

NEVADA YOUTH SOCCER ASSOCIATION

SECTION 7

DISCIPLINE, PROTESTS AND APPEALS

7:01:00 **Introduction:**

7:01:01 The purpose of this manual is to provide general guidelines for disciplinary hearings, protests and appeals. It is designed to assist club, league, and state committees of the Nevada Youth Soccer Association with the proper administration of protests, appeals and discipline.

7:02:00 **Definitions**

A. Disciplinary Hearing

Hearing conducted to investigate and make decisions concerning allegations of misconduct. Such misconduct may be a violation of a published rule, regulation or procedure, may involve behavior disrespectful to the Nevada Youth Soccer Association or its affiliated members, or a violation of legal requirements either civil or criminal, including failures to adhere to legally recognized standards of care. Hearings are where evidence, either by documents, or by testimony, is received or considered.

B. Protest

Protests are related to actions in a specific game or an administrative decision. Protests must be filed by one of the involved team officials in the specific game, or by an individual directly affected by the administrative decision. It must be in accordance with the protest procedures of the competition or of the Nevada Youth Soccer Association.

C. Appeal

Appeals arise as a result of an adverse decision from a disciplinary hearing or protest. Only those parties involved in the original hearing shall be allowed to appeal and the only evidence that may be considered is the evidence presented at the original hearing. The original decisions will stay in force pending the result of the appeal.

D. Grievance

Complaints that are not specific to the Laws of the Game nor otherwise fall under any Protest, Appeal or Disciplinary Rules and Procedures. Grievances may be heard informally by the appropriate authority. Appropriate authorities in this case may be, but are not limited to, tournament directors, league directors, club directors, coaches, etc.

E. Hearing Procedures

In all hearings, the parties shall be accorded by NYSA and USYS policy:

- 1) 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;

NEVADA YOUTH SOCCER ASSOCIATION

- 5) the right to be assisted in the presentation of one's case at the hearing, pursuant to the guidelines listed in section 7:06:04 of this document (ex. a translator for a non-English speaking participant);
 - 6) the right to call witnesses and present oral and written evidence and argument;
 - 7) the right to question witnesses that appear at the hearing;
 - 8) the right to have a copy of the 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.
- F. The Second Vice-President shall be considered the Discipline Committee Chair unless they must recuse themselves from proceedings that may directly or indirectly affect any club, team, league or tournament he may be involved in. Should the Second Vice-President recuse himself, a member of the DPA committee shall act as chair.

7:03:00 Level of Authority for Hearings

7:03:01 Leagues affiliated with NYSA shall provide procedures for disciplinary hearings, protests and appeals concerning disciplinary matters. These procedures will be in compliance with this NYSA Disciplinary Committee Manual. Upon an appeal being filed and acknowledged, the league shall forward a copy of its evidence, findings and decision to the NYSA office within fourteen (14) days of the decision. Any hearing body may choose to refer a matter directly to the next higher authority for consideration. Upon review of the matter, the next higher authority may choose to hear the matter or refer it back to the original hearing body. Decisions rendered by a Disciplinary Committee shall stand and be complied with until such a time as they may be sustained, modified or rejected by a higher authority.

7:03:02 All Clubs must have an internal disciplinary process and must provide procedural documentation at the request of NYSA.

7:04:00 Protests, Appeals & Disciplinary Committee Composition

7:04:01 Hearing committees shall be comprised of at least three (3), but no more than five (5) members PLUS a chair. Each committee member shall have one vote, with the exception of the Chair who should only vote in the case of a tie. It is acceptable, in emergency situations, for the Chair to act as one of the panel members and vote. The committee shall be comprised of persons having no conflict of interest in the matters being heard and having no direct association with the principal parties in the matters. No person shall participate in hearings concerning a specific matter at more than one level.

League Level Committee

The "pool" of available committee members for a league level hearing shall be comprised of:

- League Officers

NEVADA YOUTH SOCCER ASSOCIATION

- Members or Officers of adjacent leagues who participate in Disciplinary Actions
- League members in good standing assigned to the Disciplinary Committee
- State Level Committee

The “pool” of available committee members shall be nominated by the NYSA President and ratified by the NYSA BOD.

7:05:00 **General Rules**

7:05:01 **Use of Courts and Attorneys**

7:05:02 In the matter of protests, appeals and disciplinary hearings, no person(s) may invoke the aid of the courts of any state or of the United States without first exhausting all available remedies within NYSA/USSF, including a final appeal to the USSF Council at the Annual General Meeting. Violation of this rule will result in the offending party(s) being subject to suspension and fines. They shall be liable to NYSA/USSF for all expenses incurred by NYSA/USSF in defending each court action, including but not limited to the following:

- A. Courts costs and attorney fees.
- B. Reasonable compensation for time spent by NYSA/USSF officers and employees in responding to and defending against allegations in the action, including responses to discovery and court appearances.
- C. All expenses including those incurred from holding special NYSA/USSF meetings necessitated by the court action.

7:05:03 Protests, appeals and disciplinary hearings are administrative hearings and not a court of law. All Federal, State and Local Rules of Evidence or Civil Procedure shall not be applicable.

7:06:00 **Evidence and Testimony**

7:06:01 Written evidence will be submitted prior to all hearings and available for all parties involved to review. Identifying information (addresses and telephone numbers) shall be removed from the written evidence that is supplied to the involved parties.

7:06:02 The Disciplinary Chair may limit attendance at hearings to the principal parties, witnesses and recognized authorities concerning the allegations or previous findings. Verbal testimony must follow the rules outlined for the particular proceeding. All individuals have the right to question their accusers through the Disciplinary Hearing, moderated through the Disciplinary Chair.

7:06:03 Audio or video tapes may be accepted by the committee and copies must be made available for all principal parties and the committee. These copies will NOT be returned.

7:06:04 Documents not submitted in English shall not be considered as part of the official record unless accompanied by a certified translation. No member of a disciplinary committee should be responsible for translating non-English documents.

7:06:05 A plea of ignorance to the rules and regulations of the NYSA is not a valid defense for any disciplinary action brought against a member. If, during the hearing process at any level, it is determined that the administration of a member club or league failed to provide their teams and personnel with information relative to changes in rules or regulations, the administration of the member club or league may be considered responsible for the violation, in whole or in part, and may be subject to discipline.

NEVADA YOUTH SOCCER ASSOCIATION

7:06:06 Administration, leadership, ownership or management of any member club or league may be held responsible for the actions of any of its subordinate coaches, employees or volunteers. Failure to provide proper oversight or administrative control may be considered a violation on the part of any member club or league, subject to discipline including suspensions, fines, probation and/or bad standing.

7:07:00 **Record of Proceedings**

7:07:01 All hearings shall have an official record generated and maintained for the proceedings. Each hearing shall be audio recorded as a minimum, and video recorded should the Chair elect to do so. Recordings of the hearing will be made available to the members of said hearing at their request. All records of all proceedings will be maintained by the NYSA Secretary, or its designee, for use in recurring offenses and for informational purposes. These records will be available to the NYSA Board exclusively, and at their discretion, the Second Vice-President as deemed necessary on a case by case basis. Records of proceedings must be maintained for a period of no less than five years from the close of the proceeding.

7:08:00 **Minors**

7:08:01 Minors under the age of 18 years shall be accompanied by a parent or legal guardian.

7:09:00 **Communication**

7:09:01 The appropriate method of communication for hearing notification and decisions shall be with certified / return receipt mail or any carrier that provides receipt notification. E-mail may be used for official correspondence if both parties agree to it in writing. If both parties do not agree, E-mail may only be used to pre-empt official correspondence or summarize details of a hearing, protest or appeal. Agreement to E-mail communication will remain in effect until the conclusion of the disciplinary process.

7:10:00 **Disciplinary Hearings**

7:10:01 Description

7:10:02 A disciplinary hearing is an administrative action in response to a written allegation(s) of misconduct. Such misconduct may be a violation of a published rule, regulation or procedure, may involve behavior disrespectful to the Nevada Youth Soccer Association or its affiliated members, or a violation of legal requirements either civil or criminal, including failures to adhere to legally recognized standards of care. A disciplinary committee shall only hear allegations of misconduct against individuals within their authority.

7:11:00 **Initiation of a Disciplinary Hearing - General**

7:11:01 Disciplinary hearings may be initiated as a result of evidence received from any source, including other hearings, legal action, official game reports or from a form of written communication by administrators, referees, coaches, parents, spectators, or players, municipal entities or other state associations. Official filings involve submission of the "Notice of Filing to the NYSA Discipline, Protest and Appeal Committee" outlining the allegation(s) of misconduct.

NEVADA YOUTH SOCCER ASSOCIATION

The filings must include the identities of the parties involved, detailed description(s) of the alleged violation(s), must cite the rule(s) or standards that have been allegedly violated and include a \$50 filing fee in the form of cashier's check or money order made payable to NYSA. Filings from municipalities or other state associations are exempt from the filing fee. Failure to include these requirements may result in the disciplinary hearing being delayed or not considered. Communication regarding hearings will follow guidelines in 7:09:09

7:12:00 **Initiation of a Disciplinary Hearing – State Level**

7:12:01 The Board of Directors, or the Second Vice-President of NYSA may initiate disciplinary proceedings against any player, coach, manager, team assistant, league officer, referee or spectator from any member team, league or organization. The proceedings may be initiated based on information brought to the attention of the Board of Directors, Executive Committee, or the Disciplinary Committee through complaints, reports of incidents, information obtained during the course of protests, appeals and/or disciplinary hearings, and otherwise. The disciplinary proceedings shall be initiated by written notice to the appropriate party containing a brief statement of the reasons for the initiation of the proceedings. Parties against whom such proceedings have been brought may, with a proper hearing, be suspended, barred completely, or otherwise disciplined.

7:12:02 The Second Vice-President, along with two other members of the NYSA BOD, may, through majority vote, suspend any person, team or league prior to the commencement of disciplinary proceedings if, in the opinion of the Second Vice-President and two other members of the NYSA BOD, believe there is sufficient evidence that any individual(s) in this association may present an unacceptable risk to the association and its members.

7:12:03 In the case of an emergency, the NYSA President has the authority to suspend any individual(s) prior to the commencement of disciplinary proceedings if there is sufficient evidence to believe that any individual(s) may present as a risk to the association and its members. This action must be ratified by a majority vote of the NYSA board within seven (7) business days of the suspension.

7:13:00 **Scheduling and Notification of a Disciplinary Hearing**

7:13:01 Once the filing has been reviewed and validated (principal parties identified, time limits confirmed and filing requirements satisfied), the Second Vice-President shall direct the Executive Director to:

- 1) Schedule the hearing.
- 2) Notify all principal parties involved including the appropriate authorities of the hearing date, time and location in writing as specified in 7.09.01 herein.
- 3) Request confirmation of attendance from the principal parties involved.
- 4) Present the basis for the complaint (e.g., specific League/NYSA/USSF rules) and the alleged violations.
- 5) Describe the possible penalties if the allegations are determined to be true.
- 6) Outline the procedures to be followed during the hearing.
- 7) Request that any additional written documentation from either party be submitted prior to the hearing.

NEVADA YOUTH SOCCER ASSOCIATION

8) Provide contact information for questions.

7:13:02 The hearing should be scheduled within thirty (30) days of acknowledgement of receipt of the filing.

7:14:00 **Disciplinary Hearing Format**

7:14:01 Each party will be accorded the opportunity to present an opening statement concerning their case. The panel will then ask questions of the parties. Each party will be allowed to ask pertinent questions of the other party moderated by the Chair. Each party will then be accorded the opportunity to present a closing statement concerning their case. The parties will then be excused, and the panel will deliberate in private.

7:14:02 Listed below is a sample hearing format. The times should be modified depending on the specific allegations involved. If a party is presenting valid points and not being repetitive, the Chair may allow additional time for each party.

Opening Statement - Accusing Party 15 minutes

Opening Statement - Accused Party 15 minutes

Questions from the Panel Unlimited time

Closing Statement - Accusing Party 5 minutes

Closing Statement - Accused Party 5 minutes

Panel Deliberation Unlimited time

7:14:03 These times are guidelines and can be adapted to each individual hearing. Each party has the right to have witnesses speak on their behalf; however, those witness statements must be given within the time accorded each party. Parties should be informed, prior to their leaving, that they will be officially notified per section 1.05.05 within seven (7) days of the outcome of the hearing, though an email precursor may also be appropriate.

7:15:00 **Decision Notification**

7:15:01 Within seven (7) business days of the conclusion of the final hearing the Second Vice-President must notify each party the findings and decision of the panel. All correspondence should be per section 7.09.01. The decision notification shall:

- 1) Notify all principal parties involved including the appropriate authorities of the decision.
- 2) Present the basis for the complaint (e.g., specific League /NYSA/USSF rules).
- 3) Describe the findings of the Panel and the basis for their decision.

NEVADA YOUTH SOCCER ASSOCIATION

- 4) Outline the penalty (if applicable) including a detailed description of the penalty, length of the penalty and probation (specific dates).
- 5) Provide specific information concerning the process of appeal (who and where to send the appeal, the appropriate fee and the deadline for submitting the appeal).
- 6) Provide contact information for questions.

7:16:00 **Specific Rules**

7:16:01 Disciplinary Decisions

7:16:02 Disciplinary Committees shall act on all disciplinary matters and shall have discretionary powers in determining disciplinary action applied to team personnel, players, referees and spectators. Recommended NYSA minimum penalties will be used as guidelines for violations depending on the findings of the committee. Penalties may be increased according to the gravity of the violations. Reasons for increases must be documented in the official record of the Disciplinary Committee. Any discipline that is imposed may only be used to modify correct behavior or remove potential risk to NYSA.

7:17:00 **NYSA Minimum Penalties – Individual(s)**

A. Serious Foul Play:

1. Examples include, but are not limited to, intentionally impeding an opponent denying a goal-scoring opportunity; denying an obvious goal-scoring opportunity by handling the ball.

All Age Groups – Suspend for a minimum of one (1) game.

2. Examples include, but are not limited to, tripping, holding, unlawfully charging or pushing an opponent denying an obvious goal-scoring opportunity; intentionally tripping, holding, pushing; unlawfully charging or tackling an opponent from behind or charging in a dangerous and violent manner.

All Age Groups – Suspend for a minimum of two (2) games.

B. Foul and Abusive Language:

1. Examples include, but are not limited to, words uttered in frustration and, in the referee's opinion, loud enough to be heard outside the field of play.

All Age Groups – Suspend for a minimum of one (1) game.

2. Examples include, but are not limited to, words or actions directed towards any person.

All Age Groups – Suspend for a minimum of two (2) games.

NEVADA YOUTH SOCCER ASSOCIATION

C. Second Cautionable Offense after having received a caution:

All Age Groups – Suspend for a minimum of one (1) game.

D. Violent Conduct:

1. Examples include, but are not limited to, spitting, or other unseemly act, on or at another person; striking or attempting to strike another player, team official or spectator; unlawfully entering the field of play during an altercation.

All Age Groups – Suspend for a minimum of two (2) games.

E. Referee Abuse:

1. 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.
2. Examples include, but are not limited to, 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 the referee and implying physical harm.

All Age Groups – Suspend for a minimum of four (4) games.

F. Referee Assault:

1. Referee assault is an intentional act of physical violence at or upon a referee.
2. Examples include, but are not limited to, 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.).

All Age Groups - Suspend for a minimum of one (1) year and review by the Board of Directors regarding further disciplinary action.

7:17:01 NYSA Minimum Penalties – Group(s)

A. Tampering, Recruiting and Inducement

1. As defined by NYSA Policy 5:11

All Age Groups – Team coach or official, suspension for a minimum of three (3) months and a responsible individual, team, or club fine of a minimum of \$1,000 for each individual tampered, recruited, or induced; followed by probation for one (1) calendar year. If it is discovered that additional parties were involved in the infraction the same penalties will apply regardless of whether those parties were specifically included in the complaint. If it is discovered that an organization was involved in the infraction, a review by the Board of Directors regarding further disciplinary action will take place which may result in holding that organization in bad standing for a period of up to one (1) year.

NEVADA YOUTH SOCCER ASSOCIATION

B. Unsanctioned Tournaments

1. As defined by NYSA Policy Section 24

All Groups – Hosting body (and affiliated bodies, if any), a minimum one (1) year prohibition from hosting any sanctioned event, plus a minimum \$10,000 fine. Tournament Directors and any other affiliated personnel, suspension for a minimum of one (1) year followed by a one (1) year probation.

7:18:00 **Coaches and Assistant Coaches**

7:18:01 Coaches and assistant coaches will have an additional two (2) games added to any penalty that they are assessed by the Disciplinary Committees.

7:19:00 **Falsification of Names**

7:19:01 Coaches, assistant coaches, players and spectators that refuse to supply or falsify their name to a referee or administrator gathering information for an alleged violation will have an additional sixteen (16) weeks added to any subsequent suspensions.

7:20:00 **Term of Suspension**

7:20:01 The term of suspension for disciplinary reasons involving a player, coach or individual will begin immediately and include the next NYSA associated competition (i.e. League, Tournament or Cup event). The suspension will be continued until the term of suspension has been completed. [Friendly games and scrimmages will not be credited toward fulfillment of the suspension requirements.] Any disciplinary action will carry over from seasonal year to seasonal year. Coaches of multiple teams must serve their suspension with the original team with which they incurred the suspension. They may not coach any of their other teams until their suspension with the original team has been served. If they cannot complete their suspension with the original team, their term of suspension will be reassigned to their next team as determined by NYSA.

7:20:02 Suspension shall be defined to mean a cessation of participation in all soccer-related activities for the duration of the suspension. This includes being within sight and sound of the fields of play that are permitted to or programmed by NYSA, or involving teams (or subsets of teams) that are members of NYSA. This specifically includes all games, practices, scrimmages, tournaments, administrative duties, clinics, meetings, and any other activity that is related to youth soccer activity. This definition shall be applied to all suspensions unless the terms of the suspension as prescribed by the DPA Committee are defined differently at the time of a disciplinary action is rendered by the DPA Committee.

7:21:00 **Probation**

7:21:01 Disciplinary Committees may place an individual on probation in addition to their suspension. The probationary period may be for a period of time longer than the length of the suspension. The probationary period is to be served immediately following the suspension and is intended to monitor an individual's degree of reformation. An individual that violates their probation during the probationary period will be immediately suspended and a disciplinary hearing will be scheduled.

NEVADA YOUTH SOCCER ASSOCIATION

7:22:00 **Player/Coach Expulsion**

7:22:01 Players and coaches who are expelled (“red carded”) during any sanctioned league competition shall have their player or coach pass delivered directly to their league, along with the “Referee Send-Off Report” and copies of the game report. That player or coach is ineligible to participate until their pass is returned to their team upon completion of the suspension. All reports should be communicated per section 7.09.01 no later than forty-eight (48) hours from the game’s conclusion. The player or coach will be responsible for obtaining their player card(s) back from the league. The league is under no obligation to deliver the pass back to the player(s) or team.

7:22:02 Players and coaches who are expelled (“red carded”) during any sanctioned tournament or Cup competition, and have not served the required suspension by the conclusion of the event, shall have their player or coach pass delivered directly to the NYSA office, along with the “Referee Send-Off Report” and copies of the game report. Should the suspension be served during the event, the player or coach pass must be returned to the team officials but copies of the “Referee Send-Off Report” and game reports must be delivered to the NYSA office. All reports should be communicated per section 7:09:01 no later than forty-eight (48) hours from the event’s conclusion by its governing authority. For teams traveling from other state associations, all player passes (except in severe instances) shall be returned to the teams at the conclusion of the event. Any suspensions not fulfilled should be reported to the team’s state association. The player or coaches pass, along with a clear description of the infraction shall be sent in writing send via carrier that shows proof of delivery, to the team’s state association.

7:22:03 Players and coaches who are expelled (“red carded”) during Olympic Development or International games, shall have their player or coach pass delivered directly to the NYSA office, along with the “Referee Send-Off Report” and copies of the game report. All reports shall be mailed no later than forty-eight (48) hours from the event’s conclusion by its governing authority.

7:22:04 Any player expelled (“red carded”) from a game shall remain on the sidelines with his or her team and not leave the area without the permission of a team official. Any team official expelled (“red carded”) from a game shall leave the vicinity of the field of play (sight and sound) in which the game is being played.

7:22:05 In state cup, state leagues or state tournaments, in the event that a team official is expelled and there is not another team official properly registered to that team present, the game shall be terminated and counted as a forfeit in favor of the opposing team regardless of current score.

7:23:00 **Bad Standing**

7:23:01 Any person, team, club or league associated with the operation of NYSA may be declared “in bad standing” by the appropriate administrative body. The term “in bad standing” may only be applied due to a severe detrimental action; failure to submit required registration information and fees by established deadlines or after probation has been violated. It may result in total suspension from, or limited participation in, NYSA affiliated activities. Any person, team, club or league declared “in bad standing” must be notified in writing and advised of the right and procedure to appeal.

NEVADA YOUTH SOCCER ASSOCIATION

“Bad Standing” restrictions include;

- a. No NYSA hosted tournament competition or sanctioning.
- b. No NYSA hosted competitions (State Cup, etc.).
- c. No sanctioned travel outside of NYSA.
- d. No participation in the Olympic Development Program.
- e. No voting power at State levels.

7:24:00 **Protests**

7:24:01 Description

7:24:02 Protests are related to actions in a specific game. It must be filed by one of the involved team officials in the specific game. It must be in accordance with the protest procedures of the competition or of the Nevada Youth Soccer Association. The right to protest must be exhausted within the rules of that competition before being appealed to a higher authority. Protests arising from any state cup, or state tournament game shall first be determined by the Tournament Director of the competition as outlined by that competition’s rules. In the event of an adverse decision, that party may then file their appeal with the NYSA Disciplinary Committee. The NYSA Disciplinary Committee shall deal with all protests from any Olympic Development or international youth competition.

7:25:00 **Initiation of a Protest Hearing**

7:25:01 Protests are filed by an involved team official. Official filings involve submission of the “Notice of Filing to the NYSA Discipline, Protest and Appeal Committee” describing the grounds for the protest including the specific rule or policy that the protester alleges is being violated or misapplied. All supporting documentation must be included as well as a \$500 protest filing fee in the form of cashier’s check or money order made payable to NYSA. The protest filing fee will be returned if the protest is approved. The fee shall be retained if the protest is denied, unless the decision is overruled by a higher authority. Failure to include these requirements will result in the protest hearing being delayed or not considered. All reports should be communicated per section 7:09:01.

7:26:00 **Scheduling and Notification of a Protest Hearing**

7:26:01 Once the filing has been reviewed and validated (principal parties identified, time limits confirmed and filing requirements satisfied), the Second Vice-President shall direct the Executive Director to:

- 1) Schedule the hearing. The hearing may either be held formerly with witnesses or via conference call, depending on the circumstances of the case. It is not always necessary to have the parties present. However, if one party is to attend, then the other party must also be invited to attend.
- 2) Notify all principal parties involved including the appropriate authorities of the method of the hearing and the hearing date, time and location (if applicable) in writing per section 7:09:01 and at least seven (7) days prior to

NEVADA YOUTH SOCCER ASSOCIATION

the hearing.

- 3) Request confirmation of attendance from the principal parties involved (if applicable).
- 4) Present the statement describing the grounds for the protest including the specific rule or policy that the protester alleges is being violated or misapplied. All supporting documentation must be included.
- 5) Outline the procedures to be followed during the hearing (if applicable).
- 6) Request that any additional written documentation from either party be submitted prior to the hearing by a specific deadline.
- 7) Provide contact information for questions.

7:26:02 The hearing should be scheduled within thirty (30) days of validation of the filing.

7:27:00 **Protest Hearing Format (if applicable)**

7:27:01 Each party will be accorded the opportunity to present an opening statement concerning their case. The panel will then ask questions of the parties. Each party will be allowed to ask pertinent questions of the other party moderated by the Chair. Each party will then be accorded the opportunity to present a closing statement concerning their case. The parties will then be excused and the panel will deliberate in private.

7:27:02 Listed below is a sample hearing format. The times should be modified depending on the specific allegations involved. If a party is presenting valid points and not being repetitive, the Chair may allow additional time for each party.

Opening Statement - Protesting Party 10-15 minutes

Opening Statement - Accused Party 10-15 minutes

Questions from the Panel Unlimited time

Closing Statement - Protesting Party 5 minutes

Closing Statement - Accused Party 5 minutes

Panel Deliberation Unlimited time

7:27:03 These times are guidelines and can be adapted to each individual hearing. Each party has the right to have witnesses speak on their behalf; however, those witness statements must be given within the time accorded each party. Parties should be informed, prior to their leaving, that they will be notified by per section 7:09:01 within seven (7) days of the outcome of the hearing.

7:28:00 **Decision Notification**

7:28:01 Within seven (7) business days of the conclusion of the final hearing the Second Vice-President must communicate to each party the findings and decision of the panel per section 7:09:01. The decision notification letter shall:

- 1) Notify all principal parties involved including the appropriate authorities of the decision.

NEVADA YOUTH SOCCER ASSOCIATION

- 2) Present the grounds for the protest (e.g., specific League/ NYSA/USSF rules).
- 3) Describe the findings of the Panel and the basis for their decision.
- 4) Outline actions to be taken based on the decision of the Panel.
- 5) Provide specific information concerning the process of appeal (who and where to send the appeal, the appropriate fee and the deadline for submitting the appeal).
- 6) Provide contact information for question.

7:29:00 Appeals

7:29:01 **Description**

7:29:02 Appeals arise as a result of an adverse decision from a disciplinary hearing or protest. Only those parties involved in the original action hearing shall be allowed to appeal. The original decisions will stay in force pending the result of the appeal. It must be in accordance with the appeal procedures of State Cup, NYSA run leagues or NYSA tournaments. The right to appeal must be exhausted within the rules of that competition before being appealed to a higher authority. Appeals arising from any state cup, NYSA run leagues or NYSA tournaments shall first be determined by appropriate committee of the competition as outlined by that competition's rules. In the event of an adverse decision, that party may then file their appeal with the NYSA Disciplinary Committee. The NYSA Disciplinary Committee shall deal with all appeals from any Olympic Development or International Youth competition.

7:30:00 **Initiation of an Appeal**

7:30:01 Appeals are filed by those parties involved in the original action must be filed within 72 hours of receipt of the original decision to the President of NYSA . Official filings involve submission of the "Notice of Filing to the NYSA Discipline, Protest and Appeal Committee" describing the basis for the appeal including the specific rule or policy that allegedly has been violated or misapplied. All supporting documentation and a \$75 appeal filing fee in the form of cashier's check or money order made payable to NYSA must be included. The appeal filing fee will be returned if the appeal is approved. The fee shall be retained if the appeal is denied, unless the decision is overruled by a higher authority. Failure to include these requirements will result in the appeal being delayed or not considered. All requests for appeals shall be communicated per section 7.09.01.

7:31:00 **Scheduling and Notification of an Appeal (see sample letters)**

7:31:01 Once the filing has been reviewed and acknowledged (principal parties identified, time limits confirmed and filing requirements satisfied), the Second Vice-President shall direct the Executive Director to:

- 1) Schedule the appeal. The appeal may be held via conference call, depending on the circumstances of the case.
- 2) Present the statement describing the basis for the appeal including the specific rule or policy that allegedly is being violated or misapplied. All supporting documentation must be included.
- 3) Outline the procedures to be followed during the appeal (if applicable).

NEVADA YOUTH SOCCER ASSOCIATION

- 4) Request that any additional written documentation from either party be submitted prior to the appeal by a specific deadline.
- 5) Provide contact information for questions.

7:31:02 The appeal should be scheduled within thirty (30) days of validation of the filing.

7:32:00 **Decision Notification**

7:32:01 Within seven (7) business days of the conclusion of the final hearing the Second Vice-President must communicate to each party the findings and decision of the panel per section

7:09:01. The decision notification shall:

- 6) Notify all principal parties involved including the appropriate authorities of the decision.
- 7) Present the basis for the appeal (e.g., specific League / NYSA / USSF rules).
- 8) Describe the findings of the Appeal Panel and the basis for their decision.
- 9) Outline actions to be taken based on the decision of the Appeal Panel.
- 10) Provide specific information concerning the process of appeal (who and where to send the appeal, the appropriate fee and the deadline for submitting the appeal).
- 11) Provide contact information for questions.

7:33:00 **Filing an Appeal, Protest or Disciplinary Action**

7:33:01 What type of action are you filing?

- A. Remember the burden of proof is on the party that is filing the complaint or appeal. Please provide the information as needed.
- B. An Appeal is a request for reconsideration of a decision rendered by another body. Decisions rendered at the league level shall be appealed to the State Association. Decisions rendered by the NYSA appeals committee may be appealed to the United States Soccer Federation (a copy of their appeal form may be obtained by contacting USSF in Chicago, Illinois, at 312-808-1300). Decisions rendered in state level competitions (State Cup, Tournaments, ODP, etc.) must be appealed to the NYSA appeals committee.

Appeals to NYSA must be filed within 72 hours of receipt of the original decision. In general, the hearing on appeal shall be closed to the public, with the Chair having the discretion to allow the parties to participate by way of oral argument, if deemed appropriate by the Chair. No new evidence may be presented on appeal unless: (1) circumstances have materially changed, or (2) new facts are discovered that were unavailable at the time of the original hearing in which event the appeal panel must remand the matter to the hearing panel to consider the changed circumstances or newly discovered facts. Consideration of appeals will be limited to the specific facts, rules, and procedures at issue.

- C. Protests are complaints arising out of the misapplication of the Laws of the Game or misapplication of a league / state administrative rule.
- D. A request for Disciplinary Action may be filed by any member of NYSA. Disciplinary proceedings may be initiated against any player, coach, team assistant, league officer,

NEVADA YOUTH SOCCER ASSOCIATION

referee or spectator. Parties against whom such proceedings have been brought may, with a proper hearing, be suspended, barred completely or otherwise disciplined. Disciplinary actions include referee assault and abuse cases.

7:34:00 How long will this take?

7:34:01 Most cases take about 30 days to complete, from filing acknowledgement to hearing. Unfortunately, it is nearly impossible to speed this process and still give due process to both parties. There are certain events that must happen in chronological order, with set time periods, before your hearing. This chain of events will be spelled out in your confirmation letter. After your hearing, the decision will be communicated to you per section 7:09:01 within seven (7) business days at the conclusion of the final hearing. Your decision letter will include the decision, an explanation of the decision and instructions for filing an appeal.

7:35:00 What do I need to include?

7:35:01 In any type of filing you need to include documentation. Verbal filings will not be allowed. If you are filing an appeal, you need to include the NYSA filing form, documents to support your position, copies of the documents you received as part of the initial hearing, the filing fee and if you wish, a cover letter. All documents that are being sent to NYSA must also be sent to the party of whose decision you are filing an appeal. All correspondence should be in accordance with section 7:09:01.

7:35:02 If you are filing a protest, you need to include the NYSA filing form, documents to support your position, the filing fee and if you wish, a cover letter. All correspondence should be sent via certified mail. If you are filing a request for disciplinary action, you must include the filing form and any documentation that supports your request. All correspondence should be sent via certified mail.

7:36:00 Where do I send the information?

7:36:01 Information to be submitted should be sent to:

2605 S Decatur Blvd #114, Las Vegas, NV 89102; Attn: 2nd Vice President.

7:36:02 Additionally, all information submitted for an appeal shall be sent to the President of NYSA. All correspondences must be sent in accordance with section 7:09:01

7:37:00 Questions?

7:37:01 If you have any questions concerning the filing of an action, please contact the NYSA 2nd Vice President.

7:38:00 Appeals to US Soccer Federation (USSF)

7:38:01 An appeal to USSF is initiated by submitting a notice of appeal. This must be filed within 14 days of receiving the final decision from NYSA, and should be sent to all opposing parties, as well as the appeals committee at the following address:

The United States Soccer Federation, Inc. Appeals Committee ^[SEP]c/o USSF Secretary
General ^[SEP]1801 S. Prairie Ave. ^[SEP]Chicago, IL 60616

NEVADA YOUTH SOCCER ASSOCIATION

7:38:02 The appellant must include with the completed notice of appeal a money order or cashier's check for the appeals fee - this fee is currently set at \$300.

7:39:00 Whistleblower Policy

7:39:01 Please refer to the NYSA policies, specifically section 22.

7:40:00 Reporting Responsibility

7:40:01 It is the responsibility of all NYSA members to comply with state and federal laws, in addition to NYSA policies, and to report violations or suspected violations in accordance with the Whistleblower Policy.