



California Youth Soccer
Association
Protests, Appeals & Discipline
Rules & Procedures Manual

[Approved September 14, 2008]
www.cysanorth.org

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SECTION 1

Introduction and General Information

1.01 — Introduction

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

1.02 — Definitions

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 California 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 and considered.

Protest

Related to actions in a specific game or an administrative decision. It must be filed by one of the involved team officials in the specific game or by an individual directly effected by the administrative decision. It must be in accordance with the protest procedures of the competition or of the California Youth Soccer Association.

Appeal

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.

Grievance

Complaint that is not specific to the Laws of the Game or does not otherwise fall under the Protests, Appeals and Disciplinary Rules and Procedures. It may be heard informally by the appropriate authority.

Hearing Procedures

In all hearings, the parties shall be accorded:

- 1) notice of the specific charges or alleged violations in writing and possible consequences if the charges are found to be true;
- 2) reasonable time between receipt of the notice of charges and the hearing within which to prepare a defense;
- 3) the right to have the hearing conducted at a time and place so as to make it practicable for the person charged to attend;
- 4) a hearing before a disinterested and impartial body of fact finders;

- 5) the right to be assisted in the presentation of one's case at the hearing;
- 6) the right to call witnesses and present oral and written evidence and argument;
- 7) the right to confront witnesses 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.

1.03 — Level of Authority for Hearings

All affiliated leagues and districts associated with CYSA shall provide procedures for disciplinary hearings, protests and appeals concerning league and district matters. These procedures will be in compliance with the CYSA Protests, Appeals and Discipline Rules and Procedures Manual. Upon an appeal being filed, the league or district shall forward a copy of its evidence, findings and decision to the CYSA 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 PAD Committee shall stand and be complied with until such a time as they are overturned by a higher authority.

1.04 — Protests, Appeals & Disciplinary Committee Composition

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 association with the principal parties in the matters. No person shall participate in hearings concerning a specific matter at more than one level.

League/Club PAD Committee

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

- League Officers
- Standing representatives to a league/club PAD Committee

District Level Committee

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

- League Presidents (or designee)
- District Officers
- Standing representatives to a district PAD Committee

State Level Committee

The “pool” of available committee members for a state level hearing shall be comprised of:

- CYSA Executive Committee Members
- CYSA District Commissioners
- Standing CYSA District Representatives to the state PAD Committee

1.05 — General Rules

1.05.01 — Use of Courts and Attorneys

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 CYSA/USYSA/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 CYSA/USYSA/USSF for all expenses incurred by CYSA/USYSA/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 CYSA/USYSA/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 CYSA/USYSA/USSF meetings necessitated by the court action.

During hearings, an attorney may advise their client but may not participate directly in the proceedings and shall restrict their comments and advice to their client. The attorney shall not question witnesses, present oral arguments, interrupt or object to the conduct of the proceedings. The PAD Chair may order the attorney out of the hearing room if he or she fails to properly conduct themselves according to these rules.

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.

1.05.02 — Evidence and Testimony

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.

The chair of the panel 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 PAD Chair. All questions or statements from involved parties shall be addressed to the PAD Chair, who will ask the appropriate individual for an answer or rebuttal if the PAD Chair deems the question to be pertinent.

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.

Documents not submitted in English shall not be considered as part of the official record unless accompanied by a certified translation. No PAD should undertake nor be responsible for translating non-English documents.

1.05.03 — Record of Proceedings

All hearings shall have an official record generated and maintained for the proceedings. Electronic recording or written notes may be kept. No one other than the designated PAD Committee recording member shall be authorized to make any audio or video recording of the hearing. A transcript may be prepared upon the request of any party at the expense of the requestor, provided that arrangements for recording of the hearing are made with and approved by the chair prior to the hearing.

1.05.04 — Minors

Minors under the age of 18 years should be accompanied by a parent or legal guardian.

1.05.05 — Communication

The appropriate method of communication for hearing notification and decisions shall be with certified / return receipt mail. E-mail shall not be used for official correspondence.

SECTION 2

Disciplinary Hearings

2.01 — Description

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 California 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. Allegations concerning inappropriate actions involving children, drug/alcohol use or sexual misconduct may also result in disciplinary hearings.

2.02 — Initiation of a Disciplinary Hearing - General

Disciplinary hearings may be initiated as a result of evidence received from any source, including other hearings, legal action, official game reports or from letters written by administrators, referees, coaches, parents, spectators, or players. Official filings involve submission of the “Notice of Filing to the CYSA PAD Committee” and/or a letter/written statement outlining the allegation(s) of misconduct. The filings must include the identities of the parties involved, detailed description(s) of the alleged violation(s) and must cite the rule(s) or standards that have been allegedly violated. Failure to include these requirements may result in the disciplinary hearing being delayed or not considered. E-mails are not acceptable as official requests for disciplinary hearings.

2.03 — Initiation of a Disciplinary Hearing – State Level

The Board of Directors, Executive Committee, or the Protests, Appeals and Disciplinary Committee of CYSA 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 Protests, Appeals and 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.

The Executive Committee of CYSA may suspend any person, team or league prior to the commencement of disciplinary proceedings if, in the opinion of the Executive Committee, there is sufficient evidence to believe that any individual(s) in this association may present an unacceptable risk to the association and its members.

2.04 — Scheduling and Notification of a Disciplinary Hearing (see sample letters)

Once the filing has been reviewed and validated (principal parties identified, time limits confirmed and filing requirements satisfied), the Chair of the PAD Committee shall:

- 1) Schedule the hearing.
- 2) Notify all principal parties involved including the appropriate authorities of the hearing date, time and location in writing by certified / return receipt mail.

- 3) Request confirmation of attendance at the hearing from the principal parties involved.
- 4) Present the basis for the complaint (e.g., specific League/District/CYSA/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.
- 8) Provide contact information for questions.

* The hearing should be scheduled within thirty (30) days of validation of the filing.

2.05 — Disciplinary Hearing Format

Each party will be accorded the opportunity to present an opening statement concerning their case. The Hearing Panel will then ask questions of the parties. Each party will be allowed to ask questions of the other party through the Chair if deemed pertinent. Each party will then be accorded the opportunity to present a closing statement concerning their case. The parties will then be excused and the Hearing Panel will deliberate in private.

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 Hearing Panel	Unlimited time
Closing Statement - Accusing Party.....	5 minutes
Closing Statement - Accused Party	5 minutes
Hearing Panel Deliberation	Unlimited time

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 mail within seven (7) days of the outcome of the hearing.

2.06 — Decision Notification (see sample letters)

Within seven (7) days the Chair must mail to each party the findings and decision of the panel. All correspondence should be by certified / return receipt mail. The decision notification letter 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 / District / CYSA / USSF rules).
- 3) Describe the findings of the Hearing Panel and the basis for their decision.
- 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.

2.07 — Specific Rules

2.07.01 — Disciplinary Decisions

Protests, Appeals and 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 CYSA minimum penalties will be used as guidelines for violations depending on the findings of the PAD Committee. Penalties may be increased according to the gravity of the violations. Reasons for increases must be documented in the official record of the PAD Committee.

2.07.02 — CYSA Minimum Penalties

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.

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.).

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

2.07.03 — Coaches and Assistant Coaches

Coaches and assistant coaches will have an additional two (2) games added to any penalty that they are assessed by Protests, Appeals and Disciplinary Committees.

2.07.04 — Falsification of Names

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 one (1) game added to any subsequent suspensions.

2.07.05 — Term of Suspension

The term of suspension for disciplinary reasons involving a player, coach or individual will begin immediately and include the next CYSA 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 that 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 CYSA.

2.07.06 — Probation

Protests, Appeals and Disciplinary Committees may place an individual on probation in addition to their suspension. The probationary period may exceed 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.

2.07.07 — Player/Coach Expulsion

Players and coaches who are expelled ("red carded") during league competition shall have their player or coach pass mailed 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 mailed no later than forty-eight (48) hours from the game's conclusion.

Players and coaches who are expelled ("red carded") during tournament or Cup competition, and have not served the required suspension by the conclusion of the event, shall have their player or coach pass mailed directly to their respective District Commissioner, 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 mailed to their respective District Commissioner. All reports should be mailed no later than forty-eight (48) hours from the event's conclusion by its governing authority.

Players and coaches who are expelled ("red carded") during Olympic Development or International games, shall have their player or coach pass mailed directly to the CYSA office, along with the "Referee Send-Off Report" and copies of the game report. Individuals shall be informed of the disciplinary action via their District Commissioner. All reports shall be mailed no later than forty-eight (48) hours from the event's conclusion by its governing authority.

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 in which the

game is being played. In the event that a team official is expelled and there is no other team official properly registered to that team present, the game shall be terminated.

2.07.08 — Bad Standing

Any person, team or league associated with the operation of CYSA 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 a probation has been violated. It may result in total suspension from or limited participation in CYSA affiliated activities. Any person, team or league declared “in bad standing” must be notified in writing and advised of the right and procedure to appeal.

“Bad Standing” restrictions include;

- a. Competition only against teams within the home league.
- b. No inter-league/district competition.
- c. No tournament competition.
- d. No State competitions (State Cup, Association Cup, Founders’ Cup).
- e. No travel outside of CYSA-North.
- f. No participation in the Olympic Development Program.
- g. No voting power at District or State levels.

2.08 — Sample Letters

On the following pages you will find sample letters that can be used for a disciplinary hearing. Use these as a guide and modify as necessary. These letters would be used at the CYSA state level, but could be modified very easily to your club/league/district level.

Sample notification letter for a disciplinary hearing.

[Date]

Via Certified/Return Receipt Mail

[Name]

[Address]

[City, CA Zip]

Dear [Name]:

I am writing to formally advise you that a disciplinary hearing involving allegations made against you will be held by the California Youth Soccer Association, Inc. (CYSA) on [Day], [Date], beginning at [Time]. You are requested to appear to answer a complaint brought against you under the CYSA Protests, Appeals and Discipline Rules and Procedures Manual. The hearing will be held at the CYSA office, 1040 Serpentine Lane, Suite 201, Pleasanton, California.

The basis for this complaint is:

“ CYSA General Procedures 3:01:03 and Specific Rules 4:08:02 D”.

The allegations against you concern violent conduct towards a team official and behavior disrespectful towards the Association. The alleged action involves you shoving another team official. Copies of the documents containing the allegations are enclosed for your use and information. These allegations, if sustained at the hearing, could result in your being suspended from participation or placed on probation in any CYSA or affiliated activities for one calendar year or for a lesser period of time or in other restrictions being imposed on your participation.

You may provide any written response or other documentation concerning these allegations you consider appropriate by addressing them to CYSA 1'st Vice Chairman, CYSA, 1040 Serpentine Lane, Suite 201, Pleasanton, CA 94566. To be considered by the hearing panel, any documentation you submit must be received at the CYSA office no later than [Day], [Date]. Any documents received relating to this matter by that date will then be distributed to the panel and all parties.

The procedures for the hearing are as follows: No party is allowed to have more than 3 people speak on behalf of their position. The complaining parties will be granted 10 minutes time to make an opening statement. You, or those you elect to speak for you, will then be afforded 10 minutes of time to make an opening statement. The opening statements are followed by questions from the panel members. When the questioning is completed, those making the complaint will be allotted 5 minutes to make a closing statement. You will then be allotted 5 minutes to make a closing statement. The panel will then privately deliberate and make a decision. You will then be notified of the decision in writing. You should be aware that CYSA hearings are not formal trials and do not include the right to cross-examine others. Questions may be posed to the chair of the panel who will then determine if they are to be asked of the opposing parties. In addition, attorneys are permitted to be present and advise their clients, but are not permitted to themselves make statements or present information directly for consideration.

Sincerely,

1'st Vice-Chairman, California Youth Soccer Association

cc: District Commissioner
Filing Party

Sample letter for notification of disciplinary hearing decision.

[Date]

Via Certified/Return Receipt Mail

[Name]

[Address]

[City, CA Zip]

Dear [Name]:

On [Date] the Protest, Appeals and Disciplinary Committee of CYSA heard the case against you concerning actions that occurred during a game on [Date].

The basis for this complaint was:

“CYSA General Procedures 3:08:03 D, 3:08:03 E, 3:08:03 F and CYSA Specific Rules 4:08:02 D”.

The committee’s findings are thus:

It is the panel’s opinion that you were guilty of derogatory remarks to a coach, profanity, violent conduct towards a coach (attempting to kick him) and behavior disrespectful towards the Association. The panel has determined that you will be suspended for six (6) CYSA games. You are required to send written documentation of the games that you missed to the CYSA office in Pleasanton. You are also required to complete a Positive Coaching Alliance program and submit the certification to the CYSA office. The on-line certification program address is <http://www.positivecoach.org/CertOnline.aspx>. You are also required to sign the “Spectator Behavior Team Contract” for your child’s team and send a copy of the signed contract to the CYSA office. You are also placed on probation for the remainder of the playing season after completion of your suspension.

You have the right to appeal your suspension and probation to the United States Soccer Federation, Inc. Appeals Committee within 10 days from the receipt of this decision. Attached is a Notice of Appeal form. The Notice of Appeal form should be sent to: United States Soccer Federation, Inc., 1801 South Prairie Avenue, Chicago, IL 60616, together with the appropriate fee of \$300.00 (cashier’s check or money order made payable to the United States Soccer Federation, Inc.). A copy of the Notice of Appeal form must be sent to First Vice Chairman, California Youth Soccer Association, 1040 Serpentine Lane, Suite 201, Pleasanton, CA 94566.

If you have any questions concerning this notification letter, please contact me at [Phone Number].

Respectfully,

1st Vice-Chairman, California Youth Soccer Association

cc: District Commissioner
Filing Party

Sample letter for notification of disciplinary hearing decision.

[Date]

Via Certified/Return Receipt Mail

[Name]

[Address]

[City, CA Zip]

Dear [Name]:

On [Date] the Protest, Appeals and Disciplinary Committee of CYSA heard the case against you concerning actions that occurred during a game on [Date].

The basis for this complaint was:

“ USSF Policy 531-9 and CYSA Specific Rules 4:08:02 B and D”.

The committee’s findings are thus:

It is the panel’s opinion that you were not guilty of violent conduct towards a referee, referee abuse or behavior disrespectful towards the Association. The panel appreciates your cooperation in this matter and wish you continued success in your future involvement with soccer.

Respectfully,

1’st Vice Chairman

California Youth Soccer Association

cc: District Commissioner
Filing Party

Sample notification letter for referee assault hearing.

[Date]

Via Certified/Return Receipt Mail

[Name]

[Address]

[City, CA Zip]

Dear [Name]:

I am writing to formally advise you and your parents that a disciplinary hearing involving allegations made against you will be held by the California Youth Soccer Association, Inc. (CYSA) on [Day], [Date], beginning at [Time]. You and your parents are requested to appear to answer to a complaint brought against you under the CYSA Protests, Appeals and Discipline Rules and Procedures Manual. The hearing will be held at the CYSA office, 1040 Serpentine Lane, Suite 201, Pleasanton, California.

The basis for this complaint is:

“ USSF Policy 531-9, CYSA General Procedures 3:01:03 and Specific Rules 4:08:01 D”.

The allegations against you concern violent conduct towards a referee, referee assault, referee abuse and behavior disrespectful towards the Association. The alleged action involves you spitting on a referee during a State Cup game on [Date]. Copies of the documents containing the allegations are enclosed for your use and information. These allegations, if sustained at the hearing, could result in your being suspended from participation or placed on probation in any CYSA or affiliated activities for four calendar years or for a lesser period of time or in other restrictions being imposed on your participation.

You may provide any additional documentation concerning these allegations you consider appropriate by addressing them to CYSA 1st Vice Chairman, CYSA, 1040 Serpentine Lane, Suite 201, Pleasanton, CA 94566. To be considered by the hearing panel, any documentation you submit must be received at the CYSA office no later than [Day], [Date]. Any documents received relating to this matter by that date will then be distributed to the panel and all parties.

The procedures for the hearing are as follows: No party is allowed to have more than 3 people speak on behalf of their position. The accusing party will be afforded 10 minutes to make an opening statement. You, or those you elect to speak for you, will then be granted 10 minutes time to make an opening statement. The opening statements are followed by questions from the panel members. When the questioning is completed, the accusing party will be allotted 5 minutes to make a closing statement. You will then be allotted 5 minutes to make a closing statement. The panel will then privately deliberate and make a decision. You will then be notified of the decision in writing. You should be aware that CYSA hearings are not formal trials and do not include the right to cross-examine others. Questions may be posed to the chair of the panel who will then determine if they are to be asked of the opposing parties. In addition, attorneys are permitted to be present and advise their clients, but are not permitted to themselves make statements or present information directly for consideration.

Respectfully,

1st Vice Chairman, California Youth Soccer Association

cc: District Commissioner
Filing Party

Sample letter for referee assault hearing decision.

[Date]

Via Certified/Return Receipt Mail

[Name]

[Address]

[City, CA Zip]

Dear [Name]:

On [Date] the Protest, Appeals and Disciplinary Committee of CYSA heard the case against you concerning actions that occurred during a game on [Date].

The basis for this complaint was:

“ USSF Policy 531-9, CYSA General Procedures 3:08:03 D, 3:08:03 E, 3:08:03 F, CYSA Specific Rules 4:08:02 D and PIM 06-2”.

The committee’s findings are thus:

It is the panel’s opinion that you were guilty of derogatory remarks to a referee, profanity, violent conduct towards a referee (pushing and grabbing the referee by the shirt), referee assault, referee abuse and behavior disrespectful towards the Association. The panel has determined that you will be suspended for three years from participation in any CYSA or affiliated activities from the date of the incident ([Date]). You are also required to attend and pass a USSF referee class. You must then referee six (6) games after completion of your suspension before you are allowed to participate as a coach in any CYSA or affiliated activity. You are also required to attend and pass a CYSA license coaching course. You are also placed on a three-year probation after completion of your suspension during participation in any CYSA or affiliated activities ([Date] to [Date]).

You have the right to appeal your three-year suspension from participation in any CYSA or affiliated activities, the requirement to attend and pass a USSF referee class and referee six (6) games after completion of your suspension, the requirement to attend and pass a CYSA license coaching course and your subsequent three year probation to the United States Soccer Federation, Inc. Appeals Committee within 10 days from the receipt of this decision. Attached is a Notice of Appeal form. The Notice of Appeal form should be sent to: United States Soccer Federation, Inc., 1801 South Prairie Avenue, Chicago, IL 60616, together with the appropriate fee of \$300.00 (cashier’s check or money order made payable to the United States Soccer Federation, Inc.). A copy of the Notice of Appeal form must be sent to CYSA First Vice Chairman, California Youth Soccer Association, 1040 Serpentine Lane, Suite 201, Pleasanton, CA 94566.

If you have any questions concerning this notification letter, please contact me at [Phone Number].

Respectfully,

1’st Vice Chairman, California Youth Soccer Association

cc: District Commissioner
Filing Party

SECTION 3

Protests

3.01 — Description

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 California 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 Cup, Tournament or Inter-District game shall first be determined by the Protest and Appeals 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 CYSA PAD Committee. The CYSA PAD Committee shall deal with all protests from any Olympic Development or International Youth competition.

3.02 — Initiation of a Protest Hearing

Protests are filed by an involved team official. Official filings involve submission of the "Notice of Filing to the CYSA PAD Committee" and/or a letter/written 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. Appropriate filing fees as established by the hearing authority must be included. 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. E-mails are not acceptable as official requests for protest hearings.

3.03 — Scheduling and Notification of a Protest Hearing (see sample letters)

Once the filing has been reviewed and validated (principal parties identified, time limits confirmed and filing requirements satisfied), the Chair of the PAD Committee shall:

- 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 by certified / return receipt mail at least seven (7) days prior to the hearing.
- 3) Request confirmation of attendance at the hearing 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.

* The hearing should be scheduled within thirty (30) days of validation of the filing.

3.04 — Protest Hearing Format (if applicable)

Each party will be accorded the opportunity to present an opening statement concerning their case. The Hearing Panel will then ask questions of the parties. Each party will be allowed to ask questions of the other party through the Chair if deemed pertinent. Each party will then be accorded the opportunity to present a closing statement concerning their case. The parties will then be excused and the Hearing Panel will deliberate in private.

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.....	15 minutes
Opening Statement - Accused Party	15 minutes
Questions from the Hearing Panel	Unlimited time
Closing Statement - Protesting Party	5 minutes
Closing Statement - Accused Party.....	5 minutes
Hearing Panel Deliberation	Unlimited time

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 mail within seven (7) days of the outcome of the hearing.

3.05 — Decision Notification (see sample letters)

Within seven (7) days the Chair must mail to each party the findings and decision of the panel. All correspondence should be by certified/return receipt mail. The decision notification letter shall:

- 1) Notify all principal parties involved including the appropriate authorities of the decision.
- 2) Present the grounds for the protest (e.g., specific League/District/CYSA/USSF rules).
- 3) Describe the findings of the Hearing Panel and the basis for their decision.
- 4) Outline actions to be taken based on the decision of the Hearing 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 questions.

3.06 — Sample Letters

On the following pages you will find sample letters that can be used for a protest hearing. Use these as a guide and modify as necessary. These letters would be used at the CYSA state level, but could be modified very easily to your club/league/district level.

Sample notification letter for protest hearing.

[Date]

Via Certified/Return Receipt Mail

[Name]

[Address]

[City, CA Zip]

Dear [Name]:

This letter is to acknowledge receipt of a Notice of Filing to the California Youth Soccer Association (CYSA) PAD Committee with appropriate fees, requesting that the CYSA PAD Committee consider your protest based on the misapplication of CYSA Specific Rule 4:08:06 rendered by the District # Protests, Appeals and Disciplinary Committee on [Date] related to a game on [Date].

The Notice of Filing has been filed and fees paid within the appropriate time frames and the following timetable shall be applicable:

1. District # PAD Committee shall deliver to [Protester] and to CYSA a copy of the official record upon which it based its decision by [Day], [Date].
2. [Protester] shall deliver to CYSA District # PAD Committee and CYSA copies of any arguments in support of the Protest by [Day], [Date].
3. The protest hearing will be held on [Day], [Date] at [Time]. It will be held at the CYSA office at 1040 Serpentine Lane, Suite 201, Pleasanton, California. Please inform us by [Date] whether or not you will be attending the hearing.

The procedures for the protest are as follows: [Protester] will be granted 15 minutes time to make an opening statement. The District # PAD Committee will then be afforded 15 minutes of time to make an opening statement. The opening statements are followed by questions from the panel members. When the questioning is completed, [Protester] will be allotted 5 minutes to make a closing statement. The District # PAD Committee will then be allotted 5 minutes to make a closing statement. The panel will then privately deliberate and make a decision. You should be aware that CYSA protest hearings are not formal trials and do not include the right to cross-examine others. Questions may be posed to the chair of the panel who will then determine if they are to be asked of the opposing parties. In addition, attorneys are permitted to be present and advise their clients, but are not permitted to themselves make statements or present information directly for consideration.

It is recommended that all mailings be accomplished by Certified Priority Mail – Receipt Requested.

All mailings and correspondence relating to this Appeal should be directed to CYSA 1'st Vice Chairman, CYSA 1040 Serpentine Lane, Suite 201, Pleasanton, CA 94566. All parties will be notified, in writing, of the final decision rendered by the CYSA Appeals Committee. Such notice will be mailed within seven (7) working days of the [Date] review.

Respectfully,

1'st Vice Chairman, California Youth Soccer Association

cc: District # PAD Committee

Sample notification letter for declining a protest filing.

[Date]

Via Certified/Return Receipt Mail

[Name]

[Address]

[City, CA Zip]

Dear [Name]:

This letter is to acknowledge receipt of a Notice of Filing to the California Youth Soccer Association (CYSA) PAD Committee with appropriate fees, requesting that the CYSA PAD Committee consider your protest based on a referee's decision during a game on [Date]. The grounds that you stated can not be protested. Only misapplication of the Laws of the Game or CYSA's rules and regulations can be protested. Referee's judgments can not be protested. Your filing fee will be returned to you under separate cover directly from the CYSA office.

You have the right to appeal this decision to the United States Soccer Federation, Inc. Appeals Committee within 10 days from the receipt of this decision. Attached is a Notice of Appeal form. The Notice of Appeal form should be sent to: United States Soccer Federation, Inc., 1801 South Prairie Avenue, Chicago, IL 60616, together with the appropriate fee of \$300.00 (cashier's check or money order made payable to the United States Soccer Federation, Inc.). A copy of the Notice of Appeal form must be sent to CYSA First Vice Chairman, California Youth Soccer Association, 1040 Serpentine Lane, Suite 201, Pleasanton, CA 94566.

If you have any questions concerning this notification letter, please contact me at [Phone Number].

Respectfully,

1'st Vice Chairman, California Youth Soccer Association

cc: District Commissioner

SECTION 4

Appeals

4.01 — Description

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 the competition or of the California Youth Soccer Association. The right to appeal must be exhausted within the rules of that competition before being appealed to a higher authority. Appeals arising from any Cup, Tournament or Inter-District game shall first be determined by the Protest and Appeals 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 CYSA PAD Committee. The CYSA PAD Committee shall deal with all appeals from any Olympic Development or International Youth competition.

4.02 — Initiation of an Appeal

Appeals are filed by those parties involved in the original action. Official filings involve submission of the "Notice of Filing to the CYSA PAD Committee" and/or a letter/written statement describing the basis for the appeal including the specific rule or policy that allegedly has been violated or misapplied. All supporting documentation must be included. Appropriate filing fees as established by the hearing authority 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. E-mails are not acceptable as official requests for appeals.

4.03 — Scheduling and Notification of an Appeal (see sample letters)

Once the filing has been reviewed and validated (principal parties identified, time limits confirmed and filing requirements satisfied), the Chair of the PAD Committee shall:

- 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).
- 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.

* The appeal should be scheduled within thirty (30) days of validation of the filing.

4.04 — Decision Notification (see sample letters)

Within seven (7) days the Chair must mail to each party the findings and decision of the panel. All correspondence should be by certified/return receipt mail. The decision notification letter shall:

- 1) Notify all principal parties involved including the appropriate authorities of the decision.
- 2) Present the basis for the appeal (e.g., specific League / District / CYSA / USSF rules).
- 3) Describe the findings of the Appeal Panel and the basis for their decision.
- 4) Outline actions to be taken based on the decision of the Appeal 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 questions.

4.05 — Sample Letters

On the following pages you will find sample letters that can be used for an appeal. Use these as a guide and modify as necessary. These letters would be used at the CYSA state level, but could be modified very easily to your club/league/district level.

Sample notification letter for an appeal.

[Date]

Via Certified/Return Receipt Mail

[Name]

[Address]

[City, CA Zip]

Dear [Name]:

This letter is to acknowledge receipt of a Notice of Appeal to the California Youth Soccer Association (CYSA) PAD Committee and appropriate fees, requesting that the CYSA Appeals Committee consider the decision concerning the [Name] Soccer League rendered by District # Protests, Appeals and Disciplinary Committee on [Date].

The Notice of Appeal has been filed and fees paid within the appropriate time frames and the following timetable shall be applicable:

1. District # PAD Committee shall deliver to [Name] and to CYSA a copy of the official record upon which it based its decision by [Day], [Date]. It is not necessary to resubmit documents contained in the original filing.
2. [Name] shall deliver to District # PAD Committee and CYSA copies of any arguments in support of the Appeal by [Date]. It is not necessary to resubmit documents contained in the original filing.
3. The appeal will be held on [Day], [Date] at [Time]. It will be held at the CYSA office at 1040 Serpentine Lane, Suite 201, Pleasanton, California. Please inform us by [Date] whether or not you will be attending the appeal.

It is recommended that all mailings be accomplished by Certified Priority Mail – Receipt Requested.

All mailings and correspondence relating to this Appeal should be directed to CYSA 1'st Vice Chairman, CYSA 1040 Serpentine Lane, Suite 201, Pleasanton, CA 94566. All parties will be notified, in writing, of the final decision rendered by the CYSA Appeals Committee. Such notice will be mailed within seven (7) working days of the [Date] review.

Respectfully,

1'st Vice Chairman, California Youth Soccer Association

cc: District # Commissioner/District # PAD Committee

Sample notification letter of appeal decision. (Approved)

[Date]

Via Certified/Return Receipt Mail

[Name]

[Address]

[City, CA Zip]

Dear [Name]:

On [Date] the Protest, Appeals and Disciplinary (PAD) Committee of the California Youth Soccer Association (CYSA) reviewed your appeal of the decision rendered by the District # PAD Committee on [Date].

The original grounds for this filing were stated as:

Inappropriate decision based on the evidence submitted at the hearing and failure of the District # PAD Committee to conduct a “proper hearing”.

It is the decision of this committee that your appeal is **Approved**.

The basis for this decision is:

Review of the evidence submitted at the hearing indicates that the hearing panel’s decision was not supported by substantial evidence. Written evidence submitted by both parties was reviewed. You are immediately reinstated to your position. Your appeal filing fee (\$) will be returned to you.

After review of the District # PAD Committee’s conduct of your hearing, it is the panel’s opinion that the hearing was conducted properly. The deliberating committee members were impartial.

Either party has the right to appeal this decision to the United States Soccer Federation National Appeals Committee. The appeal can be filed by completing a “Notice of Appeal” form (enclosed with this letter) and submitting it to USSF along with the appeal fee of \$300 (money order or cashier’s check). Your appeal must be submitted within ten (10) days from the receipt of the CYSA decision.

Respectfully,

1’st Vice Chairman, California Youth Soccer Association

cc: District # Commissioner / District # PAD Committee

Sample notification letter of appeal decision. (Denied)

[Date]

Via Certified/Return Receipt Mail

[Name]

[Address]

[City, CA Zip]

Dear [Name]:

On [Date] the Protest, Appeals and Disciplinary (PAD) Committee of the California Youth Soccer Association (CYSA) reviewed your appeal of the decision rendered by the District # PAD Committee on [Date].

The original grounds for this filing were stated as:

Misapplication of CYSA Specific Rule 4:06:01, CYSA General Procedure 3:02:03 and CYSA PIM 96-1. Failure of the CYSA District # PAD Committee to conduct a “proper hearing”.

It is the decision of this committee that your appeal is **Denied**.

The basis for this decision is:

In the hearing you stated that you were aware of the violation of the rule. As a team official you were involved with this matter and knowledgeable about the CYSA rules concerning this issue. Written evidence submitted by both parties was reviewed. Based on these facts, it is the panel’s opinion that the CYSA District # PAD Committee acted properly in suspending you and placing you on probation.

After review of the CYSA District # PAD Committee’s conduct of your hearing, it is the panel’s opinion that the hearing was conducted properly. The deliberating committee members were impartial, witnesses were identified, an audio record is not required, a written record is sufficient and the decisions were based solely on the evidence.

Either party has the right to appeal this decision to the United States Soccer Federation National Appeals Committee. The appeal can be filed by completing a “Notice of Appeal” form (enclosed with this letter) and submitting it to USSF along with the appeal fee of \$300 (money order or cashier’s check). Your appeal must be submitted within ten (10) days from the receipt of the CYSA decision.

Respectfully,

1’st Vice Chairman, California Youth Soccer Association

cc: District Commissioner

SECTION 5

Forms

CALIFORNIA YOUTH SOCCER ASSOCIATION

**Notice of Filing
to the CYSA PAD Committee**

Type of Filing:

Protest Appeal Disciplinary Hearing

Individual / Organization Filing:

Name _____ District ____ League _____

Address _____

City _____ Zip _____ Email _____

Home Phone _____ Work Phone _____ Fax _____

Officer of Organization Rendering Original Decision or Against who Protest is being lodged:

Name _____ District ____ League _____

Address _____

City _____ Zip _____ Email _____

Home Phone _____ Work Phone _____ Fax _____

Specific Grounds for filing (state specific rules and instances - you may use an attached letter):

I have read and understand the rules and procedures contained in the CYSA Constitution and By-laws and the procedures contained on the reverse of this form.

Date

Signature of Person Filing Appeal

CALIFORNIA YOUTH SOCCER ASSOCIATION
Filing an Appeal, Protest or Disciplinary Action

What type of action are you filing?

- An Appeal is a request for reconsideration of a decision rendered by another body. Decisions rendered at the league level shall be appealed to your District. District decisions shall be appealed to CYSA. Decisions rendered by the CYSA 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, Association Cup, tournaments, ODP, etc) must be appealed to the CYSA appeals committee.

Appeals to CYSA must be postmarked 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.

- Protests are complaints arising out of the misapplication of the Laws of the Game or misapplication of a league/district/state administrative rule.
- A request for Disciplinary Action may be filed by any member of CYSA (see PIM 96-1 of the CYSA Constitution and By-Laws). Disciplinary proceedings may be initiated against any player, coach, team assistant, league officer, 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.

How long will this take?

Most cases take about 30 days to complete, from filing 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 mailed to you within seven (7) days. Your decision letter will include the decision, an explanation of the decision and instructions for filing an appeal. Your appeal, should you wish to pursue, must be filed within ten (10) days of receipt, an appeal with US Soccer.

What do I need to include?

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 CYSA 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 CYSA must also be mailed to the party of whose decision you are filing an appeal. All correspondence should be sent via certified, return receipt mail.

If you are filing a protest, you need to include the CYSA 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.

Where do I send the information?

Information to be submitted should be sent to: 1040 Serpentine Lane, Suite 201; Pleasanton, CA 94566; Attn: 1st Vice Chairman. Additionally, all information submitted for appeals shall be sent to the party whose decision is being appealed. It is recommended that correspondence be sent via certified return receipt mail.

Questions?

If you have any questions concerning the filing of an action, please contact the CYSA 1st Vice Chairman.