

## **DISCIPLINE PROCEDURE**

Every player, coach, and administrator should ensure they are familiar with the penalties for offences and the procedure for administering the discipline process.

The following are the Policies and Procedures for discipline management under the jurisdiction of St. Thomas Soccer Club. Those playing in any OSA sanctioned league will fall under the disciplinary policies of those leagues.

### **Discipline Hearing Panel**

Discipline issues are handled by a discipline panel. The Director of Discipline shall be responsible for appointing a panel to consist of no less than 3 members, including the Chair, recording member, and a third member. The panel may not necessarily consist of the same people for each matter being reviewed, but will consist of a selection of qualified members and/or officials of the Club. Panel members must be free from bias and/or the appearance of bias.

In the event three qualified members are not available for a hearing, the accused may waive the requirement for a three-member panel by signing an appropriate waiver form provided prior to the commencement of the hearing.

The Club's Discipline Panel shall meet not less than once a month, in accordance with a published schedule, to review all misconduct reports received since its last Discipline Review meeting.

Because of the extensive number of Policies and Procedures involved in discipline matters, a discipline case may be confusing for parties required to participate in the process. To assist accused persons, advisers, *game officials*, Clubs, and any other parties involved in a discipline case, the following Policies and Procedures are designed to serve as a reference for such persons.

The Policies and Procedures set out herein govern Discipline Panels at the Club level. Jurisdiction for handling misconduct is identified in detail in the current OSA Published Rules and available on its website.

For cases falling under the OSA jurisdiction, the "Schedule of Fines, Fees, Bonds and Penalties" is outlined in their published rules. From time to time, St. Thomas Soccer Club reserves the option to impose a Club fee and/or fine for specific matters.

If any of the enclosed Policies and Procedures are unclear, members should request clarification in writing addressed to the Club Discipline Chair.

These policies and procedures are current at the time of publication and may be amended from time to time as required.

### **General**

#### Discipline by Hearing / Discipline by Review

Pursuant to OSA Published Rules, some discipline matters are conducted under the Discipline by Hearing (DBH) method and others are conducted under the Discipline by Review (DBR) method. A DBH requires the attendance of the parties involved, while a DBR is conducted by the discipline panel by reviewing the information provided (i.e. Referee's report) and making a decision on the appropriate action to be taken. OSA Rules determine whether the case is to be handled by DBH or DBR and these are set out on the OSA website.

## **POLICIES AND PROCEDURES**

## Requests for a Hearing

There are two discipline systems:

- **Discipline By Review (DBR)** system – in which there is no Discipline Hearing unless the accused submits in writing a receipted request for a hearing to the Club office within three (3) days of the date on which the alleged offence was committed and accompanied with the fee, as set out herein. A discipline hearing administrative fee, as set out herein, is payable to the club only if the accused is found guilty of the charge. The DBR System shall be mandatory for misconducts specified in the OSA Published Rules. There is no appeal from a decision made under the DBR System.
- **Discipline By Hearing (DBH)** system – it is mandatory to conduct a Discipline Hearing. For the following types of Misconduct, discipline may be rendered in accordance with the DBR System or the DBH System. The same mandatory penalties are applicable regardless of the system used: 1.13, 1.14, 1.15, 1.16, 1.17, 1.18, 1.19, 1.20, 1.21, 2.31, 2.32, 2.33, 3.31, 3.32, and 3.33.

## Notice of Hearing

### *Published Hearing Dates*

Discipline hearings (DBH) or reviews (DBR) are conducted on a regular basis, as required, with Hearing Dates posted on the Club web site. Regarding the nature of the charges, in a case being heard at a regularly scheduled hearing, it shall be the responsibility of the accused to request the nature of the charges.

### *Non-Published Hearing Dates*

When Hearing Dates are not posted on the website, persons required to attend a DBH are advised in writing no less than ten days in advance of the hearing date. This notice must state the exact nature of the charges, the misconduct type, the OSA reference number, and the “Rights of the Accused” to request copies of all reports upon which charges have been based, to request a postponement, to bring an adviser, observers and/or witnesses. Within two days of receipt of such request for copies of reports the Club shall forward a copy to the accused.

Discipline hearings or reviews are also held for matters of misconduct involving persons other than players, such as coaching staff, parents, spectators or any other registered Club member reported for misconduct. Some offences are deemed to be more serious and fall under the jurisdiction of the Elgin Middlesex Soccer Association or The Ontario Soccer Association. The Club does not have discretion on who will hear a discipline case. Jurisdiction is mandated by our governing bodies.

## Procedure

Caution forms are retained in the Club office and reviewed weekly by the Discipline Chair or designate, and the Club Head Referee. The Discipline Chair will ensure that the proper charge is identified for each accused prior to determining penalties or scheduling for hearing.

At the end of each indoor or outdoor season, the Club Administrator will ensure all caution, dismissal and special incident reports are recorded in the discipline binder kept in the Club office. A written summary of all Club discipline will be submitted to the District Association as required at year end. Dismissal forms received which require a hearing by the Club discipline panel will be placed in a hearing file and the proper paperwork taken care of in the Club office. Copies will be provided to the convener of the appropriate age division, the Director of the House League program, the Club Head Referee and the Club Head Coach. Original documents will always be maintained in the hearing file. The file will be recorded by, and bear the name of, the hearing date and include all cases to be heard on that specific date. Hearing files and the discipline binder will not leave the Club office.

Special Incident Forms are dealt with by scheduled hearing. Written notice will be sent to all parties required to attend and copies sent to appropriate governing bodies and individuals. Once the hearing date has been scheduled, the panel will be identified by the Discipline Chair and given notice of the pending cases to be dealt with. Copies of all reports, game sheets and relevant written statements will be included in the hearing package for each panel member and the original copy maintained in the hearing file. All discipline matters must be dealt with expeditiously with sensitivity and confidentiality. more severe than the minimums specified but their decisions must be no less severe than those set out in the OSA Rules.

#### **Penalties**

Minimum penalties must be rendered in all Club disciplinary decisions pursuant to OSA rules. If the Club discipline panel concludes that such action is appropriate, it has the option to impose penalties that are more severe than the minimums specified but their decisions must be no less severe than those set out in the OSA rules.

#### **Notification of Penalty**

Decisions shall be forwarded in writing to all affected parties within two days of the date of the decision indicating the exact offence of which the accused has been found guilty and include the start and expiry dates of any suspension term or the specific games from which the accused has been suspended. An accused must receive a copy of the "Rights of Appeal Information" sheet with each decision rendered under the DBH System and the name and address of the appropriate organization to which an appeal must be directed. Penalties will be recorded in the discipline binder by the Club Administrator and a summary forwarded to the District Association at year-end as required.

#### **Postponement of Hearing**

Any party required to attend a hearing may request one (1) postponement of a hearing. The party must submit a receipted request, which must be received by the Club no later than four (4) days prior to the date of that hearing, stating the reason for requesting the postponement and accompanied with the fee, as set out herein.

#### **Request for Hearing after Failing to Attend**

Those who request another hearing after failing to attend a hearing when required to do so, shall submit a receipted request accompanied by the fee, as set out herein.

#### **Attendance at Discipline Hearing**

An accused less than eighteen years of age must be accompanied by an adult, who shall act as an adviser, failing which the hearing will not proceed and the accused shall be suspended until the hearing is held. An accused eighteen years of age or older may also choose to be accompanied by another adult who may act as an adviser. An accused individual must attend a hearing. A representative of an accused must provide a signed proxy from the accused before being allowed to participate at a hearing.

#### **Parties permitted to attend a Hearing**

Advisors – must be 18 years of age or older, and may not question the competence of the game official but may question a witness for clarification only. Advisors may not act as a witness nor provide testimony;

Observers – attends only to ensure that a specified party receives a fair hearing according to publishes rules. No more than two (2) observers may be in attendance at a hearing for each party required to attend. Observers may not act as a witness nor provide testimony. Observers may speak at the hearing only at the discretion of the discipline panel.

District Referee Coordinator – where a game official is required to attend a hearing, regarding a report submitted for which a hearing has been scheduled, the DRC or designate is entitled to attend to act as advisor and is entitled to full rights of advisor as set out above.

Witnesses- each party is entitled to bring witnesses who must attend in person. Written reports are not acceptable. Witnesses may only add new testimony which may be limited by the discipline panel.

### **Hearing procedures**

All parties shall be brought into the hearing room at the commencement of the hearing and the names and status of all attendees shall be recorded. The Chair shall explain to all parties the process to be followed, and the rights and limitations of all parties to the hearing as set out above.

Each hearing shall be closed to all persons, other than those identified herein as invited or required to attend. Any person(s) with adverse interests or person(s) attending a hearing on behalf of such persons must avoid any inappropriate communication prior to the hearing. The Chair must ensure the environment for a scheduled hearing meets required standards.

In the presence of all parties, the charges shall be read from the Hearing Notice together with any other reports. Witnesses are then required to leave the room. The person submitting the report, if present, shall be allowed to amplify or qualify the report and the accused allowed to question the individual submitting the report (or representative). In the absence of that person, the accused may question the report itself. Witnesses are to be brought back one at a time at the request of either party or the panel. A witness who has been heard may not speak to any other witness who has not yet been heard. The hearing panel may question the accused or any witness. The Chair shall have the discretion to adjourn the hearing and reschedule it to a later date should evidence from a witness not in attendance be deemed crucial to the decision. Notice in writing shall be given to all those required to attend the rescheduled hearing.

The accused and the person submitting the report shall be given the opportunity to present final comments. At the conclusion of the hearing, the Chair shall declare the hearing recessed and notify all parties of their "Rights of Appeal". A decision shall be arrived at by the panel and Notice of Decision rendered in writing to the parties within 15 days after the date of the hearing. Decisions rendered shall include the "Rights of Appeal Information", the exact offence, terms of discipline imposed including suspension fees, fines, terms, etc. An accused person who refuses to participate in a Discipline Hearing, or who walks out of the hearing, thus preventing the *Discipline Hearing Panel* from rendering a decision on the case, shall be suspended from all *soccer related activities* until such time that he/she requests, in writing, another hearing and appears at that subsequent hearing. Notwithstanding the preceding sentence, if the *Discipline Hearing Panel* determines that it has obtained sufficient evidence, prior to the walkout, to render a decision in the normal manner, it shall render its decision. An accused person failing to attend a Discipline Hearing when required to do so, shall be suspended from all soccer related activities until such time that he/she requests, in writing, accompanied by the fee, another hearing and appears at that subsequent hearing.

### **Discipline Fees**

Discipline Hearing Administrative fee \$100

Request for a Discipline Hearing \$ 50

Request for Postponement of a Discipline Hearing \$ 50

Request for Discipline Hearing after Failing to Appear \$ 50

Any fees or fine not paid within (21) twenty-one days of issue will result in a suspension from all soccer related activities.

**Tournament Discipline**

The Tournament Chair shall ensure the appointment of a competent Discipline Hearing / Review Panel for each tournament held under the Club jurisdiction.

Offences must be dealt with only by the appointed discipline panel either by DBR or DBH as appropriate directly after the game at which the misconduct was reported. The panel's decision shall be final and reported by the Discipline Chair to the appropriate governing bodies after the tournament.

OSA Tournament Rules will prevail for all discipline action required at tournaments held by WISC.

Probation or suspended sentences are not permitted.