

DCYSA Discipline and Appeals Manual

2021 - 2022



To DCYSA Member Associations:

This manual is designed for the entire membership of the Davidson County Youth Soccer Association (DCYSA). It is very important that you read the Discipline and Appeals Manual and review it with your coaches, players and parents. There are special sections for Competitive Soccer; Parliamentary Procedures; Code of Conduct; Suggested Sanctions and Penalties; and Booster Requirements.

Thank you in advance,

Steven Truell

DCYSA Discipline and Appeals

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Section 1

Discipline and Appeals Overview

Davidson County Youth Soccer Association Discipline and Appeals (D&A) program is overseen by the director of D&A on the Executive Board. He is supported by the Executive Board in making day to day decisions.

D&A is guided by the NCYSA Code of Conduct, the NCYSA Bylaws, Policies and Rules, as well as the policies of US Youth Soccer (USYS), the United States Soccer Federation (US Soccer, USSF or The Federation), and FIFA (the international governing body of soccer) in regard to charges and sanctions.

The DCYSA Code of Conduct reminds members that they are required to operate within the spirit of the rules, as well as the laws of the game.

For those who violate the Code of Conduct, Bylaws and Rules of DCYSA, sanctions can be imposed in the form of, but not limited to, game sit-outs, fines, volunteerism on the local level, and/or completing an educational presentation before a group.

Egregious violations could result in expulsion from the program and any DCYSA event. If any individual is suspended from activities by DCYSA, that suspension is carried throughout the membership of US Youth Soccer, and any affiliate member of US Soccer, as directed by The Federation.

Section 2

DCYSA Code of Conduct

The DCYSA Code of Conduct must be read and understood by all Board Members, Liaisons, Coaches, Assistant Coaches, Booster Club Board Members, Parents and Players of each Association.

Coaches and Liaisons SHALL review this material with their players and parents at their initial team meeting.

Players and parents added to the team after those dates should review the Code of Conduct as soon as possible.

The Code of Conduct has been prepared as a guide to the principles and expectations of DCYSA and is intended to apply to everyone involved in DCYSA activities regardless of their role or affiliation. Adherence to the spirit as well as the letter of the Code is required. Persons unwilling to abide by the Code of Conduct should reconsider their involvement in DCYSA activities.

2A - Principles and Expectations

1. DCYSA believes in the principles of fair play, ethical behavior, and the right of every individual to fully enjoy the sport of soccer without undue interference from others.
2. DCYSA recognizes that participation in competitive activities is a source of strong feelings which will often lead to misunderstandings, disagreements, and other conflicts. However, DCYSA also believes that every participant has a duty to respect the right of competitors to hold conflicting views.
3. DCYSA therefore expects its coaches, players, referees and spectators, as well as their friends and families, to deal with conflicts in a spirit of good sportsmanship and to cooperate in promoting the enjoyment of soccer to the greatest extent possible.
4. DCYSA expects adherence to the spirit, the letter of its rules and the laws of the game. Unfair, rowdy, violent, illegal, dangerous and/or unsportsmanlike behavior, racial discrimination will not be tolerated, whether on the field of play or away from the playing area.
5. DCYSA expects all participants to show respect for opponents, regardless of their skill. Since DCYSA activities usually involve children from a very young age and since children are influenced by the behavior of adults, adult participants will be held to the very highest standards of conduct.

2B – Unacceptable Conduct

1. Vulgarity by coaches, players, or spectators directed towards anyone.
2. Harassment of referees, coaches or players by anyone.
3. Debasement of or misconduct towards referees, coaches, or player by anyone.
4. Physical violence or the threat of violence directed toward anyone or encouraged by anyone.
5. Verbal or physical assault on a Referee. Physical assault is defined as any physical contact initiated by a player, coach, team official, spectator, elected officer, or appointed official.
6. Consumption of alcoholic beverages in and around the player area before, during or after a youth match, in addition to adherence to local venue rules and regulations.
7. Use of illegal drugs under any circumstance.

2C – Coaches

Coaches are responsible for their own conduct, as well as the conduct of their Assistant Coaches, Players, Team Managers, and Spectators. In some cases, Booster clubs will be responsible for coaches' conduct.

2D – Parents

Parents (and all adults/spectators) can have a tremendous influence on the children as they play the game of soccer. The role of the parent/spectator is to positively support their child and all players, with minimal negative impact. Yelling or screaming directed toward any individual – player, opponent, referee or other spectators - will not be tolerated.

Section 3

Responsibilities of DCYSA D&A and Procedures for an Appeal Hearing

3A - Responsibility of DCYSA D&A

1. Notify parties involved of any suspension pending the investigation.
2. Collect documents, if applicable, and investigate the incident.
3. Determine if the incident is in fact a violation of the Code of Conduct.
4. Notify NCYSA of any incident involving Referee Abuse.
5. Determine any sanctions according to, but not limited to, the DCYSA Disciplinary Chart (see pages 9-10).
6. Notify all parties of the outcome of the investigation and any sanctions by written correspondence, including the right to appeal and how to request an appeal.

3B- Procedures for an Appeal Hearing

1. Determine if the appeal meets the criteria for a hearing and notify DCYSA leadership of the filed appeal.
2. Provide all parties involved the procedures for appeals, a description of the violation and the results of the investigation.
3. Schedule and notify all parties of the proposed hearing date, time and location (may be online) which must adhere to the timeframe of within 5 days of the filed appeal.
4. Assemble a hearing panel comprised of a booster club liaison and DCYSA board members.
5. Advise the accused of the time, date, and location prior to the hearing.
6. Allow the accused to send in statements (including character witness) or any material to help the appeal.

7. Advise all parties of any expected testimony at least 2 days in advance of the hearing.
8. Document the panel's findings following the hearing and distribute to all parties within 48 hours.
9. Notify NCYSA of ruling for involvement of Referee Abuse.
10. DCYSA will ensure applicable Booster Club leadership receives notice of the findings of investigations and appeals.

3C – Member Association's Decision Appealed to NCYSA

If a member association's decision is appealed to NCYSA, the NCYSA D&A Chairperson, Manager, or Administrator will notify the member Association, upon receipt of the appropriate appeal paperwork. After the member Association has received notification of an appeal, they shall forward copies of the evidence, findings and decisions regarding the matter to the D&A Administrator at the State Office. All pertinent data, evidence and transcripts must be forwarded within seven (7) days of the appeal notification. NCYSA Appeals Procedures will be provided to all parties.

3D – The Appeals Procedure for NCYSA

The appeal fee established by the NCYSA Board of Directors is three hundred dollars (\$300.00, certified check, cashier's check or money order), non-refundable. The fee must be included with the Notice of Appeal forms and statements submitted to NCYSA. Appeals of a decision involving one Association will be heard by the NCYSA Executive Board (hereafter referred to as The Board) and the following procedures will be followed:

1. Within ten (10) days of the issuance of the written decision of a local association D&A Committee, the State Office must receive in writing an initial Notice of Appeal and the appeal fee (as stated above). Such fee shall not be returned.
2. Upon receipt of the initial Notice of Appeal and fee, the State Office shall notify the NCYSA D&A Chairperson and Manager of the Appeal.
3. The NCYSA D&A Chairperson and/or Manager shall then forward the Appeal to the Board to be addressed. The BOARD reserves the right to address Appeals with a minimum of three (3) members of the BOARD.

4. The local Association issuing the original decision shall prepare a complete record of the Hearing in the matter and provide a copy to all parties to the appealed action.
5. At the time the local Association sends a copy of the Record to all parties, NCYSA shall send to the Appellant a notice that within fifteen (15) days of the mailing of the Appeal Record, the Appellant must designate in writing each error claimed to have been made in the Hearing and must further provide any argument in support of any claimed error that the Appellant wishes the Revised 7/2017 NCYSA Discipline and Appeals Manual 9 NCYSA Executive Board to consider. The Appellant must also serve a complete copy of this designation of error and argument upon the opposing party.
6. The opposing party shall have an additional ten (10) days to provide a response to the Appellant's assigned errors and argument and the opposing party shall serve its response on the Appellant and the State Office.
7. When all responses have been received, the State Office shall provide a copy of the record and all party's responses to each member of the BOARD Appeals Panel.
8. The BOARD shall set a date to meet either in person or by telephone to address the appeal. The meeting shall not be held less than five (5) days after receipt by all members of the BOARD of the material of the appeal unless all members of the BOARD agree to an earlier meeting.
9. At the BOARD meeting, a decision regarding the appeal shall be made by a majority vote of the BOARD. A written decision of the BOARD shall be rendered within five (5) days of the meeting by the Chairperson of NCYSA Discipline and Appeals. The BOARD may determine if: (a) the appeal process as outlined in the Manual was conducted properly, (b) all parties of a local D&A Hearing received due process as outlined in this Manual, (c) affirm the Hearing Panel decision, (d) may Reverse the Hearing Panel Decision, (e) may Reverse and Remand for a new hearing, the Panel's Decision, (f) may reconsider penalties imposed, or (g) may Affirm the Panel decision, but remand the case for reconsideration of the penalty imposed. Appeal of any decision of the BOARD is to the US Soccer Appeals Committee. The decision of any local association Hearing Panel/D&A Committee shall be in effect and binding, including the imposition of any penalties during the pendency of the appeal process, unless the BOARD specifically orders the decision stayed pending review. The BOARD shall only order the decision stayed if after a preliminary review, the BOARD finds by clear and convincing evidence that the Appellant will suffer irreparable harm without a stay and the Appellant is likely to prevail upon the merits of the appeal.

Section 4

What Constitutes a DCYSA Event

1. A Davidson Country Youth Soccer Association event is considered any event scheduled by a member Booster Club or DCYSA.
2. Events include but are not limited to Games, Tournaments and Practices.
3. These events will include any team recreational soccer or newly created soccer programs.

Section 5

Disciplinary Action

Spectator Disciplinary Chart

Fighting	<i>2 seasons</i>
Foul/Abusive Language	<i>1 week</i>
Threatening Gestures	<i>1 week</i>
Verbal Assault of a Coach/Team	<i>2 weeks</i>
Referee Assault	<i>1 season</i>
Referee Abuse	<i>3 weeks (6 weeks if against a junior referee)</i>
Verbal Threats	<i>2 weeks</i>
Violent Conduct	<i>2 weeks</i>
Violent Conduct w/Injury	<i>1 season</i>
Approach/Yell at Referee with Negative Comments	<i>1 week</i>
Code of Conduct Violation	<i>1 week</i>

Player Disciplinary Chart

Fighting	<i>2 games</i>
Foul/Abusive Language	<i>1 game</i>
Threatening Gestures	<i>1 game</i>
Verbal Assault of a Coach/Team	<i>2 games</i>
Referee Assault	<i>1 season</i>
Referee Abuse	<i>3 games</i>
Verbal Threats	<i>1 game</i>
Violent Conduct	<i>1 game</i>
Violent Conduct w/Injury	<i>5 games</i>
Serious Foul Play	<i>1 game</i>

Coaches Disciplinary Chart

Violation of Code of Conduct	<i>1 game</i>
Fighting	<i>2 seasons</i>
Foul/Abusive Language	<i>1 game</i>
Threatening Gestures	<i>1 game</i>
Verbal Assault of a Coach/Team	<i>2 weeks</i>
Referee Assault	<i>1 season</i>
Referee Abuse	<i>3 weeks (6 weeks if against a junior referee)</i>
Verbal Threats	<i>1 week</i>
Violent Conduct	<i>1 week</i>
Violent Conduct w/Injury	<i>2 seasons</i>
Serious Foul Play	<i>2 weeks</i>
Violation of DCYSA Coaches Card Rules	<i>3 games</i>
Failure to Notify Spectator of Code of Conduct Violation During Game	<i>Written warning</i>
2 nd Offense - Failure to Notify Spectator of Code of Conduct Violation During Game	<i>1 game</i>

These are the minimum guidelines. Discipline and Appeals (D&A) may be more stringent due to the circumstances. D&A may issue a longer period of suspension or larger fines when circumstances warrant (e.g., habitual offenders, egregious behavior, etc.).

Sanction Definitions

1. One week suspension is defined as seven (7) days. For example, if the incident occurred on a Saturday, you will not be allowed to return to a DCYSA event until the following Sunday.
2. One game suspension is defined as a single game hosted by DCYSA at any location.
3. Season suspension is defined as one seasonal set of soccer games (i.e., Fall or Spring).
4. Warning or notice will be in written form and sent from D&A.

Misconduct Clarifications

1. Most definitions of offenses are listed in the NCYSA handbook. These offenses are self-explanatory and when the definition of an offense is in question, DCYSA will use the definition given by North Carolina Criminal Law. For example: *Foul/Abusive Language* is abusive language which is intended and plainly likely to provoke violent retaliation and thereby cause a breach of the peace.
2. *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.
3. *Approach/Yell at Referee with Negative Comments* - This offense is defined in Section 6a and is only applicable to Parents/Spectators.
4. *Failure to Notify Spectator of Code of Conduct Violation During Game* - It shall be the coach's responsibility to maintain control of the parents/spectators of their team during a game. The coach shall address any offensive behavior of a spectator(s) during a dead ball. If the coach fails to address the behavior and it continues, a written warning will be issued to the coach. If the coach fails to address offensive behavior for a second time, this will result in a one (1) game suspension. *Coaches can exert strong player and spectator control by the example he/she sets, and by a few words of caution directed to the appropriate person when necessary.*

Section 6

Misconduct Toward Game Officials

1. DCYSA Discipline and Appeals (D&A) will handle all misconduct toward game officials, according to USSF Policy 531-9.
2. Referees should file a written report of an alleged **assault or abuse**, or both, within 48-hours of the incident. If a referee decides not to report the incident, D&A of DCYSA will still complete an investigation and levy sanctions, as appropriate.
3. When a written report is filed by a referee, DCYSA will send all findings to NCYSA.
4. We will impose the state-mandated sentence and allow the state to conduct all appeals.

6A- Approach/Yell at Referee with Negative Comments

Any person(s) who is not a coach or league official and approaches a referee before, during and or after a match with a negative comment would be in violation of misconduct. This also includes yelling from the sideline or questioning a call.

It is not the spectator's job to question the referee in any manner. Should a parent/spectator have a question about the calls on the field they must contact the coach and or send in a written complaint to DCYSA.

6B – Misconduct Toward Referees

- 1) *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 to Referee, head butting, the act of kicking or throwing any object at a Referee that could inflict injury, and/or damaging the Referee's uniform or personal property (car, equipment).
- 2) *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, spitting at (but not on) the Referee, 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 won't get out of here in one piece" shall be deemed Referee Abuse.

- 3) When an allegation of abuse or assault is received by the State Office, the accused shall be suspended and banned from participating or being involved in all NCYSA sanctioned matters until a hearing is conducted.
- 4) Misconduct may occur before, during and after the match, including travel to and from the match. Misconduct may also occur at later times when directly related to the duties of a game official.

6C – Misconduct Toward a Junior Referee

A Junior Referee is defined as being 17 years of age or younger. Abuse and Assault are defined the same as in Sections 6A and 6B, above.

6D – Hearings Regarding Misconduct of Referees

See the NCYSA manual for hearing process as they will be conducted by NCYSA Discipline and Appeals, according to Section 6B of the NCYSA D&A Manual.

Section 7

Booster Club Requirements

DCYSA requires each Booster Club to educate its coaches and parents on the Code of Conduct. When unacceptable conduct occurs, DCYSA expects the applicable Booster Club to assist with sanctioning, education and necessary communication to your association. Our Code of Conduct has been prepared as a guide to the principles and expectations of DCYSA and is intended to apply to everyone involved in DCYSA activities regardless of their role or affiliation. Booster Clubs have an important role in helping prevent unacceptable conduct. *Who knows the players, coaches and spectators better than their own association?*

When a Booster Club **KNOWINGLY** fails to evaluate a coach's conduct and/or maintain control over parents, sanctions and/or education may be required.

7A - Responsibility of a Booster Club During an Investigation of a Spectator

1. Forward witness statements to D&A
2. Collect reports from Field Marshal within 24 hours of the incident. (Hosting Booster Club)
3. Assist D&A with contacting parents and coaches.
4. Notify and educate the community to create awareness to prevent future issues.
5. Report to D&A if any suspended person is attending a DCYSA event.

7B - Responsibility of a Booster Club During an Investigation of a Coach

1. Ensure a substitute coach is in place during the investigation and advise the players' parents that the coach is under investigation and is suspended until further notice.
2. Advise the coach not to contact the team during an investigation, including by phone, text or email.
3. Remove all related soccer tasks for the coach while investigation is ongoing, including liaison duties.
4. Evaluate what violation has occurred and the coach's conduct.
 - a. Is the coach a first time offender, does he/she constantly require a referee warning?
 - b. Does the offence require more than a one game suspension?
 - c. Is the coach acting in accordance with our code of conduct, before and during the investigation?
5. After all appeals are exhausted and the matter is closed, use the incident to educate all coaches on expectations and acceptable behavior.

7C - Responsibility of a Booster Club During a Suspension of a Player

1. Ensure the coach conducts the suspension within the requirements of DCYSA/NCYSA.

Section 8

Sanction for Knowingly Violating Booster Club Requirements

If a Booster Club fails to take the proper action to reduce, protect and prevent unacceptable conduct from a coach or spectator, it will be in violation of the requirements.

The Booster Club will be notified of the unacceptable conduct in writing.

If the Booster Club continues to fail to act to prevent or ward off the unacceptable conduct, it shall be fined up to \$250.

Examples of preventative measures:

1. Education is provided through targeted email blasts, newsletter articles and tools located on the NCYSA website. It is strongly encouraged that these educational materials be shared.
2. Demotion of Head Coach to Assistant Coach.

3. Removal from the coaching program.
4. Placing coaches on behavior probation per the Booster Club.
5. Warning parents that their player may be required to find another Booster Club to participate if that player's spectators cannot follow the rules.
6. Notifying DCYSA that you are aware of the problem and what steps you are taking to stop the conduct may be sufficient in some cases.

Section 9

Additional NCYSA Policies

Refer to NCYSA Discipline and Appeals Manual for the policies and procedures for:

1. Discrimination - 7
2. Recruitment – Section 8
3. Protests – Section 9

