to the sanctions of suspension and fines, and shall be liable to the USSF and State Association for all expenses incurred by the USSF and its officers, and state association and their officers, as appropriate, in defending each court action, including, but not limited to, court costs, attorneys fees, reasonable compensation for time spent by officers and employees in responding to and defending against allegations in the action, including responses to discovery and court appearance, travel fees, and expenses for holding special meetings necessitated by court action. (amended 6/15/00)

BOARD POLICY DA-2:

Board Policy for Establishment of Appeals

Section 1. Hearing of Appeal.

- a. The Ohio Youth Soccer Association North shall establish a committee, which shall be the final arbiter for all protests and appeals at or below the state level., except those mediated with a result signed by both parties, which is not appealable. There will be no more than two hearings at or below the state level. Leagues may hold only one hearing: a disciplinary hearing or an appeals hearing for appealing a standard penalty. (amended 8/25/02)
- b. All decisions of the league discipline committee are appealable except decisions dealing with the behavior or actions of parents and spectators.
 1. Players in ODP situations receive immediate hearings at the ODP level. Players on ODP trips outside of the state boundaries may appeal a suspension or being sent home to the highest state ODP official at the site in lieu of a state appeal hearing within the state upon return.
 2. Standard penalties (applied without a hearing) can be appealed to the league appeals committee if a league penalty, or the OYSAN Appeals Committee, if an OYSAN standard penalty.
 3. The official record shall be limited to all of the material considered at the hearings.
 4. The line of authority hearing an appeal beyond the National State Association shall be the USSF Appeals Committee. (amended 9/27/98)
 5. In accordance with USSF Policy 705, Section 1, not every decision heard by the OYSAN Appeals Committee is appealable to the USSF.

Section 2. State Level Appeal Filing Procedure

- a. The appeal must be in writing and describe in detail the grounds for the appeal. The appeal must be an original (facsimiles not accepted) appeal form mailed to the Executive Director at the state office.
- b. The Executive Director, or Appeals Chairman will ask both parties if they would like the matter to be referred to mediation. The mediation will be described as follows: (added 8/25/02)
 - 1. Mediation is to be offered in the case to settle it prior to a formal hearing.
 - 2. Both parties will meet together and separately with a mediator, who will be agreed upon by both parties.
 - 3. If a common result can be gained, and if both parties will agree to abide by the terms of the document, no appeal will be available in the matter.
 - 4. If, at any time either party withdraws from the mediation process, the Disciplinary or Appeals process will begin from that point.
 - 5. OYSAN will cover the cost of the mediator unless one of the parties withdraws in which case, the withdrawing party shall pay half of the mediation costs (amended 08/16/07).
- c. Parties filing an appeal shall have access to all pertinent information regarding their appeal. Affiliate soccer organizations shall not deny access to any information that could apply to the appeal. The USSF Appeal Committee shall base its decision upon the evidentiary record utilized by the OYSAN Appeals Committee or other body whose decision is being appealed. (amended 9/27/98)
- d. The written appeal must be received in the state office ten (10) business days from the date of the receipt of a written decision from a lower authority. In the case of competitions, the time allowed to file appeals may be less than ten (10) days if the competition rules so specify.
- e. NOTE: players who are in jeopardy of losing playing time for their next game may request to their league president if a league hearing is to be held, or to the OYSAN Executive Director if the hearing is at the state level that the player hearing be held prior to the next game. If the hearing cannot be “fast tracked”

to accommodate this, then the player will be permitted to play until the hearing. (Red Card suspensions and referee assault are covered in the first section of this policy.)

- f. The appeal fee, payable to OYSAN in the form of money order, cashier's check or certified check shall accompany the appeal. The fees are as follows:
 - 1. \$100 for all appeals, except, as in (2) and (3) below. If the appeal is successful the fee will be returned. If the appeal is not successful, the fee will be put into the OYSAN Sportsmanship Fund.
 - 2. The amount of the disputed fine, or sum in the case of suspension for failure to pay fees owed. If the decision is upheld, the fee (amount of the disputed sum) will be forfeited. If the appeal is not upheld, the fee will be refunded.
 - 3. There is no fee for appeals for players, except in the case of failure to pay fees.
- g. The State Appeal Committee shall have the right to decline a hearing if—
 - 1. The appeal does not pertain to the original protest or the decision of a lower authority;
 - 2. The appeal is filed by a party other than the original parties to the protest/appeal;
 - 3. The proper procedures have not been followed in appealing to the committee; or
 - 4. The information necessary to make a fair and just decision on the appeal has not been furnished.
- h. The appeal at the state level may, but does not have to be, a re-hearing of facts. The appeal is to be based on the fairness of the original hearing and/or the question of whether sanctions are capricious or arbitrary.
- i. The appeals committee may uphold the decision entirely, reverse the decision entirely, uphold the decision and lower the penalty, or refer the matter back to the league for a re-hearing or reconsideration. The penalty from the lower authority cannot be increased. (amended August 2001)

- j. The appeals committee can meet together, on a conference telephone call, or a combination of the two.
- k. At all levels of the appeal process, if a decision is not reached within 30 days of receipt of the written appeal, the party filing the appeal may submit the appeal to the next higher level without determination and the appeal fee submitted will be applied at the next level.
- l. Decisions of the OYSAN Appeals Committee shall be binding at all levels unless a higher authority overturns the decisions. Failure to abide by the decision of the committee shall be grounds for disciplinary action by the OYSAN Board of Directors.
- m. All decisions at all levels of the appeal process shall stand and be in full force and effect until changed by a higher authority.
- n. At the conclusion of the process (disciplinary or final appeal) the Executive Director will cause a list of all suspensions to be sent to member leagues at least four times per year listing the name, position, league, offense, and date the suspension is to be completed.
- o. Players, coaches or officials placed in bad standing by a league or by the state, or by any affiliate or associate member of the United States Soccer Federation are not permitted to participate in the programs or activities of any other league, state or affiliate of USSF. These players are accorded appeal rights through the USSF Appeals level. (Amended August 2001)
- p. Players suspended from a league, but not placed in bad standing (permitted to play or participate in other programs or leagues) are not automatically in bad standing with other leagues. Their rights to appeal extend only through the OYSAN Appeals level. (Added August 2001)

BOARD POLICY DA-3

Board Policy on Referee Assault and/or Referee Abuse

The Ohio Youth Soccer Association North policy on Referee Assault and Abuse is based on the information from the United States Soccer Federation Policy Manual. It is a duty of all entities of soccer in this state from the OYSAN Board of Directors to each member league, club and team to pass along to all players, coaches, managers, administrators, parents or spectators the rules pertaining to referee assault and referee abuse. The expectation is that any and all instances of assault and abuse are unwarranted and are to be dealt with according to the rules herein. (amended 6/15/00)

The league holds the first and only line of responsibility for parents and spectators at practices and games except for state cup, Bothwell Cup (amended 08/16/07) and ODP situations. Parents and spectators have no appeal of any discipline applied by their league for behavior at practices or games.

Referee Assault and Abuse

Reprinted from the United States Soccer Federation Policy Manual. Sections amended to conform to USSF rules.

Policy 531-9 MISCONDUCT TOWARD GAME OFFICIALS

Section 1. General

Misconduct against referees may occur before, during and after the match, including travel to and from the match. Misconduct may occur also at later times when directly related to duties of a game official as a referee.

Section 2. Rule Application

- (a) This policy shall supersede all rules of organization Members that pertain to assaults or abuse upon Federation referees, assistant referees, the manner and means of hearings, appeals, and re-hearings in matters pertaining thereto.*
- (b) Nothing in this policy rule shall be construed to restrict or limit any league, event/tournament or State Association from applying equal or greater restrictions*

to anyone not listed in section 4(a)(1) of this policy (i.e. a spectator associated with a club or team).

Section 3. Terms and References

As used in this policy--

- (1) "Referee" includes the following:
 - A. all currently registered USSF referees, assistant referees, fourth officials or others duly appointed to assist in officiating in a match.
 - B. Any non-licensed, non-registered person serving in an emergency capacity as a referee (under Rule 3040)
 - C. Any club assistant referee.
- (2) "Hearing" means a meeting of at least three neutral members, of whom one is designated or elected to serve as chairman. The hearing shall be conducted pursuant to guidelines established by the National State Association.
- (3) (A) (i) Referee assault is an intentional act of physical violence at or upon a referee.
(ii) For purposes of this policy, "intentional act" shall mean an act intended to bring about a result which will invade the interests of another in a way that is socially unacceptable. Unintended consequences of the act are irrelevant.
- (B) Assault includes, but is not limited to the following acts committed upon a referee: hitting, kicking, punching, choking, spitting on, grabbing or bodily running into a referee; head butting; the act of kicking or throwing any object at a referee that could inflict injury; damaging the referee's uniform or personal property, i.e. car, equipment, etc.
- (4) (A) Referee abuse is a verbal statement or physical act not resulting in bodily contact which implies or threatens physical harm to a referee or the referee's property or equipment.
- (B) Abuse includes, but is not limited to the following acts committed upon a referee: using foul or abusive language toward a referee; spewing any beverage on a referee's personal property; spitting at (but not on) the referee; or verbally threatening a referee.

- (C) *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 referee abuse.*

Section 4. Jurisdiction and Hearings

(a) *General*

- (1) *When any amateur or professional player, coach, manager, club official or game official assaults or abuses a referee, the original jurisdiction to adjudicate the matter shall vest immediately in the responsible National State Association which is affiliated with the United States Soccer Federation.*
- (2) *When an allegation of assault is verified by the National State Association, the person is automatically suspended until the hearing on the assault.*
- (3) *The National State Association must hold a hearing within thirty (30) days of the verification by the Association or League of the abuse or assault or, if applicable, the thirty-day period provided by subsection (b)(3) of this section. If the Association or League does not adjudicate the matter within that period of time, original jurisdiction shall immediately vest in the Federation Appeals Committee to adjudicate the matter, to which the same provisions as to the term of suspension shall apply.*
- (4) *Failure to hold the initial hearing shall not rescind the automatic suspension.*
- (5) *The person charged with referee abuse or assault will be given the opportunity to waive the hearing, in which case, the automatic penalty will be assessed. The waiver must be in writing and received by the State Office, addressed to the Executive Director, within 5 business days of notification of the charge. A person who waives the hearing cannot appeal the decision. (Amended August 2001)*

(b) *Events and Tournaments*

- (1) *In the event that an assault on or abuse of a referee occurs in an event outside the alleged offender’s home state, the referee shall (A) immediately notify the Event/Tournament Chairman, and (B) forward a copy of the game report and his/her comments on the incident to the Event/Tournament Chairman.*

- (2) *The Event/Tournament Chairman shall have the right to immediately convene a hearing at the site of the Event/Tournament, at which the alleged offender, the coach of the alleged offender when the offender is a player, and the game official should be present. Information presented at this hearing shall promptly be related to the alleged offender's National State Association President by the Event/Tournament Chairman, both orally and in writing; however, failure to provide written information shall not restrict the offender's home National State Association from taking action with regard to any referee abuse or assault.*
- (3) *Final jurisdiction shall vest with the alleged offender's home National State Association. A hearing shall be held by that National State Association within thirty (30) days of the receipt of the initial report of the abuse or assault on a referee.*

Section 5. *Penalties and Suspensions*

A. *Assault*

- (1) *The player, coach,, manager, or official committing the referee assault is automatically suspended as follows:*
- (a) *for a minor or slight touching of the referee or the referee's uniform or personal property, at least 3 months from the time of the assault;*
 - (b) *except as provided in clause (3) or (4), for any other assault, at least 6 months from the time of the assault;*
 - (c) *for an assault committed by an adult and the referee is 17 years of age or younger, at least 3 years; or*
 - (d) *for an assault when serious injuries are inflicted, at least 5 years.*
- (2) *A State Association adjudicating the matter may not provide a shorter period of suspension but, if circumstances warrant, may provide a longer period of suspension.*

B. *Referee Abuse*

The minimum suspension period for referee abuse shall be at least (3) scheduled matches within the rules of that competition. The National State Association or

Professional League adjudicating the matter may provide a longer period of suspension when circumstances warrant (e.g. habitual offenders).

Section 6. Appeals

(a) Assault

A player, coach, manager, or official who is found by the Disciplinary Committee to have committed the assault may appeal to the (National) Appeals Committee by following the procedures Federation Bylaw 705 within 10 days from receipt of the decision of the State Association. (amended 6/15/00)

(b) Abuse

A player, coach, manager or official who is found by the Disciplinary Committee to have committed the abuse may appeal the decision by following the appellate procedures of Federation Bylaw 705 within ten (10) days from receipt of the decision of the State Association. (amended 6/15/00)

Section 7. Procedure for Reporting Assault and Abuse

(a) Procedures for reporting of referee assault and/or abuse shall be developed and disseminated by the National Referee Committee to all Federation registered referees for use in their National State Association.

(b) Referees shall transmit a written report of the alleged assault or abuse, or both, within 48 hours of the incident (unless there is a valid reason for later reporting) to the president of the National State Association or Professional League or their designees and the State Referee Administrator. For tournaments or special events, the referee shall transmit a written report to the tournament director on the day of the incident and to his home state SRA within 10 days of the incident.

Ohio Youth Soccer Association North Policy Process on Referee Assault or Abuse

A. Referees have a responsibility to report assault and abuse to the state association (which is the designee of the president of OYSAN), and the State Referee Administrator (SRA) within 48 hours, unless there is a valid reason for delay. For tournaments or special events, the referee shall transmit a written report to the

tournament director on the day of the incident and to his/her home state SRA within 10 days of the incident.

- B. It is the responsibility of the OYSAN league to insure that the referee is making the report to the state office in a timely manner, and assist referees, if necessary to do so. This does not absolve the referee from making the report. The referee has 48 hours to make the report, and the league has 48 hours to send a report, if the referee does not, or if the league, by league rule, accepts the responsibility for sending these reports.
- C. If the referee's report is not received in a timely manner, the time for notification of the disciplinary hearing, in the case of assault, or the first time abuse shall begin with the verification by the state office. If the referee's report is not received within 48 hours and there is no valid reason for doing so, verification of the event may be difficult, and the case may not be referred for further action.
- D. All allegations of **referee assault** shall be sent to the State Office in writing 48 hours from the alleged offense. The Executive Director will verify the incident and notify the person and the league of the suspension pending outcome of the Disciplinary Hearing. Within 30 days of the notification of the state office, a state Disciplinary Hearing will be held.
- E. All allegations of **referee abuse** will be sent to the State Office in writing 48 hours from the alleged offense. Within 30 days of the notification of the state office, a state Disciplinary Hearing will be held. (amended 6/15/00)
- F. It is expected that all cases of abuse and assault of referees by parents or spectators will be handled at the league level. OYSAN recommends for assault of referees of any age by a person who is not a player, coach, manager or official that the police are to be called and the perpetrator arrested. OYSAN recommends for abuse of referees of any age that after the first offense the spectators be counseled on proper behavior and warned. After the second offense that the team will lose its right to have anyone except carded players and coaches attend any games for the remainder of the season. There is no appeal for league discipline of persons who are not players, coaches, managers, or officials. Therefore parents/spectators who are disciplined by a league have no further recourse.

- G. Parents or spectators at a state-sponsored event for whom it is alleged that they have committed referee assault will be arrested. If it is alleged that they have committed referee abuse, they will be counseled by a tournament official. The second offense of abuse (which can occur concurrently) will result in the team not being allowed to have any spectators or parents present for subsequent games, as determined by the site director if a state cup, Bothwell Cup (amended 08/16/07) or the senior ODP official, if an ODP activity.

Hearing Procedures:

The Ohio Youth Soccer Association North shall adhere to the following standards of USSF Bylaw 701. (Hearing Procedures)

In all hearings conducted under these bylaws, the parties shall be accorded—

- (1) Notice of the specific charges or alleged violations in writing and possible consequences if the charges are found to be 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 presentation 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, including the right to be provided the identity of witnesses in advance of the hearing;*
- (8) The right to have a record made of the hearing if desired; and*
- (9) A written decision, with reasons for the decision, based solely on the evidence of record, issued in a timely fashion.*

In addition, the following State Association Rules shall apply. Please note: The Ohio Youth Soccer Association is not considered the "prosecutor" of referee assault and abuse cases. It is considered the neutral arbiter of the matter. The referee brings and presents the charges against the party being charged. The Executive Director (or designee) is neutral in the

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matter, and may answer questions from either or both parties as to hearing procedures.

When a judgment by the OYSAN Disciplinary or Appeals Committee is appealed to the USSF, OYSAN becomes a party defending the appeal.

- 1. Immediately upon receipt of the notice of hearing, each party shall notify the Committee Chairman or designee in writing by fax (330-659-0989) or letter (Disciplinary/Appeals Chairman, 3554 Brecksville Road Ste. 100, Richfield, OH 44286) of the identity of witnesses to be presented. Failure to do so 24 hours prior to the hearing is a violation of section 7 above and will result in the witness(es) not being permitted to give testimony. The chairman of the committee or designee must have this information available 24 hours prior to the meeting, if requested by each or both parties. (amended August 2001)*
- 2. Each party shall have the right to have an individual (further referred to as “representative”) present at the hearing to assist in presenting or defending the party’s case. Such individual may be, but does not have to be, an attorney.*
- 3. The parent or guardian, in addition to the representative as in section 1, must accompany any party, who is a minor.*
- 4. Representatives may consult with the party, but are not permitted to speak on behalf of the party or question witnesses.*
- 5. All OYSAN hearings will proceed with the rules established by this document. All federal, state or local rules of evidence or civil procedure shall not be applicable.*
- 6. Representatives shall have the right to be physically present in the hearing room and to sit next to or right behind the party, so that the party may seek assistance when desired.*
- 7. The party may confer briefly with the representative before making a response to a question or before making a statement. The committee may limit the frequency and duration of the conferences so as not to unduly interfere with the proceeding.*

8. *The party may request a recess to confer with the representative. Such a request will be granted unless the number of requests by a party becomes unreasonable or the length of a requested recess is deemed by the hearing panel to be unreasonable.*
9. *The party may be assisted in preparing written materials and collecting documents; however, the party must present the materials and documents. Representatives are not permitted to present them. The party has complete responsibility for those materials and documents and is subject to questioning about them.*
10. *The party has a right to be present throughout the presentation of materials and questioning and shall have a right to challenge written or oral statements. The deliberations are held outside the presence of others not on the panel, and only the result of the deliberation is to be made public.*
11. *All witnesses, who are minors must also be accompanied by their parent(s) or guardian(s). (amended August 2001)*
12. *No testimony, other than that given orally, will be permitted. No written testimony will be received unless the author of the writing is present to be questioned.*
13. *Only witnesses to an incident or activity shall be heard. Character witnesses will not be permitted.*
14. *The judgment of the panel will be mailed certified mail the first business day following the hearing. It will state the decision, cite the section violated, state the fact that the decision was based on the evidence, if it was so, the reason for the decision, the penalty, and the rights and process of appeal.*
15. *Witnesses are limited to three per side. (amended August 2001)*
16. *Telephone testimony is allowed; however, the proceedings are not to be interrupted or delayed due to electronic or mechanical malfunction.*
17. *Written Notice shall be sent to the address of the person subject to discipline through mail with a return receipt. If the party fails to pick up*

the mail, it will be considered properly delivered if sent to the last known address of the party. It is the responsibility of the parties to verify their addresses to the Executive Director. (amended August 2001)

The OYSAN Committee, either Appeals or Disciplinary shall consult with the Executive Director in the proper wording of the decision letter, to insure proper form and appeals notice.

ORDER OF HEARING

Introduction of all parties

Distribution of all written reports by witnesses and parties.

Reading of the rules of the USSF and OYSAN as to hearings (does not have to be oral as long as all parties have time to read the document).

Statement by the accusing party

Questions by the accused of the accusing party

Witnesses (one at a time) on behalf of the accusing party

Questions of each witness by the accusing party

Statement by the accused person

Questions by the accusing party of the accused

Witnesses (one at a time) on behalf of the accused party

Questions of each witness by the accusing party

Final comments and statement by the accusing party

Final comments and statement by the accused party

Deliberations with all parties except for panel and assisting staff

Results mailed the day after the hearing