

**SCYSA**  
**DISCIPLINE and APPEALS**  
*Policy / Procedure*

*Modified 1/21/2007*

**Article**

1. All South Carolina Youth Soccer Association (SCYSA) hearings and appeals shall be conducted in accordance with: SCYSA Bylaw 701, USYS Bylaw 701, and USSF Bylaw 701.
2. All SCYSA hearings and appeals shall be conducted by the SCYSA Discipline and Appeals (D&A) Committee or the SCYSA Board of Directors (BOD) Appeals Committee and shall be designated as State Level hearings or appeals.
  - Hearing: to decide whether or not disciplinary action is needed for an incident with all parties having a chance to participate
  - Appeal: to reconsider the decision of a lower authority concerning a disciplinary action
3. All SCYSA State Level hearings and appeals shall be referred to the SCYSA Vice President for his review and assignment to the proper authority.
4. The SCYSA Vice President or his designee shall serve as chairman of the SCYSA Discipline and Appeals Committee, with a minimum of three members and the chairman acting as a non-voting member, except in case of a tie.
5. The SCYSA Board of Directors Appeals Committee shall consist of a minimum of three members of the SCYSA BOD appointed by the SCYSA President, with one member designated as the Chairperson. The SCYSA BOD Appeals Committee shall be the highest level of appeal authority within the State Association.
6. There shall be only one SCYSA State Level hearing, unless the case is remanded for rehearing.
7. There shall be only one SCYSA State Level appeal.
8. All appeals of decisions from a SCYSA BOD Appeals Committee shall be filed with the United States Soccer Federation Appeals Committee, if appealable.

- 9.** The cost of an appeal to the SCYSA Discipline & Appeals Committee shall be \$200, and to the SCYSA BOD Appeals Committee, \$250. Both must be paid via Certified or Cashiers check to SCYSA.
- 10.** All appeals must be properly submitted in writing to the SCYSA V.P. within 10 days of the receipt of the original notice of decision.
- 11.** Only the evidence, testimony and/or written documentation presented during the original hearing will be considered as part of the appeal process. No new evidence or witnesses shall be introduced at the appeal hearing. However, new evidence may be considered if the evidence is material to the case, and was not known at the time of the hearing, or if the parties could not reasonably have been expected to know of the evidence at the time of the hearing.
- 12.** Written notice of all decisions by the SCYSA D&A Committee or the SCYSA BOD Appeals Committee shall be made to all parties within 7 days of the date of the decision.
- 13.** The Chairman or Presiding Officer shall have the authority to set the rules and procedures for the hearing / appeal so long as they are in accordance with Article #1.
- 14.** In the case of an appeal, the convening authority may only uphold, reverse, or remand with changes the decision of the original hearing authority.

## **SCYSA BOD Appeals Committee - Procedure**

Once SCYSA has received the notice of appeal and the appeals fee, the SCYSA BOD Appeals Committee Chairperson considers the appealability of the case. Assuming the case is appealable, the parties will be notified of such.

A scheduling letter will set the dates for submissions by the parties: the Association or Committee whose opinion is being appealed will be asked to send copies of the official record to the SCYSA BOD Appeals Committee Chairperson and all parties within 10 business days; the appellant will be asked to send any argument it wishes to make 10 business days after that; and finally the opposing parties will be asked to send in any arguments 10 business days after that.

Once all parties have had the opportunity to send in arguments, the Chairperson of the SCYSA BOD Appeals Committee will promptly set up a time for deliberation, either in person or a teleconference, to decide the case. These meetings are usually scheduled within one or two weeks of submission of the arguments and they are “closed” meetings with only committee members present, unless otherwise determined by the Chairperson of the SCYSA BOD Appeals Committee.

The SCYSA BOD Appeals Committee will render a final written decision within 10 business days of the completion of deliberations.

Rev. 3/06

## **SCYSA Bylaw 701 / USYS Bylaw 701**

### **GENERAL REQUIREMENTS**

Section 1. Each Organization Member shall have grievances, disputes, and appeals provisions in its bylaws, rules, or other document that clearly states the procedures under which adjudication of appeals and other disciplinary matters shall occur.

Section 2. If an Organization Member does not have those procedures required by section 1 of this bylaw, the following procedures apply:

- (1) All parties are entitled to a hearing with proper notification.
- (2) Once a grievance, dispute, or appeal has been properly filed, the chairman of the appropriate entity of the Organization Member shall notify all involved parties within 5 days of receipt of the grievance, dispute, or appeal, the nature of the grievance, dispute, or appeal, the names of all parties, a copy of the grievance, dispute, or appeal, and the date, time, and place of the hearing.
- (3) The conduct of the hearing shall be as determined by the rules of the Organization Member.
- (4) A written record (called the official record) shall be kept of the proceedings.
- (5) A written notification of the decision shall be sent to all involved parties within 7 days of the hearing. This notice shall be sent by certified mail.
- (6) All hearings shall be scheduled to be held within 30 days.

## **U.S. Soccer Bylaw 701**

In all hearings conducted under these bylaws, 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, including the right to be provided the identity of witnesses in advance of the hearing;
8. the right to have a 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.