

Wilmington Youth Soccer Association (WYSA) Discipline and Appeal Process – 03.06.2022

WYSA is a member organization of the Middlesex Youth Soccer League which is a sanctioned league under Massachusetts Youth Soccer Association (Mass Youth). WYSA intends to follow the standards of the United States Soccer Federation (USSF) and follow the guidelines and recommendations provided by Mass Youth Soccer in their policies, procedures and regulations documents which can be found on the Mass Youth webpage. These recommendations have been reviewed, interpreted, and adjusted for the specific needs of Wilmington Youth Soccer Association. This process will be governed by the WYSA Players and Coaches Development Committee (PCD).

A. Disciplinary Action

- a. Applicability: Any WYSA Member (i.e., individual or entity affiliated with WYSA) charged with violating the Bylaws, general procedures, specific rules, policy interpretation memoranda and/or conducting themselves in a manner detrimental to this Association, MYSL, Mass Youth, USYS, or USSF may be sanctioned by WYSA. Sanctions may include suspension, expulsion, letters of apology or other sanctions deemed reasonable by the governing committee.
 - i. WYSA governing committee will be based on the program most closely associated with the activity when the action(s) occurred:
 1. Travel Games and Practices – Governed by WYSA Travel Committee
 2. Intown Games and Practices – Governed by the WYSA Intown Committee
 3. Wildcats Football Club (WFC) Games Practices and Clinics – Governed by WFC Committee
 4. Camps and Clinics – Based on participant’s age – PreK through 2nd grade participants will be referred to the Intown Committee and 3rd grade through U19 participants will be referred to the Travel Committee
 5. Discipline of spectators will be referred to the appropriate committees based on the associated participant’s age
- b. Review Process: Upon notification of an incident the governing committee will open an investigation into the incident. The applicable governing committee will convene an Incident Review Committee and will appoint a lead investigator to collect oral and written statements from as many parties as is reasonable to detail the circumstances of the incident. The committee will attempt to make contact with, explain the charges and acquire a written statement from the individual who is subject to any disciplinary action. Failure to provide a statement will not preclude a disciplinary action.
 - i. If an incident is particularly severe, sensitive or the Governing Committee determines they cannot remain impartial, the Governing Committee may request that the PCD Chairperson create a separate Incident Review Committee made up of no less than 3 members of the WYSA BoD to manage the hearing and disciplinary process, or they may elect to perform the duties of the Incident Review Committee themselves, provided there are at least 3 members that qualify as “disinterested parties.”
 - ii. Once the initial investigation is complete, the Incident Review Committee shall determine if a disciplinary hearing is necessary by means of a vote of more than

51% of its members. A disciplinary hearing is necessary whenever a sanction is being considered against a participant (player, coach, referee, team official, trainer, or administrator)

- iii. The subject of the hearing will be notified in a timely manner that they are expected to be present at the hearing and what offense(s) are being reviewed.
 - iv. A Disciplinary Hearing Committee will be established by the Vice-President of development (or President if the Vice-President is not available). Such a committee may include members of the Incident Review Committee. The Disciplinary Hearing Committee must be made up of no less than 3 members of which all must be impartial regarding the incident and will not have a direct relationship with the subject of the discipline.
 - v. A reasonable effort will be made to ensure that all the Disciplinary Hearing Committee members as well as the subject of the hearing and any witnesses can attend the hearing. Reasonable does not mean all parties have to agree, however, the time, date and location should not place undue burden on any participant.
 - vi. Any person who is the subject of a potential disciplinary hearing will be suspended from the date written notification is given to such person until such time as the disciplinary decision is made; provided, that the disciplinary decision must be made within 30 calendar days of the date written notice is provided to such person unless it is determined by the Incident Review Committee that this may be waived prior to notification.
 - vii. Failure to appear and/or cooperate with any investigation or hearing process may be grounds for immediate suspension and/or expulsion.
- c. Disciplinary Hearing Process: The procedure outlined on the Mass Youth website under the title 'HOW TO RUN A DISCIPLINARY HEARING' shall be used as a guide. New Evidence for and against the person subject to discipline is allowed during this hearing and further charges may be established at this hearing.

B. Appeals Process:

- a. Appeals of any decision made by a WYSA Committee or sub-committee will be heard by the WYSA Player and Coach Development Committee (PCD). In the event of an appeal of a PCD decision, The WYSA Executive Committee will replace the PCD for the purposes of the process described below. Appeals of WYSA BOD decisions will be submitted to Massachusetts Youth Soccer through the process described in the Mass Youth bylaws, policies, and procedures.
- b. Appeals
 - i. At least Three members of the PCD will be present for a hearing.
 - ii. Request for appeal must be made within 10 days of receipt of the ruling by submitting written notice to the WYSA VP of development (electronic communication is appropriate) and/or the WYSA President.
 - iii. The appeal shall be accompanied with a check of \$XXX made out to Wilmington Youth Soccer, the appeal fee is non-refundable regardless of the outcome of the appeal.

- iv. An appeals hearing will be scheduled within 15 business days of receipt of a request for appeal.
- v. The decision rendered from which an appeal is taken may be suspended pending determination of the appeal by the panel only upon written application by the appellant which accompanies the Notice of Appeal and a unanimous finding by the panel that there is a strong likelihood of the appeal's success and that circumstances are present which clearly show that the appellant will suffer irreparable harm unless the decision from which the appeal is taken is suspended pending determination of the appeal. The decision of the AP regarding any suspension of the decision pending determination of the appeal shall be final and may not be further appealed.
- vi. The appeal request will include grounds for appeal and all documents pertinent to the appeal.
- vii. No new evidence may be presented unless circumstances have materially changed, or new facts are discovered that were unavailable at the time of the hearing from which appeal is being taken. In such cases, the panel may allow that such new evidence be presented provided all parties to the appeal have been given notice and are given an opportunity to respond to the materially changed circumstances or previously unavailable or undiscovered facts.
- viii. The appeal hearing will follow the procedure outlined on the Mass Youth website under the title 'HOW TO RUN A DISCIPLINARY HEARING' as a guide.
- ix. A plea of ignorance to the Constitution, Bylaws, general procedures, specific rules, and policy interpretation memoranda of WYSA, USYS, Mass Youth and/or USSF, is not sufficient and violators may expect appropriate action by the Appeal Committee.