



# NJ YOUTH SOCCER DISCIPLINE & APPEALS MANUAL

*Adopted June 2022*

**Vision:** The vision of NJYSA is to provide fun and safe soccer experiences at all ages and abilities for the youth soccer **community**.

**Mission:** The mission of NJYSA is to serve the youth soccer **community** by providing our members with programs, tools, education, training, and governance; promoting a positive, inclusive culture and safe environment; and encouraging the development of youth soccer players of all ages and skill levels.

**TABLE OF CONTENTS**

**Chapter I - General..... 3**

- a. Purpose of the Manual..... 3
- b. Policy of NJYS..... 3
- c. Objective of the Adjudication Process..... 3

**Chapter II - Discipline & Appeals Committee..... 4**

- a. Purpose of the Discipline & Appeals Committee..... 4
- b. Objective of the Discipline & Appeals Committee..... 4
- c. Composition, Diversity, and Involvement of the Discipline & Appeals Committee..... 4
- d. Quorum of Discipline & Appeals Committee Members..... 4
- e. Voting by Discipline & Appeals Committee Members..... 5
- f. Conflicts of Interest ..... 5

**Chapter III - Jurisdiction..... 5**

- a. Primary Jurisdiction ..... 5
- b. Other Jurisdiction..... 5
- c. Appellate Jurisdiction ..... 5

**Chapter IV - Grievances ..... 6**

- a. Grievance Process Overview..... 6
- b. Objective of the Discipline & Appeals Committee in Determining Grievances ..... 7
- c. Decision ..... 7
- d. Return of Grievance Filing Fees ..... 7

**Chapter V - Appeals..... 7**

- a. Appeals Process Overview ..... 7
- b. Objective of the Discipline & Appeals Committee in Determining Appeals ..... 8
- c. Five Standards of Appeal..... 9
- d. Decision ..... 9
- e. Return of Appeal Fees ..... 9

**Chapter VI - Appealing the Decision of the NJYS Discipline & Appeals Committee ..... 9**

- a. Final Decision of New Jersey Youth Soccer..... 9
- b. US Soccer Appeals Committee..... 9

**Chapter VII - Hearing Procedures ..... 10**

- a. US Soccer Hearing Procedures ..... 10
- b. Burden of Proof ..... 10
- c. Legal Representation Before the Adjudication Committee..... 10
- d. Audio Recordings, Video Recordings, and Transcripts ..... 10

## Chapter I - General

### a. Purpose of the Manual

The purpose of the Discipline & Appeals Manual is to provide an overview of the Discipline & Appeals Committee and its procedures. It is a guide and is not intended to confer any rights.

### b. Policy of NJYS

It is the policy of NJYS to guarantee due process to all members of the Association. Individuals involved in any process of the Discipline & Appeals Committee or any process of NJYS member organizations, programs, and activities are entitled to receive copies of all materials relevant to the case in question, to be afforded due process, and to have the matter adjudicated within established or reasonable timeframes, usually within 30 days. Failure of any member organization to comply with NJYS' requirements may result in disciplinary action being taken against that organization.

Per the NJYS Bylaws, Section XVIII, Disciplinary Authority:

*"The NJYSA shall conduct its business with due respect for the spirit of the game and for the benefit of the players.*

*A. A request for disciplinary action or an appeal referred to the NJYSA shall be handled by the Appeals and Discipline Committee.*

*B. A request for disciplinary action involving the abuse or assault of a referee shall be handled by the Appeals and Discipline Committee.*

*C. Discipline of elected Executive Committee members for administrative issues shall be handled by the Board of Directors. Appeals of decisions by the Board of Directors shall be referred to the US Soccer Federation"*

### c. Objective of the Adjudication Process

The objective of the NJYS Discipline & Appeals process is to provide fair consideration of matters in dispute within the family of NJYS. Embodied in this objective is the notion that every member of NJYS will receive a fair, impartial, objective, and timely hearing of any complaint or appeal which has standing before any adjudication body, and access to any and all materials relevant to the matter in dispute. NJYS strives to achieve both objective and subjective procedural justice. Objective procedural justice concerns the capacity of a process to provide a balanced opportunity to the contestants to be informed and to be heard; subjective procedural justice concerns the capacity of the process to ensure objective and even-handed judgments measured against known or rationally discernible rules.

It is also a goal of NJYS to maintain a system of dispute resolution that comports with its character as a volunteer organization that emphasizes sportsmanship. To that end, NJYS strives to avoid overly formalistic, complex, or litigious procedures. US Youth Soccer requires its member organizations to minimize the number of steps an appellant must complete in order to receive a final ruling. NJYS expects decisions to be made by the lowest possible administrative level followed by no more than one appeal below the level of the Discipline & Appeals Committee. The final appeal in NJYS is to the Discipline & Appeals Committee.

## Chapter II - Discipline & Appeals Committee

### a. Purpose of the Discipline & Appeals Committee

Per the New Jersey Youth Soccer Bylaws, XVI, the purpose of this Committee shall be:

1. To guarantee the rights of individuals to participate and compete.
2. To conduct discipline hearings of State Level actions of players, coaches, administrators, teams and clubs. This includes but is not limited to assaults/abuse of referees, matters of registration, and all intra-state matters.
3. Hearing appeals from any person, team, club, or competition authority subject to the following:
  - a. Players, teams or clubs must first appeal all issues to the competition authority. Issues are those for which the competition authority has original jurisdiction such as discipline. The appellant may appeal any adverse decision to the Appeals and Discipline Committee.
  - b. Appeals for non-competition authority issues, i.e. club issues, must be appealed to the Appeals and Discipline Committee.

### b. Objective of the Discipline & Appeals Committee

The objective of the NJYS discipline & appeals process is to provide fair consideration of matters in dispute within the family of NJYS. Embodied in this objective is the notion that every member of NJYS will receive a fair, impartial, objective, and timely hearing of any complaint or appeal which has standing before any adjudication body, and access to any and all materials relevant to the matter in dispute.

### c. Composition, Diversity, and Involvement of the Discipline & Appeals Committee

The NJYS President appoints volunteer members of the Discipline & Appeals Committee. It is in the interest of the NJYS and the membership that members of the Committee:

- Are experienced in a variety of soccer-related activities (e.g., recreational, travel, ODP);
- Are familiar with a variety of aspects of the sport (such as coaching, refereeing, and playing);
- Can devote the time to travel and meet when needed at different locations;
- Can bring this knowledge and experience to bear in resolving often difficult situations and arriving at sometimes precedent-setting decisions; and
- Will maintain and protect the welfare of youth players and the integrity of NJYS-sponsored programs and activities.

Further, the Executive Director or his/her designee(s) shall serve as the Staff Liaison to the Discipline & Appeals Committee for the purpose of administration (e.g., scheduling, communication, coordination). The Staff Liaison is not considered a Member of the Committee and does not decide on matters before the Discipline & Appeals Committee.

### d. Quorum of Discipline & Appeals Committee Members

NJYS requires at least three members of the Discipline & Appeals Committee to be present for any hearing. While the Committee is comprised of more than three members from NJYS, it is not

always possible for all members to participate in all hearings. Therefore, because hearings must be held within prescribed or reasonable timeframes, a quorum of three Committee members is practical.

**e. Voting by Discipline & Appeals Committee Members**

Discipline & Appeals Committee decisions are by majority vote. In the event of a tie, the Committee Chair's vote breaks the tie. Individual votes and deliberations are confidential except to the extent disclosed in Committee decisions.

**f. Conflicts of Interest**

Occasionally, members of the Discipline & Appeals Committee must excuse themselves from participating in a case because of their relationship to a particular individual, club, or activity, which is a party to the case before the Committee.

An example of a conflict might be when a Discipline & Appeals Committee member is loosely affiliated with a club whose actions or members are involved in a matter before the Committee. Another example might be a Discipline & Appeals Committee member who could influence the outcome of an appeal to the Committee and might appear to, or may actually, enjoy some personal gain.

Possible conflicts are raised by Committee members and chairman, on their own motion, and are considered whenever raised by the motion of any party to a pending matter.

### **Chapter III - Jurisdiction**

**a. Primary Jurisdiction**

The Discipline & Appeals Committee has primary jurisdiction for all matters concerning alleged Misconduct Toward Game Officials (*United State Soccer Federation Policy 531-9*). [See Appendix I]

**b. Other Jurisdiction**

The Discipline & Appeals Committee has jurisdiction on any other issue assigned to them by the NJYS Board of Directors.

The Discipline & Appeals Committee also has jurisdiction for matters concerning NJYS' Zero Tolerance Policy. [See Appendix IV]

**c. Appellate Jurisdiction**

Except where it is defined by the NJYS Bylaws and Constitution or determined by the NJYS Board of Directors, the Discipline & Appeals Committee has appellate jurisdiction over:

1. Decisions of members of NJYS (e.g., member Leagues, member Clubs); and
2. Decisions of any individual, committee, or group having responsibility for administering an activity conducted, sanctioned, or sponsored by NJYS.

Provided that all protests and appeals must be exhausted before a matter will be considered by the Discipline & Appeals Committee.

## Chapter IV - Grievances

### a. Grievance Process Overview

When a Grievance Complaint Form is received from a member (e.g., league, club, coach, player, etc.), it is first reviewed through a process called the *Initial Screening Review* to determine the merit of the case. To pass the *Initial Screening Review*, a Grievance must meet the following criteria:

1. The Grievance Complaint Form is entirely completed,
2. The Filing Fee, set forth by the Executive Committee, has been received,
3. The Written Statement, signed by the complainant, is included with the following detail:
  - a. The precise NJ Youth Soccer, US Youth Soccer, and/or US Soccer policy document, policy section name, policy number, and policy text that the complainant asserts was violated, and by whom; and
  - b. The specific event(s) and circumstances, that establish the violation(s), including names, dates, locations, conduct, etc.,
4. The Complainant and Accused are both NJYS members that fall under the D&A jurisdiction, and
5. The Complainant has exhausted all grievance processes afforded to them by the member with original jurisdiction.

During the Grievance Process, NJYS may choose to suspend the accused individual(s) or organization(s) pending a hearing if circumstances warrant it (e.g., extenuating risk to the safety of members).

Assuming the case has merit, the parties will be issued a *Scheduling Letter* that sets the dates for submissions by the parties (at least 7 days prior to the hearing):

- List of Witnesses (if any) and the subject matter for their testimony, to both NJYS and the accused,
- Written Witness Statements (if any), and
- Supplemental Documents (if any).

New Jersey Youth Soccer will distribute copies of any submissions approved by the chair to the Committee, Complainant, and Accused.

If at any point, the Complainant fails to respond by the dates set forth in the Scheduling Letter, the Chair may consider the grievance abandoned and dismiss the matter. Matters that are abandoned may not be re-filed.

The hearing provides the opportunity for the Complainant and Accused to present and defend the entirety of their case. This is typically conducted through opening statements, questioning of witnesses, cross examination questioning directed to the Chair by both parties, questioning from the Discipline & Appeals Committee members, and closing statements. The chair may elect to modify the process as circumstances warrant (e.g., an involved party is not in attendance), preserving the due process afforded to members.

At the conclusion of the hearing, the Discipline & Appeals Committee members shall deliberate privately and consider all the relevant facts, written testimony, oral testimony, and supplemental information.

NJYS sends the **Notice of Decision** within 30 days of deliberation completion with instructions regarding the US Soccer and/or US Youth Soccer appeals process.

**b. Objective of the Discipline & Appeals Committee in Determining Grievances**

The Discipline & Appeals Committee's review of facts is confined to the facts presented in the record by the Complainant, the Accused, and NJ Youth Soccer as requested; the Committee may request that NJ Youth Soccer independently verify facts presented by either party to aid in the review of facts.

**c. Decision**

The Committee shall ensure that each decision issued because of a Grievance Hearing meets the following 5-prong test:

1. Is there some substantial (credible) evidence, not necessarily the weight or majority of evidence, in the record to support the decision?
2. Is the decision made in accordance with established rules and procedures?
3. Was each party afforded due process?
4. Is the decision or punishment non-arbitrary or non-capricious?
5. Does the decision correctly interpret and apply the regulations and laws of NJYS, US Youth Soccer, USSF, or Federal or State laws?

If all 5 standards are met, the decision is considered 'viable' and may be formally rendered through a **Notice of Decision** to the Complainant and Accused within 30 days of the deliberation. Such outcome may include, but shall not be limited to any combination of the following:

1. Suspensions,
2. Fines,
3. Modification of "Member in Good Standing" assignments,
4. Submission of policies, letters and/or
5. Mandatory training programs.

**d. Return of Grievance Filing Fees**

Grievance Filing Fees paid to NJYS may be returned if the complainant prevails, and NJYS will make that determination in its sole discretion.

## **Chapter V - Appeals**

**a. Appeals Process Overview**

When an Appeals Form is received from a member (e.g., league, club, coach, player, etc.), it is first reviewed through a process called the *Initial Screening Review* to determine the appealability of the case. To pass the *Initial Screening Review*, an Appeal must meet the following criteria:

1. The Appeal Form is entirely completed,

2. The Filing Fee, set forth by the Executive Committee, has been received
3. The original Decision is included,
4. All Supporting Document from the original Decision is included,
5. The Written Argument is included,
6. Criteria 1-5 were all submitted within 14 days from the receipt of the decision being appealed, and
7. The Appellee and Appellant are both NJYS members that fall under the D&A jurisdiction.

During the Appeals Process, the decision being appealed is not stayed or suspended pending the final decision of the Discipline & Appeals Committee, unless otherwise ordered by the Chair.

Assuming the case is appealable, the parties will be issued a *Scheduling Letter* that sets the dates for submissions by the parties:

- Official decision being appealed (no more than 14 days later) to both NJYS and the appellant,
- Written Arguments from the appellant (no more than 14 days later than delivery of the official decision to the appellant), and
- Written Arguments from the organization rendering the official decision (no more than 14 days after the arguments from the appellant are due)

After the final written argument submission, the NJYS Discipline and Appeals Committee shall convene, either by virtual or in person meeting, within 10 business days to deliberate the Appeal. Such deliberation will occur without the appellant and/or organization rendering the decision present. Questions regarding the arguments may be asked by the Committee via writing, or via a scheduled hearing, where the committee can consider oral arguments if deemed necessary.

If at any point, the Appellant fails to respond by the dates set forth in the Scheduling Letter, the Chair may consider the appeal abandoned and dismiss the matter. Matters that are abandoned may not be re-appealed.

NJYS sends the **Notice of Decision** within 30 days of deliberation completion with instructions regarding the US Soccer and/or US Youth Soccer appeals process.

**b. Objective of the Discipline & Appeals Committee in Determining Appeals**

The Discipline & Appeals Committee's review of facts is confined to the facts presented in the record of the earlier decision; the Committee does not accept new factual submissions and may overturn a prior factual finding only if it concludes that the finding was not supported by substantial evidence.

In other words, the Committee does not review cases to determine how Committee members might have voted on the evidence if they had been members of the original hearing panel, nor does it make any attempt to balance evidence or to re-try a case. Furthermore, US Youth Soccer has held that appellate bodies should not substitute their judgments for those of the finders of fact. Responsibility for determining the weight and credibility of evidence is assigned to the original finder of fact.



On appeal, the Discipline & Appeals Committee reviews a case based only on documents relied on by the original decision-making authority. Additional written arguments are permissible about the facts and law in the record from the lower body, but no new evidence is permitted.

**c. Five Standards of Appeal**

The Committee seeks to determine that at least one of the following five standards are met:

1. Is there some substantial (credible) evidence, not necessarily the weight or majority of evidence, in the record to support the original decision?
2. Was the original decision made in accordance with established rules and procedures, especially those of the deciding body?
3. Was the appealing party afforded due process?
4. Was the original decision or punishment arbitrary or capricious?
5. Does the original decision correctly interpret and apply the regulations and laws of NJYS, US Youth Soccer, USSF, or Federal or State laws?

**d. Decision**

A Decision Notice shall be distributed to all parties detailing the outcome within 30 days of the deliberation. Such outcome may include, but shall not be limited to:

1. Upholding the decision,
2. Remanding the case back to the organization that rendered the decision for re-hearing,
3. Upholding specific areas of the decision, while reversing other specific areas,
4. Reversing the entire decision.

**e. Return of Appeal Fees**

Appeal fees paid to NJYS may be returned if the appellant prevails, and NJYS will make that determination in its sole discretion.

## **Chapter VI - Appealing the Decision of the NJYS Discipline & Appeals Committee**

**a. Final Decision of New Jersey Youth Soccer**

A decision of the Discipline & Appeals Committee is the final decision of NJYS. The decision may only be appealed to the USSF Appeals Committee that shall have jurisdiction to approve, modify or reverse the decision. See, United States Soccer Federation Bylaw 705 (Appeals Committee) and Policy 705-1 (Appeals Procedure).

Any penalties assessed because of an adverse decision are in full force and effect on appeal unless expressly overturned on appeal. Accordingly, a party is bound by ruling or order of the Discipline & Appeals Committee notwithstanding that an appeal has been taken and the party continues to be obligated to comply with its terms until overturned by a proper higher authority.

**b. US Soccer Appeals Committee**

US Soccer Federation Bylaw 704 details the consideration for Appeal by a US Soccer Appeals Panel. Further, an appeal must be submitted within the timeline dictated by US Soccer.

Section 1 of Bylaw 704 provides that the Appeals Committee shall consider decisions rendered by Organization Members (NJ Youth Soccer) denying the right to participate in competition.

Section 2 provides that a decision is not appealable if it has "no consequence beyond the competition." "Competition" can mean a game, a tournament, league play, or a regular season. The best way to understand this rule is through some examples:

Example 1: A coach is suspended from all state-affiliated activities for one year for punching another coach in the Snickers Cup. This is appealable - even though the Snickers Cup is not USSF-sponsored, the consequences of the suspension extend beyond the competition.

Example 2: A coach punches another coach in the Snickers Cup, and is suspended for the remainder of the tournament. This is not appealable - the consequences do not extend beyond the competition. (Note - it may be appealable to USYSA or some other committee).

As a general rule, decisions about what team a player plays on, or what league a team plays in, are also not appealable to US Soccer, as they do not have consequences beyond the competition. While the above examples provide some guidance as to what is "appealable," in general the answer to the question will depend, in many cases, on the exact circumstances.

As a result, appellants usually cannot be advised as to whether a certain decision is appealable until they first submit their notice of appeal and a description of the circumstances. If the appeals committee then determines that the decision is not appealable, the appellant will receive a letter so stating.

## Chapter VII -Hearing Procedures

### a. US Soccer Hearing Procedures

The Discipline & Appeals Committee will conduct hearings consistent with the procedures contained in the United States Soccer Federation Bylaw 701 and Policy, 701-1 [See Appendix II]. The specific NJYS Discipline & Appeals Hearing Procedures, derived from the USSF Bylaws and Policy, can be found in Appendix III.

### b. Burden of Proof

When the Discipline & Appeals Committee holds an initial fact-finding hearing, decisions are made based upon the preponderance of evidence.

When the Discipline & Appeals Committee holds an appeal proceeding, its review is based on previously submitted evidence.

### c. Legal Representation Before the Adjudication Committee

The Discipline & Appeals Committee does not permit legal counsel for individuals to participate in any hearing or appeal proceeding. However, counsel may be used as an advisor before, during and after a hearing, but may not actually speak on behalf of an individual

### d. Audio Recordings, Video Recordings, and Transcripts

Hearings conducted by the NJYS Discipline & Appeals Committee shall be recorded by means of audio, video, and/or written transcript based on the technology available at the time of the

hearing. Such recordings are preserved for the purpose of the record. Recording of the Committee deliberation is prohibited without the expressed consent of the Chair.

**APPENDIX I**

*USSF Policy 531-9 -- Misconduct Toward Game Officials*

Section 1. General

Misconduct against referees may occur before, during and after the match, including travel to or 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 any inconsistent rules of Organization Members that pertain to assaults or abuse upon Federation referees, assistant referees, the manner and means of hearings, appeals, and rehearings in matters pertaining thereto.

(B) Nothing in this policy rule shall be construed to restrict or limit any league, event/tournament or Organization Member 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).

(C) This policy shall not apply to players, coaches, managers, club officials, or league officials while participating in Professional League Member activities.

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, one of whom is designated or elected to serve as chairperson. The hearing shall be conducted pursuant to guidelines established by the Organization Member.

(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 that implies or threatens physical harm; spewing any beverage on a referee's personal property; or spitting at (but not on) the referee.

#### 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 Organization Member which is affiliated with the Federation.
- (2) When an allegation of assault is verified by the Organization Member the person is automatically suspended until the hearing on the assault.
- (3) The Organization Member must hold a hearing within thirty (30) days of the verification by the Member of the abuse or assault or, if applicable, the thirty-day period provided by subsection (B)(3) of this section. If the Member does not adjudicate the matter within that period of time, original jurisdiction shall immediately vest in the Federation's 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.

##### (B) Events and Tournaments

- (1) In the event an assault 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 Chairperson, 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 Chairperson 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 relayed to the alleged offender's Organization Member President by the Event/Tournament Chairperson, both orally and in writing; however, failure to provide written information shall not restrict the offender's home Organization Member from taking action with regard to any referee abuse or assault.
- (3) Final jurisdiction shall vest with the alleged offender's home Organization Member. A hearing shall be held by that Organization Member 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 person committing the referee assault must be 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 (i) or (ii), for any other assault, at least 6 months from the time of the assault:

(i) for an assault committed by an adult and the referee is 17 years of age or younger, at least 3 years; or

(ii) for an assault when serious injuries are inflicted, at least 5 years.

(2) A State Association adjudicating the matter may not provide shorter period of suspension but, if circumstances warrant, may provide a longer period of suspension.

(B) Abuse

The minimum suspension period for referee abuse shall be at least three (3) scheduled matches within the rules of that competition. The Organization Member adjudicating the matter may provide a longer period of suspension when circumstances warrant (e.g., habitual offenders).

Section 6. Appeals

A person who is found to have committed abuse and/or assault may appeal to the Appeals Committee by following the procedures of Federation Bylaw 704 within ten (10) days from receipt of the decision of the Organization Member.

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.

(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 designee of the Organization Member 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.

**APPENDIX II**

*USSF Policy 701-1 – Hearing Procedures*

This policy provides the minimum rights that each party would have at a hearing with respect to the right to assistance in presenting one's case at a hearing, as must be allowed under Federation Bylaw 701(5). These minimum rights apply to hearings conducted by Organization Members and their members or other hearing body. A copy of these minimum rights should be delivered to the parties with the notice of the hearing.

- (A) Each party at a hearing shall have the right to have an individual present at the hearing to assist the party in presenting the party's case. Such individual may, but shall not be required to be, an attorney.
- (B) If the Organization Member or member of the Organization Member ("Complainant") is represented by another individual at any hearing and the hearing panel allows that individual to speak, question the parties and/or witnesses, or grants that individual any other rights, then it shall afford all other parties, or the individual representing the party, including an attorney, the same rights during the course of the hearing as is allowed to the individual representing the Complainant.
- (C) If an attorney is present at a hearing to assist a party in presenting the party's case, it shall be made clear at the commencement of any such hearing that the hearing shall proceed in accordance with the Organization Member's hearing rules and procedures. All Federal, State or local Rules of Evidence or Civil Procedure shall not be applicable.
- (D) An Organization Member may provide, as part of its hearing rules and procedures, that an individual assisting a party may be allowed to speak on behalf of the party, make requests or ask questions at the hearing.
- (E) Regardless of whether the Organization Member allows the individual assisting the party the rights to speak, make requests or ask questions, as noted in Paragraph D above, an individual assisting the party in presenting the party's case shall have the right to be physically present in the hearing room, and so as not to interfere with the hearing procedure, it is also recommended that the individual be seated close to the party (either behind or next to the party) so that the party may seek assistance when desired during the course of the hearing.
- (F) During the course of the hearing, the party may confer briefly with the individual who is assisting before making a statement or request or prior to responding to a question. The panel conducting the hearing may limit the frequency and duration of the conferences so as not to unduly interfere with the proceeding.
- (G) If there is confusion or concern, the party may request a recess to confer with the individual assisting the party. Such a request should 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.

- (H) An individual assisting a party may prepare written materials for the party and collect documents for the party. However, the party must submit or present the materials and documents as materials and documents of the party, and not of the individual assisting. The party has complete responsibility for those materials and documents and is subject to questioning about them.
- (I) Nothing contained in this policy shall prevent an Organization Member from allowing greater rights to assistance than those set forth in Paragraphs A-H above. For example, an Organization Member may, but shall not be obligated to, allow more than one individual to assist a party at any given time.
- (J) The rights, either mandatory or permissible under this policy, shall be consistently applied, and the Organization Member should not arbitrarily allow or disallow the rights set forth above to those individuals assisting a party in the presentation or defense of the party's case.



**APPENDIX III**  
*NJYS Discipline & Appeals Hearing Procedures*

**Order of Hearing**

1. The Chair will introduce committee, identify the case and outline procedures that will be followed.
2. Reporting/Appealing Party will present case.
3. Witnesses for Reporting/Appealing Party will be called individually.
4. Responding Party will present case.
5. Witnesses for Responding Party will be called individually.
6. Reporting/Appealing Party and Responding Party may ask questions through the Committee Chair.
7. Committee will excuse everyone for a short period of time to determine if the Committee wishes to ask any additional questions.
8. Any witnesses will be recalled as necessary.
9. Responding Party will make a closing statement.
10. Reporting/Appealing Party will make a closing statement.
11. Open hearing is adjourned, and all parties and their witnesses are excused.
12. Committee will deliberate and decisions will be made. Notifications will be only by mail or email to both parties in a timely manner.

**Rules Concerning Testimony and Evidence**

1. Since this is an administrative hearing and not a court of law, no attorney shall represent a club, team or individual at a hearing. The Reporting/Appealing Party and Responding Party have the right to be assisted by an attorney or another person in the presentation of their case at the hearing. The attorney or person assisting the Reporting/Appealing Party or Responding Party may consult with them during the hearing but may not speak for Reporting/Appealing Party or Responding Party.
2. The number of witnesses appearing for the Reporting/Appealing Party and the Responding Party shall be limited to three (3). The number of witnesses may be increased for both sides if the Committee deems it necessary.
3. Each party should identify their witnesses and state what the witnesses' testimony will include.
4. All testimony shall be limited to the principal parties and eyewitnesses.
5. Character witnesses and other third-party witnesses shall not be allowed.
6. If a witness cannot appear in person, written testimony shall be accepted. Copies of any written testimony shall be provided to the NJYS State Office at least 7 business days prior to the scheduled hearing. Documents submitted less than 7 business days prior to the hearing may not be permissible. A determination will be made by the Committee on acceptance of written evidence as proper testimony. Criteria includes, but is not limited to, pertinence as to eyewitness accounts.
7. Referees may testify by phone for referee abuse and assault cases if necessary.
8. All evidence, such as identification cards, team rosters, referee's game reports, proof of age documents and other sources of written or printed information, should be original or official.
9. In the pursuit of fairness to all, testimony will be restricted, but equal with respect to time.
10. The Reporting/Appealing Party or Responding Party(s) should submit any related documents to the NJYS State Office at least 7 business days prior to the scheduled hearing. Documents submitted less than 7 business days prior to the hearing may not be permissible.
11. All minors under the age of 18 years that are to provide testimony at a hearing must be accompanied by a parent or guardian in order to testify.

**APPENDIX IV**  
*NJYS Zero Tolerance Policy*

To help prevent physical assault and verbal abuse within our State Cups events, New Jersey Youth Soccer Association (NJYS) has adopted a ZERO TOLERANCE POLICY. This policy applies to all coaches, players, referees, parents, spectators and other supporters. Abusive and obscene language, violent play/conduct, fighting and other behavior (including, but not limited to sarcasm, taunting, etc.) deemed detrimental to the game between the above-mentioned groups will not be tolerated. The ultimate responsibility for the actions of coaches, players and spectators resides with the member clubs.

It is the responsibility of the coaches to provide referee support and spectator control, and it is the responsibility of the member clubs to provide instructions to their coaches on how they are expected to carry this out. This policy applies before, during and after the game at the soccer field and its immediate surrounding areas.

**Parents & Spectators**

No parent or spectator shall address the referee or assistant referees at any time. This includes, but is not limited to:

1. Parents and spectators shall not dispute calls during or after the game.
2. Parents and spectators shall not make remarks to the referee(s) or advise the referee(s) to watch certain players or attend to rough play.
3. Parents and spectators shall never yell at the referee(s), including criticism, sarcasm, harassment, intimidation, or feedback of any kind before, during or after the game.

Additionally, parents and spectators shall not make derogatory comments to players of either teams.

The only allowable exceptions to the above are:

- a. Parents and spectators may respond to a referee who has initiated a conversation, until such time as the referee terminates the conversation.
- b. Parents and spectators may point out an emergency issue.

**Penalties (Parents & Spectators)**

In the opinion of the referee, depending on the severity of the offense, the referee may take any of the following actions:

1. The referee may issue a verbal warning to the coach of offending party's team.
2. The referee may stop the game and instruct the coaches to direct the parent/ spectator to leave the field.
3. The referee may abandon the game if the parent/spectator does not leave the field.

**Players**

The conduct of the players is governed by the Laws of the Game as stated by FIFA and USSF. The Laws themselves describe penalties associated with violating the Laws of the Game.

Additional penalties for players who engage in misconduct may be established by the club and/or league but may in no case be less severe than penalties established by FIFA, USSF, or NJYS.

### **Coaches, Assistant Coaches & Bench Personnel (i.e. individuals listed on the roster)**

It is the responsibility of all coaches to maintain the highest standards of conduct for themselves, their players, and supporters in all matches. Failure to do so undermines the referee's authority and the integrity of the game resulting in a hostile environment for players, the referee(s), coaches, assistant coaches, bench personnel and spectators. As role models for all the participants and spectators, coaches are expected to be supportive of, and to acknowledge the effort, good play and sportsmanship on the part of ALL players from either team in a contest. By example, coaches, assistant coaches, and bench personnel are expected to show that although they are competing in a game, they have respect for their opponent, referees, and spectators at all times. The New Jersey Youth Soccer Association will not tolerate negative behavior exhibited either by demonstrative actions and gestures, or by ill-intentioned remarks, including those addressed toward the referees or members of an opposing team. Coaches exhibiting hostile, negative, sarcastic or otherwise ill-intended behavior toward referees, opposing players or coaches will be subject to sanction by the match official. Additional sanctions may be imposed by the club that the coach or assistant coach represents, the league that the match is being played under, or as allowed by NJYS policies after a review of the match report.

1. Coaches shall not interact directly or indirectly with the coaches or players of the opposing team during the game in any manner that may be construed as negative, hostile or sarcastic either by way of demonstrative actions and gestures or by ill-intentioned remarks.
2. Coaches shall not offer dissent to any call made by the referee(s) at any time.
3. Coaches are not to address the Referee(s) during the game except to:
  - i. Respond to a referee who has initiated a conversation.
  - ii. Point out emergency or safety issues.
  - iii. Make substitutions.
  - iv. Ask the referee, "What is the proper restart (e.g., direction and Indirect Free Kick or Direct Free Kick)?"
  - v. Ask for the time remaining in the half.
4. Coaches are allowed to ask a referee after a game or during the halftime interval, in a polite and constructive way, to explain a law or foul, but not judgment calls made in the game.
  - i. Polite and friendly concern can be exchanged with the referee. If the polite tone of the conversation changes, the referee may abandon the exchange at any time.
  - ii. Absolutely no sarcasm, harassment or intimidation is allowed.

NOTE: It is recommended that coaches or other team members do not engage in any conversation with the match official once the match has concluded.

### **Penalties (Coaches, Assistant Coaches & Bench Personnel)**

In the opinion of the referee, depending on the severity of the offense, the referee may take any of the following actions:

- a. The referee may issue a verbal warning to the offending coach, assistant coach or bench personnel.
- b. The referee may eject the offending coach, assistant coach or bench personnel. Once ejected, the individual will be required to leave the field immediately.
- c. The referee should abandon the game, if the coach, assistant coach or bench personnel do not leave the field or any immediate adjoining area after having been instructed to do so.

Additional penalties associated with the ejection of a coach, assistant coach or bench personnel may be assessed by the local club or league which sanctioned the match in accordance with their documented policy. These penalties may be no less stringent than sanctions as may be imposed by NJYS following their review, if conducted, of the incident.

All cases of alleged abuse or assault of a referee shall be reported to the NJYS State Office and State Referee Administrator within 48 hours of the match that engendered said behavior. NJYS will then conduct a verification of the complaint and subsequent actions as required by applicable sections of USSF Policy in effect at the time of the incident. Although NJYS is continually bound by USSF Policy and its various revisions, definition of referee abuse and referee assault found in USSF Policy 531-9 as of the creation date of this Zero Tolerance Policy is offered by way of information as follows:

### **Referee Abuse**

- a. Referee abuse is a verbal statement or physical act not resulting in bodily contact that 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 that implies or threatens physical harm; spewing any beverage at or on a referee's physical property; or spitting at/on the referee.

### **Referee Assault**

- a. Referee Assault is an intentional act of physical violence at or upon a referee.
- b. 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.
- c. 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.)