

SECTION 12 - DISCIPLINE

PROCEDURE 1.0 - WHO CAN BE DISCIPLINED?

- 1.1 Discipline action may only be taken against a Registrant or Registered Organization of Ontario Soccer for misconduct occurring at the time of the incident, and cannot be retroactively charged for incidents prior to registration of such person or organization.
- 1.2 Notwithstanding Procedure 1.1 Any person acting as a Team Official, Administrator or Match Official shall be considered to be a Registrant of Ontario Soccer regardless of whether he/she has registered to do so.
- 1.3 Any misconduct by an unregistered member of a registered organization shall be handled by that organization's code of conduct and/or applicable policies and procedures.

PROCEDURE 2.0 - REPORTING MISCONDUCT

- 2.1 A Registrant and/or Registered Organization is accused of an offence as identified in the Standard Penalties for Misconduct in Operational Procedure 9.0 and is subject to discipline when:
- a) A Match Official reports an offence to the applicable Governing Organization electronically or by hardcopy.
 - b) A Registrant or third party submits a written complaint and all supporting evidence and documentation that supports the complaint (for example: all documents, witness statements, etc.) to a Governing Organization that an offence has been committed. Action shall only be taken if the Complainant willingly agrees to act as a witness;
 - c) A Governing Organization submits a written misconduct report and all supporting evidence and documentation that supports the report (for example: all documents, witness statements, etc.) to itself. In this scenario, the Governing Organization is required to have a representative (not including a member of its Discipline Hearing Panel) present the evidence at the hearing in order for action to be taken; Therefore, the Governing Organization becomes/is the complainant.
 - d) A report submitted by a Match Official will be subject to Discipline By Hearing or Discipline By Review. A report submitted by a Governing Organization will be subject to Discipline By Hearing. A report submitted by a Registrant or Third Party may be subject to Discipline Hearing if investigation warrants further action.
 - e) In the event that two or more complaints or misconduct reports relate to the same incident, all reports and complaints will be heard simultaneously and all reports will be considered by the Discipline Hearing Panel, providing that each report author acts as a witness at the hearing with the exception of a Match Official who is not required to attend the hearing. The Panel may exclude evidence or testimony that is unduly repetitious.
- 2.2 **The Report**
- 2.2.1 Misconduct must be reported, in writing, to the appropriate Governing Organization under whose jurisdiction the misconduct applies (as per Procedure 3.0) and with which an accused party is either registered or with which the Club of the accused is affiliated. The report shall be written in the English language and include all details of the incident.
- 2.2.2 If a report is judged to be an incomplete report or if a report is not written in the English language, the charge(s) shall not be dismissed. The Discipline Hearing/Review Panel shall adjourn the hearing/review meeting and require the Match Official (or other person in accordance with Procedure 2.1) to either re-submit a complete report in the English language or attend a rescheduled hearing/review meeting to clarify the report submitted. Those parties required to attend the original hearing shall be required to be present at the subsequent hearing.

- 2.2.3** Once submitted, a registrant may not withdraw a report and the charge(s) shall not be dismissed. A registrant wishing to change a report must attend the Discipline Hearing and provide testimony regarding the reason for changing the report.

2.3 Statute of Limitations

- 2.3.1** The written Report/complaint must be submitted to the appropriate Governing Organization within sixty (60) days of the occurrence of the alleged misconduct and the organization must commence disciplinary action within thirty (30) days after receipt of the written report.
- 2.3.2** Any reported misconduct that is made directly to Ontario Soccer may be acted upon by Ontario Soccer without consideration of the time-lines specified in Procedure 2.3.1
- 2.3.3** If the receiving Governing Organization fails to respond in writing to any alleged misconduct prior to 30 days, the complainant may request in writing within 5 days, the next above Governing Organization to review the alleged misconduct and direct to be handled as deemed appropriate.
- 2.3.4** Failure to observe time-lines defined in these Procedures shall render any disciplinary action taken after the expiration of the time, null and void.

2.4 Match Official Assault

- 2.4.1** In the case of a Match Official Assault, the Match Official shall provide written notification and a preliminary report of the assault to the District Association in which he/she resides, Ontario Soccer and the League within 48 hours of the assault. The Match Official must then complete and submit a Match Official Assault Report within 5 days of the alleged assault to the District Association in which he/she resides as well as to Ontario Soccer and the League. The applicable District Association is responsible for ensuring all parties involved receive this information. Approval to extend timelines listed in this procedure are at the discretion of Ontario Soccer only.

2.5 Misconduct by a Match Official

- 2.5.1** A written report/complaint about a Match Official must be reported to the appropriate District Association. Misconduct by a Match Official in a competition organized by Ontario Soccer shall be handled by Ontario Soccer
- 2.5.2** If a person, registered as a Match Official, is accused of misconduct while acting as a registered Player, Team Official or Administrator, he/she shall be charged for misconduct in the capacity in which he/she was acting and shall not be charged as a Match Official. For misconduct at any other time, including as a spectator, the person shall be charged as a Match Official.

2.6 Misconduct at a Tournament

- 2.6.1** With the exception of reports pertaining to match official assault, a match official is required to complete a dismissal report, or special incident report respectively for each dismissal, or special incident and a "list of cautions report" and submit such report(s) immediately to the governing organization under whose authority the game was held.

PROCEDURE 3.0 – JURISDICTION

- 3.1** Unless the Procedure is identified as being applicable only to a specific jurisdiction, all the Procedures in this document are applicable to Ontario Soccer and all Governing Organizations and individuals registered with Ontario Soccer.

3.2 Jurisdiction Levels

All misconduct occurring in competition organized by Ontario Soccer shall fall under the jurisdiction of Ontario Soccer, unless otherwise delegated.

3.2.1 Ontario Soccer reserves the right to intervene in matters of discipline at all jurisdiction levels where deemed necessary and appropriate.

3.2.2 All misconduct types relating to registration of Players, Team Officials & Club/Academy Administrators falls under the jurisdiction of the Governing Body responsible for the validation of the registrations. A governing body cannot ignore non registration or condone it. Non-registration of players/coaches/teams is a Discipline Offence which must lead to appropriate Discipline charges.

3.2.3 All misconduct by a Match Official shall be handled under the jurisdiction of the District Association in which the Match Official resides. All applicable discipline resulting in suspension of a Match Official shall be served under the jurisdiction of Ontario Soccer.

3.2.4 All misconduct types relating to registration of Match Officials and Administrators of

- a) Ontario Soccer
- b) District Associations
- c) Senior Provincial, Regional and (if governed by Ontario Soccer) District Competitive
- d) Youth Provincial, Regional and (if governed by Ontario Soccer) District Competitive

Fall under the jurisdiction of Ontario Soccer.

3.2.5 Misconduct Types by the same person or the same organization occurring during the same game incident or a related incident shall be dealt with by one jurisdiction only. In a game involving several misconduct types by the same person or same organization and where those misconduct types would normally fall under two or more jurisdictional levels, the case shall be handled by the higher level Governing Organization. Charges and penalties specific to a Governing Organization shall be heard on behalf of that Governing Organization, by the jurisdiction level hearing the cases.

3.3 Misconduct Directed towards a Match Official

3.3.1 In cases of Match Official Assault Ontario Soccer Discipline Hearing Panel shall be appointed by the District Association with which the accused is registered or with which the Club of the accused is affiliated. The District Association's Discipline Hearing Panel shall act as Ontario Soccer's Discipline Hearing Panel in the hearing of such cases.

3.3.2 For all other Misconduct Types directed at a Match Official the jurisdiction of discipline shall be:

- a) If the misconduct occurred during a game in a Provincial, Regional, District Competitive or District Recreational League then, the appropriate League shall have jurisdiction to handle any disciplinary action.
- b) For all other Misconduct directed at the Match Official discipline shall be dealt with by the District Association with which the accused is registered or with which the Club of the accused is affiliated. A District Association may delegate such cases to the District Competitive League (if governed by the District Association), District Recreational League or Local League in which the offence occurred provided such delegation is stated in their Governing Documents.

3.4 Delegation of Misconduct Jurisdiction

3.4.1 Where permitted, a Governing Organization may be delegated, by its Governing Organization, the responsibility for establishing a Discipline Hearing Panel to deal with one or more Misconduct Types. This responsibility may be revoked at any time by the higher Governing Organization.

3.4.2 District Associations may delegate certain game related misconduct types to:

- a) Senior District Competitive Leagues and Youth District Competitive Leagues (governed by District Association)
- b) Senior District Recreational Leagues and Youth District Recreational Leagues
- c) Clubs, Senior Local Leagues and Youth Local Leagues

3.5 Referral of Misconduct Cases

- 3.5.1** A Governing Organization which has jurisdiction over a specific misconduct category may refer a misconduct incident to its higher Governing Organization. If the higher Governing Organization determines that the referral is valid, it shall handle the case. If the higher Governing Organization determines that the referral is not valid, the case shall be handled by the Governing Organization with jurisdiction for that misconduct type
- 3.5.2** Misconduct occurring outside the normal jurisdiction such as out of province games or tournaments shall be referred to the appropriate Governing Organization for action.
- 3.5.3** Anytime a Governing Organization refers a discipline case to a higher Governing Organization, the case becomes a case of that higher Governing Organization, which must report back the findings and decisions to the referring Governing Organization within 30 days or upon completion of the discipline process.

PROCEDURE 4.0 - RIGHTS AND RESPONSIBILITIES

- 4.1** Ontario Soccer may, without notice, audit any organization who has been delegated the responsibility to administer discipline to ensure full compliance with these Procedures. If an organization fails to administer discipline in accordance with these Procedures Ontario Soccer has the right to:
 - a) Intervene to correct the problem
 - b) Withdraw the delegation to administer discipline; and
 - c) Subject the organization to discipline
- 4.2** Every Club is responsible for the actions of its Players, Team Officials, Administrators and spectators.
- 4.3** In all cases of mistaken identity of an accused Player, Team Official or Administrator caused as a result of a team sheet error or other irregularities, the responsible Club shall properly identify the offending party involved. Failure to do so will result in a charge under Misconduct Type 5.69
- 4.3.1** In the event that the Match Official incorrectly identifies the person responsible for the reported misconduct and if the Club correctly identifies the offending party, then both parties together with the Match Official shall be required to attend the hearing for the Match Official to identify the correct person if so required by the Discipline Hearing Panel.
- 4.4** Registered District Associations, Leagues and Clubs shall ensure that their disciplinary rules, regulations and policies are consistent and do not conflict with those published by Ontario Soccer.
- 4.5** Failure to observe time-lines defined in these Procedures shall render any disciplinary action taken after the expiration of the time, null and void.
- 4.6** Accused parties must appear at a Hearing at their own expense.
- 4.7** All parties directly affected by a discipline decision must receive a written copy of the decision and also the specific "Rights of Appeal Information", including:
 - a) The name and address of the organization to which the Appeal must be sent.
 - b) The amount of the appeal fee
 - c) The criteria for the grounds for appeal
 - d) Which organizations must receive a copy of the appeal
 - e) The method of delivery for both the appeal and the fee

The time-lines for appealing a decision shall only go into effect after the affected party has received a written copy of both the decision and the "Rights of Appeal Information"

- 4.8 Except for discipline decisions rendered under the Discipline By Review (DBR) system, any party directly affected by a decision has the right to appeal that decision. The discipline decision shall remain in effect pending the result of the appeal.
- 4.9 A Registrant is entitled to know for which offence she/he has been dismissed from a game. Each Governing Organization shall develop a procedure whereby a person may learn why she/he has been dismissed. This procedure must allow sufficient time for the report to be accepted by the Governing Organization and sufficient time for the accused to request a hearing via the normal procedures.
- 4.10 Any party directly affected by a decision shall receive a copy of the "Findings". However, the Minutes of a Discipline Hearing Panel shall not be given to any party except to the Governing Organization, upon such request.

PROCEDURE 5.0 - DISCIPLINE SYSTEMS

- 5.1 Discipline administered by a Governing Organization shall be rendered in accordance with the Discipline by Review (DBR) system and/or Discipline by Hearing (DBH) system.
- 5.2 For Discipline Hearings being convened by a District Association or any classification league the Discipline Hearing Chair shall hold current Discipline Certification Level 1 prior to the hearing being convened.
- 5.3 **Discipline By Review (DBR)**
 - 5.3.1 An organization may use the DBR. System only for those misconduct types defined in Procedure 9.0
 - 5.3.2 The organization's Discipline Review 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.
 - 5.3.3 The Case Manager shall:
 - a) Read the misconduct report
 - b) Identify the correct charge for each
 - c) Determine if the charge shall be handled by DBR or DBH

The Discipline Review Panel shall:

- a) Make a decision on the DBR charge(s)
 - b) Render the mandatory penalty in accordance with Procedure 9.0.
 - c) Postpone a decision to a subsequent Discipline Review Meeting if it determines that further clarification and/or reports are required.
- 5.3.4 **Notification of Penalty**

Decisions shall be forwarded, in writing, by mail, fax, e-mail, or designated website, to all affected parties within four (4) days of the hearing, and shall indicate the following

 - a) Exact offence(s) of which the accused has been found guilty; and
 - b) Starting date and the expiry date of the suspension or the specific games from which the accused has been suspended.

5.3.5 Appeal of a Decision under the DBR System

Except where a decision has been made that is in contravention of or not in accordance with a published rule, discipline decisions made under the D.B.R. System may not be appealed.

5.3.6 Requests for A Hearing

5.3.6.1 Except in cases of Ontario Soccer Misconduct Type 1.3, 1.5, 1.6, 1.13, 1.14 and 1.14A an individual who is subject to the DBR System shall have the right to request to be disciplined by the DBH System

5.3.6.2 Where applicable, the accused shall submit a written request to the Governing Organization having jurisdiction to hear the case, within three (3) days of receiving the dismissal. This request must arrive before the date of the next scheduled Discipline Review meeting, as published.

5.3.6.3 In cases where there was no dismissal/ejection was performed, the governing organization shall notify the accused, provide a copy of the Special Incident Report and provide an opportunity for the accused to request a hearing within specified timelines.

5.3.6.4 The request shall be written and submitted together with the appropriate "Request for Hearing Fee"

5.3.6.5 A Discipline Hearing Administrative Fee is only payable if the accused is found guilty of the charge.

5.3.6.6 The "Request for Hearing Fee" shall be paid prior to the start of the hearing and this fee is non-refundable.

5.4 Discipline by Hearing

5.4.1 Notification of Hearing

For Governing Organizations without regularly scheduled hearings, all those required to attend a hearing shall be given fifteen (15) days' notice. Such notice shall also be forwarded to the Club when the offence involves a Registered Player, Team Official or Club Administrator. This notice must state the exact nature of the charges, together with the misconduct type and charge number, as outlined in Procedure 9.0, and/or as outlined in a club/league rules together with the "Rights of the Accused" to request a postponement, to bring an adviser, observers and/or witnesses. The Notice of Hearing will also include a copy of each 'Report of Misconduct' and all documentation which will be considered by the Discipline Hearing Panel received by the Governing Organization in relation to the Discipline Charge being brought against the accused.

5.4.2 For Governing Organizations that have published the dates on which they hold regularly scheduled hearings, the organization shall:

- a) Publish the organization's hearing schedule and those required to attend;
- b) Publish with the hearing schedule:
 - i. The method of notification for those required to attend;
 - ii. The rights of the accused party to request a postponement;
 - iii. The rights to bring an adviser, observer(s) and/or witnesses(s) to the hearing;
 - iv. The rights to receive within 48 hours upon submitting a written request to the organization, a copy of the Report(s) of Misconduct and all documentation which will be considered by the Discipline Hearing Panel
- c) If the accused has not been provided disclosure in accordance with b) iv) above, at least 30 minutes prior to the commencement of the hearing, provide the accused with a copy of the Report(s) of Misconduct and all documentation which will be considered by the Discipline Hearing Panel

5.4.3 If any party required to attend a hearing challenges the legality of the hearing on the basis that insufficient notice of the hearing was given, the Hearing Panel will determine if the complaint is legitimate and, if found to be, will only proceed if relevant parties sign a waiver or will adjourn the case to a subsequent date.

5.4.4 The Discipline Hearing Panel shall not overrule any legitimate objections which are based on the Discipline Procedures contained in these "operational procedures"

5.4.5 Request for Postponement

Any party required to attend a hearing may request one (1) postponement of a hearing. The party must submit a written request which must be received by the Governing Organization no later than four (4) days prior to the date of that hearing, stating the reason for requesting the postponement. All such requests must be accompanied by the correct fee in the form of a recorded payment. Should the request be denied, the fee shall be refunded. The Governing Organization shall have full discretion to refund the "Request For Postponement Fee" if sufficient reason warrants such action.

5.4.5.1 Any Match Official required to attend does not have to pay the "Request For Postponement Fee" unless he/she is the accused.

5.4.5.2 In the event that criminal charges are laid as a result of any incident that occurred in a game or in the vicinity of the game's venue after the game, the case shall proceed in accordance with "governing documents", unless the accused requests a postponement of the hearing. Such "Requests for Postponement" shall be granted, but the accused shall remain suspended from all soccer related activity until his/ her case is dealt with by the Discipline Hearing Panel.

5.4.6 Request for New Hearing

5.4.6.1 Those who request another hearing after failing to attend a hearing when required to do so, shall submit a written request together with the recorded payment for the fee as specified by the Governing Organization. This fee is non-refundable.

5.4.6.2 When a hearing is postponed, the accused shall request a hearing after the disposition of the criminal charge(s) but will not be required to pay the normal "Request for Hearing Fee". The outcome of a criminal case will not influence charges laid under "Published Rules". Any suspension period shall include the period during which the accused was suspended prior to the hearing.

5.5 Pleading Guilty

An accused party may plead guilty and forego a hearing. Written notification of such must be received by the Governing Organization no later than four days prior to the date of the hearing. In doing so, the accused party accepts the maximum penalty applicable to Ontario Soccer Misconduct Type charged. The appropriate administrative fee will be levied. The accused party may not appeal a decision rendered by the Discipline Hearing Panel once the guilty plea has been entered, unless the penalty assessed is not within the standard range in accordance with the Published Rules

5.6 Attendance at Discipline Hearing

5.6.1 The accused individual or Governing Organization or their representative must attend a hearing. Anyone representing an accused must provide a signed proxy from the accused before being allowed to participate at a hearing.

5.6.2 An accused may choose to be accompanied by another adult who may act as an adviser.

5.6.3 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.

5.6.4 If the accused does not appear, the hearing will not proceed, the accused will be fined in accordance with the "Schedule of Fees, Fines, Bonds and Penalties" as published by the Governing Organization, and the accused will be suspended from all soccer related activities until he/she requests in writing and attends a hearing.

5.6.5 In all cases of alleged Match Official Assault, the following must attend the hearing:

- a) The accused; (notwithstanding 5.6.1, the accused must attend in person)
- b) The person(s) submitting the report(s);
- c) The Club representative.

- 5.6.6** If any of the above parties fail to attend may result in disciplinary action being taken.
- a) An accused person failing to attend a Discipline Hearing when required to do so, shall be suspended from all soccer related activity until such time that he/she requests, in writing, another hearing and appears at that subsequent hearing; and he/ she shall be fined in accordance with the “governing documents” of the organization hearing the case.
 - b) A Governing Organization failing to attend a Discipline Hearing, when required to do so, shall be fined in accordance with the “governing documents” of the organization hearing the case.
- 5.6.7** Failure of an accused, without due cause, to participate in, or remain at, a discipline hearing when required to attend.
- a) An accused person who refused to participate in a Discipline Hearing, or who walked 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.
 - b) Notwithstanding Procedure 5.6.7 a), 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.
- 5.6.8** The Discipline Hearing Panel must require that the author of the misconduct report attend the Discipline Hearing where the accused has been charged with a misconduct type that may result in a penalty of one year or greater.
- 5.6.9** The Match Official must attend a Discipline Hearing if required by the Discipline Hearing Panel. Any reasonable expenses incurred by the Match Official shall be reimbursed by the Governing Organization handling the case.
- 5.7 Advisers, Club Representative, Witnesses and Observers**
- 5.7.1 Advisers**
- 5.7.1.1** An adviser is a person 18 years of age or older who provides advice to any party required to attend a Discipline Hearing including the Panel and may not act as a witness nor provide any testimony at the Discipline Hearing. They may not question the competence of the Match Official(s) and may question a witness for clarification purposes only.
- 5.7.1.2** The Chair of the Discipline Hearing Panel shall notify any advisers that the hearing will be conducted strictly in accordance with Ontario Soccer “Governing documents”.
- 5.7.1.3** An adviser may not be granted an adjournment of the hearing on the grounds that he/she is not familiar with Ontario Soccer “Published Rules”.
- 5.7.2 Observers**
- 5.7.2.1** Each party required to attend a Discipline Hearing is entitled to have a maximum of two observers in attendance at the Discipline Hearing. They may not act as a witness nor provide any testimony but may speak at the discretion of the Discipline Hearing Panel.
- 5.7.2.2** If an observer interrupts a Discipline Hearing and refuses to stop such interruptions when requested to do so by the Discipline Hearing Panel, he/she shall be required to leave the hearing room, prior to the continuation of the hearing.
- 5.7.3 Club, Local Referee Association or League Representative**

- 5.7.3.1** Each Club / Local Referee Association or League is entitled to send a representative to a Discipline Hearing at which one of its Player(s), Team Official(s) or Administrators or Match Official(s) is required to attend and may serve as an adviser.
- 5.7.3.2** At a Discipline Hearing for a Match Official Assault case, the Club shall send a representative to the hearing.
- 5.7.3.3** A Club Representative may also serve as an adviser to a party, usually the accused, and is entitled to the full rights of an adviser, in accordance with Operational Procedure 5.7.1.
- 5.7.3.4** At a Discipline Hearing for a Match Official Assault case the Local Referee Association of the assaulted Match Official shall be requested to send a representative to the hearing.

5.7.4 Witnesses

- 5.7.4.1** Each party required to attend a Discipline Hearing as well as the Governing Organization hearing the case, is entitled to bring witnesses. Witnesses must appear in person. Written reports by witnesses are not acceptable.
- 5.7.4.2** There is no limit to the number of witnesses allowed, but they must add new testimony and the Discipline Hearing Panel can restrict the testimony of witnesses if the testimony given becomes repetitious.

5.7.5 Composition of Discipline Hearing Panel

- 5.7.5.1** A Discipline Hearing Panel shall consist of at least three members:
1. The Chair. Please note; The Discipline Chair of a Governing body, District, League, Club or Tournament must hold current Discipline Certification Level 1 prior to the hearing being convened. Also no "Director" may sit as Discipline Chair of their own organization.
 2. The Recording Secretary and;
 3. A third member.

Personnel shall be carefully selected for the Discipline Hearing Panel to ensure the panel will have no significant relationship with the affected parties, will have no involvement with the misconduct being considered and will be free from any other actual or perceived bias or conflict. Only one (1) registered match official shall be allowed on a panel.

- 5.7.5.2** The Discipline Hearing Panel shall hear all charges at a properly convened Discipline Hearing. The accused may waive this requirement for three members by signing the appropriate waiver form.
- 5.7.5.3** For Discipline Hearings being convened by a District Association or any classification league, the Discipline Hearing Chair will hold current Discipline Certification Level 1 prior to the hearing being convened.

5.7.6 Discipline Hearing Procedures and Teleconference Hearings

- 5.7.6.1** At the start of the Hearing, all parties shall be brought into the hearing room. The Recording Secretary shall record the names and status of all attendees. The Chair shall explain to all parties present, the Discipline process and the rights and limitations of all parties to the Hearing, as described in Operational Procedures.
- 5.7.6.2** At the start of the hearing by teleconference, all parties shall call into the prescribed phone number to become part of the Discipline hearing. The Recording Secretary shall record the names and status of all attendees. The Chair shall explain to all parties present, the Discipline process and the rights and limitations of all parties to the Hearing, as described in the Operational Procedures.

All Witness shall provide their phone numbers, where they can receive either a text message or a phone call. The Witnesses shall be asked to be available to give their evidence during a later call that evening/day. The Chair shall either call or text the witness to call back into the teleconference to give their evidence. (This procedure will allow witnesses to give their evidence without actually hearing what other witnesses have testified to.) Witnesses are to remain on the tele-conference till they are excused.

- 5.7.6.3** With all parties present, the charges against the accused shall be read from the “Discipline Hearing Notice”, together with any other reports on which the charges have been based. After this time, all witnesses must be asked to leave the room.
- 5.7.6.4** With all parties (including Witnesses) present on the teleconference, the charges against the accused shall be read from the “Discipline Hearing Notice”, together with any other reports on which the charges have been based. After this time, all witnesses will be asked to leave the teleconference, but be available to call back when instructed to do so.
- 5.7.6.5** The person(s) submitting the report(s), if present, shall be allowed to amplify or qualify the report(s) and the accused (or adviser) shall be allowed to question the report. Questions to a witness from any party must be directed through the Chair at the Chair’s discretion.
- 5.7.6.6** Witnesses shall be brought back in, one at a time, at the request of either party or the Hearing Panel. After giving testimony the witnesses shall be asked to remain in the room. If they request to leave, the Panel must ensure that they leave the building and not communicate with any other witnesses that have still to be heard.
- 5.7.6.7** Witnesses shall be asked to call back in, one at a time, at the request of the Chair of the Hearing Panel. After giving testimony the witnesses shall be asked to remain in the Teleconference or they may leave the teleconference. If they request to leave, the Chair shall instruct that they do not communicate with any other witnesses that have still to be heard. Questions to a witness from any party must be directed through the Chair at the Chair’s discretion.
- 5.7.6.8** The Chair shall allow the accused and witnesses to testify, provided the testimony is relevant, and the Hearing Panel may question the accused or any witness giving evidence.
- 5.7.6.9** If, during the hearing, it is determined that evidence from a witness who could not attend may be crucial to the decision, the Chair shall adjourn the hearing and reschedule it to a later date. All those who are required to attend the rescheduled hearing shall be given notice in writing in accordance with the time frames stipulated in this procedure, or by mutual consent at an earlier date.
- 5.7.6.10** The accused and the person(s) submitting the report(s) shall be given the opportunity to present final comments, after which the Chair shall declare the hearing recessed and notify all parties of their “Rights of Appeal”. At this time, all those other than the Panel members shall leave the room or the teleconference
- 5.7.6.11** The Panel shall consider the evidence and shall, wherever possible, arrive at a decision prior to adjourning. In the event that the Panel decides that further information is required, it will act accordingly, and will notify all involved parties to that effect within fifteen days. If a further hearing is considered to be necessary, the Panel shall, unless all parties agree to sign waivers, give fifteen days’ notice to all involved parties. Those parties required to attend the original hearing shall be required to be present at the subsequent hearing.
- 5.7.6.12** In the event that a Discipline Hearing Panel considers that (additional) charges should be laid against any Registrant or Registered Organization as a result of new evidence being discovered at the hearing, the (new) charges must be dealt with by the appropriate Governing Organization at a new hearing with a new panel held on a subsequent date.
- 5.7.6.13** In a situation where there are multiple discipline cases involving two or more individuals/organizations and relating to the same incident, the Discipline Hearing Panel may hear the cases concurrently at the same hearing. In such situations, all of the accused parties shall individually be given the same rights and responsibilities as a single accused individual/organization.



5.7.7 Audio Visual Technology

- 5.7.7.1 An audio recorder may be used by any party to record the testimony at a Discipline Hearing. All persons participating in the hearing shall be advised that the hearing is being recorded.
- 5.7.7.2 Video evidence is acceptable provided it substantiates verbal evidence given by any party. Video evidence that simply seeks to show errors made by a Match Official shall be ruled out of order and not considered. Video evidence that shows possible errors in identification by the Match Official shall be allowed.
- 5.7.7.3 If the Discipline Hearing is being conducted by teleconference, any Video evidence shall be submitted at least 4 days prior to the hearing, so that the video evidence can be forward to the panel in a manner that the panel can open to view after it has been entered under 5.7.7.2

5.7.8 Notification of Penalty

- 5.7.8.1 In all cases, decisions shall be forwarded, in writing, by mail, fax, e-mail, or designated website, to the parties involved within fifteen (15) days after the conclusion of the hearing. The decision shall include the "Rights of Appeal Information". If the accused is found guilty the decision shall include:
- a) The exact offence(s) of which the accused has been found guilty and reasons to support the decision.
 - b) The exact terms of the discipline imposed, including any suspension(s), fee(s), fine(s), or bond(s).
- 5.7.8.2 If the written decision is not received within the specified timeframe, the accused person's or organizations rights of appeal begin on the date of the receipt of the written decision, with the Rights to Appeal document.

5.7.9 Rights of Appeal

- 5.7.9.1 Any party directly affected by a decision under the DBH system has the right to appeal that decision. The discipline decision shall remain in effect pending the result of the appeal.
- 5.7.9.2 If the "Rights of Appeal Information" is not given to a party directly affected by the decision, then that party's rights of appeal, begin on the date of the receipt of the "Rights of Appeal Information".

PROCEDURE 6.0 - MATCH OFFICIAL ASSAULT

6.1 Reporting a Match Official Assault

- 6.1.1 A Match Official Assault shall be reported in accordance with **Procedure 2.4**.

6.2 Immediate Suspension

Within 24 hours after receipt of the report, the District Association shall notify the alleged offender, his/her Club and League, that he/she is immediately suspended from all soccer related activity, pending a hearing by an Ontario Soccer Discipline Hearing Panel in the District Association with which he/she is registered or with which his/her Club is affiliated.

6.3 Jurisdiction

- 6.3.1 Ontario Soccer Discipline Hearing Panel shall be appointed by the District Association with which the accused is registered or with which the club of the accused is affiliated. The District Association's appointed Discipline Hearing Panel shall act as Ontario Soccer's Discipline Hearing Panel in the hearing of such cases.

6.3.2 The Discipline Hearing shall be convened within 30 days, of the receipt of the report by the relevant Governing Organization

6.4 Attendance of Match Official at Discipline Hearing for Match Official Assault

6.4.1 If the match official, who has filed a report alleging Match Official Assault:

- a) Is unable or unwilling to attend a Discipline Hearing for the accused within 30 days after missing the first scheduled hearing or;
- b) Fails to attend two scheduled Discipline Hearings without a valid reason

Then the charge of Match Official Assault shall be dismissed. For each time the Match Official fails to attend a scheduled Discipline Hearing without valid reason, the match official shall be fined in accordance with Procedure 9.0.

6.5 Decision Pertaining to Match Official Assault Case

6.5.1 When suspending a registrant for Match Official Assault, the Discipline Hearing Panel shall include any period of suspension already served.

6.5.2 If the accused is found guilty of Match Official Assault, the Club of the accused shall be assessed a "Discipline Hearing Administrative Fee."

6.5.3 Disposition of all cases involving Match Official Assault shall be reported to Ontario Soccer Office within 21 days after the completion of the hearing including the findings and decision.

PROCEDURE 7.0 - DISCIPLINE AT TOURNAMENTS

7.1 The governing organization responsible for the tournament shall ensure the Discipline Chair has current Discipline Certification level 1 status.

7.2 Alleged offenders must be dealt with by The Panel under the DBR system or DBH system as appropriate directly after the game in which the misconduct was reported.

7.3 The Panel may, where justified, suspend any person dismissed during, or after, a game, from all further participation in the tournament. This is mandatory for any "A" misconduct type

7.4 If the Panel is unable to deal with an offence in a satisfactory manner after the game in which the alleged misconduct occurred:

- a) The offender shall not be permitted to participate any further in the tournament;
- b) Within 48 hours after the completion of the tournament, the Tournament's Host Organization must forward the Match Official's report, together with any other reports, to its District Association;

7.5 In the case of a Match Official Assault in a tournament, the offender shall be immediately suspended from all soccer related activities, pending a hearing by an Ontario Soccer Discipline Hearing Panel.

- a) The match official shall submit his/her preliminary report to the District Association in which he/she resides and to Ontario Soccer's Match Official Development Program within 48 hours of the assault and then a completed Match Official Assault Report within 5 days of the alleged assault;
- b) The tournament's host organization shall immediately (after the completion of the tournament) notify its District Association;
- c) Within 24 hours after receipt of notification of the Match Official Assault, the District Association shall notify the District Association with which the offender's club is affiliated who will in turn notify the accused, the club of the accused and the league which he/she plays, that the accused is suspended from all soccer related activity until being dealt with by an Ontario Soccer Discipline Hearing Panel.

- 7.6** The Tournament's Host organization shall forward to its governing organization:
- a) Within three days after the completion of a tournament, copies of all misconduct reports, including, dismissal and special incident reports, and the "list of cautions report"; and
 - b) Within three days after the completion of a tournament, a summary report about the discipline rendered to each person.
 - c) Who will in turn forward for each person registered with another District Association the misconducts reports and summary report(s) to the appropriate District Association and shall forward a copy of such to Ontario Soccer

PROCEDURE 8.0 - SUSPENSIONS

8.1 Serving Suspensions

- 8.1.1** Any suspension for Match Official Assault shall begin immediately when the report is submitted to the governing organization and continues if the accused is found guilty. The governing organization is responsible for notifying the accused that they are suspended from all soccer activities pending a discipline hearing.
- 8.1.2** A registrant suspended in a league, league cup, league play-off or any other league competition shall serve the suspension with the league.
- 8.1.3** If a registrant is suspended for a specific number of scheduled games in a tournament and if the suspension has not been fully served then any outstanding games shall be transferred to the game(s) of the registrant's league.
- 8.1.4** A registrant unable to fully serve their suspension in a designated competition(s) due to the completion of scheduled games, or the individual leaving the team or league, shall serve their remaining games in the new team or competition(s) they enter. The suspension shall follow the individual registrant until fully served.
- 8.1.5** Game suspension not completed during the current playing season will be carried over to the following playing season. Indoor to Indoor, Outdoor to Outdoor, Futsal to Futsal.

Note: Game suspensions for tournament team players, shall follow the player to their next registered game.

8.2 Suspension Review

- 8.2.1** Anyone under suspension for two years or longer may request a review of his/her period of suspension after at least half of such suspension has been served.
- 8.2.2** Notwithstanding Procedure 8.2.1, in any case in which the suspension exceeds six years, a review may be requested after three years of such suspension has been served.
- 8.2.3** A "Request for a Suspension Review" shall be made to the organization which rendered the suspension.
- 8.2.4** A letter of recommendation from a Governing Organization except the District Association receiving the "Request for a Suspension Review" must accompany any such request.
- 8.2.5** In the case of reviewing a suspension which resulted from a Match Official Assault:
- a) The application shall be submitted to the District Association with which the applicant was registered or affiliated at the time the suspension was levied;
 - b) The application shall be made on the applicable Ontario Soccer form and submitted with a recorded payment for the correct fee in accordance with Procedure 11.0; and
 - c) An Ontario Soccer Suspension Review Panel shall be appointed by the District Association receiving the application and shall act as Ontario Soccer's Suspension Review Panel in the reviewing of such suspension.

8.3 How to apply suspensions from all Soccer Related Activity for employees registered to Ontario Soccer

- 8.3.1** In-Game coaching can be defined as ALL activities and responsibilities of a Coach, Technical Director or Administrator during a game beginning with their presence at the bench and including any advice, commentary or assistance to players or other technical staff on the day of the game.
- 8.3.2** Hence with a paid employee a misconduct that requires suspension from all soccer related activity is to be levied through game suspensions that ban the accused from being present at the field on the day of the game(s). This would include any communications with the team staff at the bench by any means.
- 8.3.3** The length of the suspension would be measured in weeks/months as defined in the misconduct suspension and any and all games during that period are to be included in the game suspension. Hence a Coach/Technical Director responsible for or involved with multiple teams would be barred from being present at the field for all the games played by these teams during the period of the suspension - regardless of the actual number of games.
- 8.3.4** Team staff who may receive some form of payment/stipend directly from team parents are not to be considered employees under this policy. (ie. Not employed by a Governing Body). Receiving payment from parents does not constitute being a paid employee and can be subject to suspension from all soccer related activity.

Accordingly, coaches paid by parents in any form are subject to the full force of suspension from all soccer related activity and must be suspended from all soccer related activity as defined in the policies.

PROCEDURE 9.0 - STANDARD PENALTIES FOR MISCONDUCT

- 9.1** Where a specific suspension is quoted, the set suspension is mandatory and can be administered by DBR. Where suspensions are quoted as a range, application of a suspension within the range is required and the misconduct must be dealt with by DBH. All fines equal to, or greater than, \$200.00 must be dealt with by DBH.
- 9.2** Probationary, suspended or concurrent sentences are not permitted.
- 9.3** A Governing Organizations may impose fines, fees, bonds and/or penalties for other offences provided such are listed in its "governing documents" provided such penalties are not in conflict with any Ontario Soccer Misconduct Type. With regard to players, a fee, fine, bond and/or financial penalty may be only be imposed on a player who is registered with a senior team, including a youth age player registered with a senior team.
- 9.4 Immediate Suspensions from All Soccer Activities**
- An immediate suspension must be imposed on receipt of a report for the following misconduct:
- i. Offences of moral turpitude
 - ii. Physical assault or attempted physical assault of a mini or youth registered player by a Team Official or Administrator and/or Match Official
 - iii. Match Official Assault by a player, team official, administrator or another match official
 - iv. Missed Discipline Hearing: If the accused fails to attend a Discipline Hearing in which they were required to attend.
- 9.4.1** In cases where a person has been charged in criminal court with offences of moral turpitude, the accused shall be suspended from all soccer related activity until the case(s) has been concluded in criminal court. Ontario Soccer may decide if further proceedings are warranted pursuant to the "Governing documents" of Ontario Soccer and/or Canada Soccer
- 9.4.2** Within 24 hours after receipt of the report from the Match Official, or after charges have been laid by the police, the District Association shall notify the alleged offender, his/her Club and League, that he/she is