

CHAPTER FOUR  
APPEALS AND DISCIPLINE PROCEDURE

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**4.1 RIGHTS OF APPEAL:**

All individual and organization members of WVSA have the right to appeal any finding against them, in accordance with USSF bylaws, policies and requirements prior to any suspension-taking place. Excluding, in the case of suspension prior to a hearing, referee assault, USYS rule 4043 and red card match minimum suspensions. All WVSA members have full rights as granted by the USSF at all levels of this process.

4.1.1 Appeal procedures: all appeals must be submitted to the WVSA office with a postmark date of no more than 5 business days from the date of the receipt of the decision against them.

4.1.1.1 Fees shall be set by the Board of Directors

4.1.1.2 all appeals shall be submitted on the form provided.

4.1.1.3 Persons claiming the right of an expedited hearing under USSF rules must contact the WVSA immediately.

4.1.1.4 The chair of the Appeals & Discipline committee shall schedule a hearing at a time and place convenient to the appellant.

4.1.1.5.1 The hearing shall be held no later than 20 business days from the date that the appeal notice was received by WVSA.

4.1.1.6 All procedures and policies for appeals hearings shall be set by the Appeals & Discipline committee and approved by the Board of Directors and shall be compliance with USSF. All parties to an appeal must receive these procedures and policies with the hearing notice.

4.1.1.7 Decisions of the Appeals & Discipline committee may be appealed to USSF. All parties to an appeal must receive their rights to appeal with the decision letter.

4.1.1.8 All decisions at all levels shall stand until overturned or unless a higher authority orders a stay.

4.1.2 Jurisdiction: any decision by any member association may be appealed to the WVSA Appeals & Discipline committee. Decisions by WVSA youth or amateur divisions, cup, ODP and referee committee may be appealed to the WVSA Appeals & Discipline committee.

4.1.2.1 A decision by a WVSA team, club or other organization may be appealed to no more than one level below WVSA.

4.1.2.2 No more than 20 business days may be taken for the lower level appeal.

4.1.2.3 Any appeal not heard or decision not given within 20 business days from the date the appeal was received shall immediately go to the WVSA Appeals & Discipline committee.

4.1.2.4 All WVSA members and committees may set the procedures for appeal hearings but all procedures must comply with USSF and WVSA bylaws, policies and requirements.

4.1.2.5 All those under the jurisdiction of WVSA and its members must exhaust all remedies with WVSA and USSF prior to invoking the aid of the courts.

**4.2 DISCIPLINE**

All WVSA member associations are charged with the responsibility of seeing that these rules are distributed to every youth and amateur player, coach, team staff member, administrator and referee. Parents of youth players and spectators should be made aware of these rules.

**4.2.1 Authority**

All members and participants in WVSA programs have requested to participate in WVSA programs. Therefore, these participants have agreed to abide by the constitution, bylaws, policies, procedures, rules and regulations of Fifa, us soccer, USYSA and or USASA, WVSA and all member clubs and leagues.

4.2.1.2 all WVSA member associations, clubs and leagues are directed to form their own Appeals & Discipline committee and to hold hearings, per us soccer and WVSA rules, on all persons named in a misconduct report. except for cases of referee assault and abuse which should be forwarded to WVSA. Special care should be given to reports on misconduct by coaches, team staff and spectators. Violent conduct by anyone should be referred to the WVSA office. Cases of multiple red cards or

excessive yellow cards by players, coaches and or team staff should also be reported to the appropriate Appeals & Discipline committee and or div up.

4.2.1.3 The WWSA division Vice President shall have authority over all members in their respective programs and shall investigate all reports of misconduct and refer action to the WWSA Appeals & Discipline committee the local club or league or the WWSA cup programs. (4/94)

4.2.1.4 Any coach or team staff member participating in a match while under suspension or allowing a player to participate while under suspension shall be reported to the division Vice President. (4/94)

4.2.1.4.1 Any coach and or team staff member found guilty of playing an ineligible player or participating while under suspension shall be subject to a minimum suspension of 1 year for each offense. (4/94)

4.2.1.4.1 Any player found guilty of participating in a match while under suspension shall be subject to a minimum suspension of 1 year for each offense. (4/94)

4.2.1.4.2 Local clubs or leagues or WWSA may require that the player or coaches pass of a suspended member be returned. Any person not turning in a pass as requested may be subject to discipline by the club, league or WWSA. In cases of suspensions that do not cover all soccer activities, WWSA office will work with all parties to enable the member to participate at the appropriate level.

#### 4.2.2 Misconduct of Players / Coaches / Assistant Coaches

4.2.2.1 Any player, coach, or other team staff member receiving a red card or ejection shall receive the following minimum sanctions:

1. First offense - one game suspension
2. Second offense - two game suspension
3. Third offense - three game suspension plus mandatory inquiry by division Vice President and state Appeals & Discipline hearing. (6/96)

\*\*\*\*\* The above are minimums. Nothing herein prevents a member association from enacting more severe sanctions after providing each person a hearing in accordance with WWSA/ US SOCCER RULES.

4.2.2.1.1 Suspensions under the above rule shall be in Effect for all WWSA sanctioned games and Tournaments and for any out of state event attended with permission. (11/96)

4.2.2.1.2 Match suspensions shall be served at the next regularly scheduled match of the team whose match the card was received, at the same level of play. (11/96)

- A. League games - next league match
- B. Tournament game - next tournament game
- C. Cup game - next cup game
- D. Snickers cup game - next snickers cup game
- E. Any other match - next team match
- F. Any outstanding match suspensions must be served before playing in any WWSA cup game. \*
  - Exception any snickers cup match suspension may only be served at a snickers cup match.

4.2.2.1.2.1 Regularly scheduled means prior to the match in which the red card was received. (6/97)

4.2.2.1.2.1.2 Exceptions for a match not scheduled prior to the red card being given may only be granted by the division VP. (6/97)

4.2.2.2 Any misconduct by a player coach or other team staff member that is reported by the referee or other person appointed per us soccer policy 3041 2.1, a, b, c, shall be directed to the SRA, the division Vice President, and the local club or Vice President of programs as applicable

- 4.2.2.2.1 All game suspensions must be reported to the WVSA office. When an ejection or game suspension is issued to a player, the responsible authority shall forward a copy of the referee's report or action of the hearing board to the WVSA office.
- 4.2.2.2.2 The SRA and the division Vice President shall compile all reports and investigate the report and may give the results of their investigation to the Appeals & Discipline committee, the local club or league or the Vice President programs for action.
- 4.2.2.3 Violent conduct by any player, coach and or other team staff member during a match and violence toward any person or property after a match shall reported to the WVSA office and handled per 4.2.2.2.2
- 4.2.2.4 Member associations, WVSA programs and divisions are given the authority to enact penalties for yellow and red card accumulation.
- 4.2.2.5 Any action taken under 4.2.2, other than the minimum penalties in 4.2.2.1 requires a prior hearing per us soccer rules
- 4.2.3 Misconduct of spectators
  - 4.2.3.1 Each team, club and league (youth or amateur) is responsible for the conduct of its spectators. Therefore, the coach and or team staff is expected to control the team's spectators.
  - 4.2.3.2 The local club or league or WVSA program shall take action against any identifiable spectator that is guilty of misconduct.
  - 4.2.3.3 reports of misconduct by spectators and reports of any action taken by the club or league or WVSA program shall be forwarded to the WVSA office.
- 4.2.4 Misconduct by teams
  - 4.2.4.1 The WVSA will not hesitate to deny teams within its jurisdiction the privilege of participation in all or selected activities for repeated offenses and for a serious offense considered to bring the game into disrepute.
  - 4.2.4.2 Local leagues or WVSA programs that are concerned about a particular teams conduct should contact the div Vice President.
  - 4.2.4.3 The division of Vice President shall investigate the matter and make a report to the WVSA Appeals & Discipline committee. Who shall then hold a hearing prior to any action being taken?
- 4.2.5 Games directly sponsored by WVSA
 

Misconduct by any participant or spectator in a match, tournament or event directly sponsored by WVSA shall be reported to the appropriate WVSA committee. The committee shall take action per WVSA and competition rules. The Vice President programs shall report any action taken to the appropriate div Vice President. The WVSA Appeals & Discipline committee will hear any cases needing further action.
- 4.2.6 Misconduct toward officials
  - 4.2.6.1 WVSA has exclusive jurisdiction over assault and abuse of soccer officials as defined by USSF policies.
  - 4.2.6.2 When assault or abuse of officials has been alleged a report will be forwarded by the referee, and the match organizers to the WVSA office, the SRA and the appropriate division Vice President
  - 4.2.6.3 The report shall be investigated by the div Vice President and the SRA and all WVSA members are directed to cooperate in the investigation.
    - 4.2.6.3.1 If it shall be determined, by SRA and division of the Vice President, that referee assault may have occurred per USSF policies then the matter shall be given to the WVSA Appeals & Discipline committee for action. Such determination shall be delivered in writing to the accused and the WVSA office.
    - 4.2.6.3.1 Once the determination has been made the accused shall be suspended pending a hearing, which must occur within 30 days per USSF policies.
    - 4.2.6.3.1.1 The person that has been charged with referee assault shall be suspended pending a hearing per USSF policies.

- 4.2.6.3.1.2 All persons charged under this rule shall be given a copy of the USSF policies and WWSA hearing procedures.
- 4.2.6.3.1.3 Any person found guilty of referee assault may appeal to the USSF appeals committee.
- 4.2.6.3.2 If it shall be determined that referee abuse may have been committed the matter will be referred to the division Vice President
  - 4.2.6.3.2.1 The hearing shall be carried out following USSF and WWSA rules.
  - 4.2.6.3.2.2 Any person found guilty of referee abuse may appeal to the WWSA Appeals & Discipline committee.
  - 4.2.6.3.3 If referee assault or abuse is not found to have occurred, the person may be charged with misconduct toward a game official.
    - 4.2.6.3.3.1 Misconduct toward a game official shall cover all persons covered by USSF policy 3041.
    - 4.2.6.3.3.2 Any person found guilty of misconduct toward a game official may be suspended from 1 match to 1 year.
    - 4.2.6.3.3.3 Any person found guilty of this offense may appeal per WWSA rules.

#### 4.2.7 Misconduct of referees

- 4.2.7.1 When a referee is alleged to have committed misconduct, per USSF policy 539-10, toward any participant or spectator in a match or in his or her conduct as a member of the WWSA and USSF referee program, a report will be filed with the SRA.
- 4.2.7.2 The report shall be investigated by the SRA.
- 4.2.7.3 The SRA may bring the report and the results of the Investigation to the referee committee for a hearing per USSF 539-10.
- 4.3.12.1 A hearing will be conducted under WWSA and USSF policies.
- 4.3.12.2 Any person found guilty under this rule may be disciplined per USSF 539-10.
- 4.3.12.3 Any person found guilty may appeal to the WWSA Appeals & Discipline committee.

#### 4.4 Hearings at club, league or WWSA level

- 4.4.12 A disciplinary hearing is a meeting to determine whether disciplinary action is required for an incident that occurred within the confines of a game, practice or other event. All parties named in the incident are entitled to participate.
- 4.4.13 A protest hearing is a meeting to determine whether there has been a violation of the rules of the club, league or WWSA or if a misapplication of the laws of the game occurred during a game.
- 4.4.14 An ethics hearing is a meeting to determine whether there has been a breach of ethics, a violation of administrative rules or a legitimate grievance filed against a member of WWSA (coach, player, parent, or club official).
  - 4.4.14.1 Form a standing committee at the beginning of each seasonal year
  - 4.4.14.2 Appoint of a chairperson from the board of directors or a suitable candidate from the membership (your by-laws may specify this appointment.)
  - 4.4.14.3 Appoint a minimum of three (3) additional members from within your league.
  - 4.4.14.4 All members should be selected based on integrity and ethics, not necessarily knowledge of the game and its laws.
  - 4.4.14.5 It is strongly recommended that a licensed referee instructor be available to the committee to answer any questions on the laws of the game, mechanics and current interpretations of the laws of the game.
  - 4.4.14.6 All hearing panels or committees shall have at least three members including a chair. They shall be drawn from the membership of the committee or may be appointed on a case by case basis as needed and provided for by the bylaws or rules.

#### 4.3 .5 Due process

In order to satisfy the requirements of due process, all individuals who are reported for violations that may result in sanctions must be offered the opportunity to request an in person hearing and to have an advisor present at that hearing. A copy of USSF bylaw 701 and your hearing procedures must be included in the letter of notification (see appendix 9 for USSF bylaw 701 and appendix 8 for WVSA hearing procedures).

#### 4.3.12 Meeting Methods

4.3..6.1 Meetings should take place at a time, place convenient to the defendant.

4.3.6.2 Meetings are open to participants, witnesses and advisors

#### 4.3.13 Contacting the parties involved.

4.3.7.1 Direct contact may be made by telephone, certified mail, or by personal contact.

4.3.7.2 All parties involved must be directly contacted.

4.3.12.1 Witnesses speaking on behalf of the parties need not be contacted by the league, but by the parties themselves.

#### 4.3.13 Contents of the notice of hearing (see appendix 1)

4.3.8.1 State the **subject** of the disciplinary hearing.

4.3.8.2 State **date, time, and location** of hearing

4.3.8.3 Precisely cite the rules violation and possible sanctions.

4.3.8.4 State the consequences of failure to attend the hearing by citing the exact length of suspension likely to be determined in the individual's absence.

4.3.8.5 Provide a telephone number or email address to contact chairperson if necessary prior to hearing.

4.3.8.6 State and cite the WVSA, USYSA,USASA or USSF rule violated..

4.3.8.7 Parties must be provided with all information available at the time the notice is given and written allegations against them prior to the hearing.

4.3.8.8 USSF bylaw 701

4.3.8.9 Hearing procedures.

4.3.9 Hearing order (all statements must be directed to the committee and not to the other participants)

4.3.9.1 Introduction of chairperson and committee members.

4.3.9.2 Introduction of evidence and allegations by chairperson.

4.3.12.1 Statement by first party.

4.3.12.2 Witness statements.

4.3.12.3 Statements by second party (if there are two parties)

4.3.12.4 Witness statements.

4.3.12.5 Questions by disciplinary committee members.

4.3.12.6 Concluding statements by all parties.

#### 4.3.10 Handling of witness

4.3.10.1 Do not permit parties to speak directly to each other.

4.3.10.2 Have all minors accompanied by an adult.

#### 4.3.11 Concluding the hearing

4.3.11.1 Explain in detail that decisions are made based on a vote of committee members.

4.3.12.1 Explain in detail what suspensions and sanctions may be or are proscribed by WVSA.

4.3.12.2 Give firm dates of notification in writing.

4.3.12.3 Detail whether parties are suspended pending notification. In referee assault only.

#### 4.3.13 Written notification of decision (see appendix 2)

4.3.13.1 Reiterate allegations.

4.3.13.2 State date, location and time that hearing was held.

4.3.13.3 Detail names of parties involved. **It is not necessary to provide addresses and phone numbers of witnesses.**

4.3.13.4 Explain the decision of the committee providing ample detail used in the decision making process.

4.3.13.5 Explain in detail the terms of any sanction decided upon by the committee.

4.3.13.6 Explain in detail the methods of carrying out the above sanction.

4.3.13.7 Include information on how to appeal this decision. (See appendix 3)

4.3.13.8 **Send copy of this notification to WVSA**

4.3.13.9 **Send decision by certified mail.**

#### **4.4 Appeals**

Any decision from a league discipline and protest committee can be appealed. The first avenue of appeal is to the WVSA Appeals and Disciplinary Committee. A check for appropriate fee must accompany the written appeal and be received into the WVSA office within five (5) business days of the original decision by your league (see appendix 3 for the WVSA appeals form).

All sanctions and suspensions continue during the appeals process.

#### **4.5 League instructions on misconduct toward game officials**

**All cases of referee abuse or assault should be reported to WVSA within 24 hours. These situations must not be handled as a league issue.**

#### **What is assault?**

USSF Policy 531-9 reads the following:

Referee assault is an intentional act of physical violence at or upon a referee. Assault includes, but is not limited to the following acts committed upon a referee; hitting, kicking, punching, choking, spitting at, or 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 .

#### **What is abuse?**

USSF Policy 531 reads the following:

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. 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; or verbally threatening a referee. 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 wouldn't get out of here in one piece" shall be deemed referee abuse.

**These situations are deemed extremely serious. These are not league issues... report them immediately to:**

For all youth matches contact:

**Joe Pepe**, state youth vice president: 888-549-9872 (home), and, [peps4soccer@aol.com](mailto:peps4soccer@aol.com)

For all adult matches contact

**Deitz Latimer**, armature vice president: 304-984-0863(home) **and** [vpadeitz@wvsoccer.net](mailto:vpadeitz@wvsoccer.net).

For **all** matches contact:

**Les Baldwin**, state referee administrator: 1-800-773-7580 **and** [baldwincl@newwave.net](mailto:baldwincl@newwave.net) or

WVSA

**Dave Laraba**, 1-800-984-9872(work), and [wvsa@citynet.net](mailto:wvsa@citynet.net).

4.13 Amendments: these procedures may be amended at any meeting of WVSA by a majority vote of those present and voting, except as required by USSF.