

# **USA Rugby Disciplinary Regulations and Procedures**

## **General Information and Requirements**

Officials at every level (LAU, SBRO, GU, Territorial Union, College Conference, National) have a responsibility to ensure that all their members are fully aware of and follow these procedures. For its part, USA Rugby will cause these regulations to be posted to its WEB site, Club Newsletters, and via other electronic or printed media.

Reciprocity is mandated. Players and/or clubs sanctioned in one College Conference are sanctioned in all.

All members of USA Rugby must keep their College Conference and National Office apprised of address changes.

It appears that a small minority of players has a disregard for fair play and the overall good of the game. This fact and the increasing mobility of American society make the following procedures necessary:

- ◆ Each College Conference and the National Disciplinary Committee shall maintain written records of all decisions reached and actions taken. The information may be brief, but must include name, CIPP number, address, date and type of incident, action taken, etc. Details on how long to keep this information on file will be circulated. These files must be kept in a professional manner and passed to new Chairs of Disciplinary Committees. The information is required in order to determine whether an individual is a repeat offender. The information is only to be used during the "sentencing" portion of any hearing or action, and only if there has been prior disciplinary action taken. It may not be utilized in determining the guilt or innocence of the individual.
- ◆ If an individual has been found guilty of an offense and the party moves to a new location, the file(s) of any incidents must be copied and the copy sent to the Disciplinary Chair of the College Conference or LAU/TU/GU in the new location. This will ensure continued awareness of past problems that will need to be addressed if the individual is again accused of misconduct.

**USA Rugby has established the following regulations and procedures for itself and its members.**

*To Be Used at all USA Rugby, Territorial Union (TU), College Conference (CC), Geographic (GU) and Local Area Union (LAU), and State Based Rugby Organizations (SBRO) Events and Matches.*

**USA Rugby National Office.**

USA Rugby has appointed a Disciplinary Chair, who shall appoint a committee of not less than four. The Chair shall choose the committee members based on qualifications established by USA Rugby. At least 20 percent of the membership of the committee shall be "international athlete representatives" as defined in USA Rugby's By-Laws.

**College Conference Requirement.**

Each College Conference and each Local Area Union (LAU) within the jurisdiction of a Territorial/ Geographic Union shall have a standing Disciplinary or Disciplinary Committee. That Disciplinary or Committee must follow the requirements of these regulations and procedures.

**Disciplinary Structure - Areas of Responsibility.**

**USA Rugby's Disciplinary Committee:**

1. Incidents involving a touring team from a Union other than USA Rugby (not to include teams in international test matches) playing a United States team or at an event within the United States.
2. Incidents at a USA Rugby championship series event.
3. Unresolved differences between two or more College Conferences.
4. Appeals of decisions reached by College Conference discipline processes or procedures.

**The College Conference / LAU Disciplinary or Committee:**

1. Incidents at all events, conducted under their jurisdiction as match organizer.
2. If an incident involves teams from different Administrative Organizations (AO), the matter should be forwarded to the USA Disciplinary Committee.
3. Off-field incidents (including those that affect rugby in a negative fashion) by clubs or players or supporters that occur at a location outside the club's or player's or supporter's home AO.
4. Appeals of decisions reached by member Disciplinary or Committees.

**Specific Disciplinary Situations**

**Player Sent Off by a Referee**

Any player who is sent off for the remaining duration of a match for any reason is suspended for eight days, or one match, whichever is the longer, pending a review of the send-off report by the responsible disciplinary committee. The player has a right to a timely appeal.

The referee and qualified touch judges, and the club or clubs, involved must fulfill their responsibilities as required by Law 6A.14 and Law 6B.7. That is:

1. Reports must be filed with the Disciplinary Chair of the Match Organizer on a timely basis, which shall be no more than forty-eight hours after the incident by phone, with a written follow-up in no more than seventy-two hours. Such follow-up may include communication via e-mail or fax.
2. The Disciplinary Chair or Committee or their designee will review the reports immediately and render a decision within forty-eight hours (two business days) of receiving the report. If there is no dispute noted in the clubs reports and no questions arising from the Referee's Report, then the Disciplinary Chair shall act according to the guidelines below. If there are questions, the Chair shall interview all those involved, and others at the Chair's discretion, and request additional information and/or documentation of the incident. If necessary, or if requested by the player sent off, a hearing will be convened prior to the end of the period of automatic suspension.

Prior to the hearing the individual who is the subject of the disciplinary action shall be informed of the specific conduct that is at issue. At that hearing, which may be conducted by telephone, all involved may make statements relating to the incident and may be represented by counsel. The individual who is the subject of the disciplinary action shall have an opportunity to review all evidence, and the hearing shall be consistent with traditional notions of due process. The committee will render its written decision within forty-eight hours (two business days) of the hearing. Such decision may be communicated by mail, fax, or e-mail and followed up by regular mail as appropriate.

3. If a club that is a party to a send off does not file a report with the Disciplinary Chair of the College Conference responsible for dealing with the send off, it will be treated as an undisputed send off.

**When a player is sent off the field for the following reasons, the sanctions shall be in the range set forth below. These penalties are inclusive of the eight day, or one match suspension.**

**Non Violent Technical Infringements (holding, obstruction, time-wasting):**

- ◆ First Offense: - 8 days - 2 weeks.
- ◆ Second Offense (within one year): - 3 - 4 weeks.
- ◆ Third Offense (within one year): - two months.

**Minor Physical Offense (pushing, barging, over-the-top calls, early or late tackles):**

- ◆ First Offense: - 2 - 3 weeks.
- ◆ Second Offense (within one year): - 4 - 6 weeks.
- ◆ Third Offense (within one year): - 3 months.

**Major Physical Offense (kicking, punching, dangerous rucking):**

- ◆ First Offense: - 2 - 6 weeks.
- ◆ Repeat Offense (within one year): - 4 - 10 weeks.

**If these strikes were directed to the head or groin:**

- ◆ First Offense: - 3 - 12 weeks.
- ◆ Repeat Offense (within one year): - 6 - 12 months.

**If this type of offense is directed at a player who is in a defenseless position, or situation, and/or in the referee's opinion were delivered with the intent to injure, the suspensions shall be increased as follows:**

- ◆ First Offense: - increase by additional 6 - 8 weeks.
- ◆ Repeat Offense (within one year): - increase by an additional 3 - 6 months.

The suspensions noted above shall be interpreted as implying one week equals one regularly scheduled match - whichever is the longer suspension. Clubs accused and found guilty of scheduling additional fixtures to circumvent these regulations will be subject to additional penalties. For repeat offenses, the time calculation shall be the elapsed time since the last infraction. An individual shall be subject to the penalties for "second," "third" or "repeat" offenses only if there has been a prior suspension or disciplinary penalty imposed.

**Player Sent Off: Offenses against a Referee or Touch Judge, or a game related offense reported by a Referee or Touch Judge.**

Because of the seriousness of these offenses these sanctions must be strictly adhered to:

**A. Persistent criticism/disputing of calls:**

- ◆ First Offense: - 1 - 3 matches.
- ◆ Second Offense (within one year): - 4 - 6 matches.
- ◆ Third Offense (within one year): - Formal hearing. A formal hearing shall be defined as a meeting of the Disciplinary Chair plus two College Conference or LAU/TU/GU Officers depending on the level of the hearing. This requirement shall be satisfied by a meeting of the Full Disciplinary Committee of the College Conference that is hearing the complaint, or of a Committee constituted for this purpose as defined in the By-Laws of that CC.

**B. Verbal abuse and/or threatening a Referee or Touch Judge:**

- ◆ First Offense: - 3 - 5 matches.
- ◆ Second Offense (within one year): - 6 - 10 matches.
- ◆ Third Offense (within one year): - Formal hearing.

**Offenses Requiring Written Report to USA Rugby.**

**C. Continuation of the two offenses (A and B) cited above, and/or nonviolent contact with a Referee or Touch Judge after a send off, or at the end of the match:**

- ◆ First Offense: - 6 months.
- ◆ Second Offense (within one year): - one or more years.

**D. Physical or Attempted Physical Assault of a Referee or Touch Judge on or off the field, during or after the match:**

- ◆ Player is suspended immediately.
- ◆ A formal hearing must be held within two weeks of the incident. The hearing must include the representation from the Disciplinary Committee at the next highest level of rugby administration. If the event, or match, or incident occurs at a USA Rugby event, then a representative of the accused individual's CC or LAU/GU/TU Disciplinary Committee must be included in the hearing.
- ◆ Unless overwhelming evidence is presented that would mitigate the situation a minimum suspension of five years will be assessed the guilty party.

**Tracking Offenders.**

It is the responsibility of the Chair of all Disciplinary Committees to provide a written report to the National Office of USA Rugby of any action taken in Sections C and D above. For all individuals suspended for three or more months the report must contain a recent photograph of the suspended individual. USA Rugby will periodically circulate information on all suspensions throughout the United States. Methods of circulating such information will include, but are not limited to: posting to a WEB site, Club Newsletters, and other electronic or printed media. Any club that allows a suspended player to participate in matches while suspended will be subject to additional penalties by their College Conference, or both Disciplinary Committees.

**Undetected Foul Play/Off Field Misconduct (Action required is the same for both situations.**

When an act of foul play occurs but is undetected by the Referee or Touch Judges it is the responsibility of the witness(es) to report it to the Referee as soon as practical after the incident.

- ◆ If it is not practical to report the incident to the Referee it is the responsibility of the witness(es) to send a written report of the alleged act of foul play to the Conference Disciplinary Chair of which the player's club is a member within forty-eight hours after the incident by phone, with a written follow-up in no more than seventy-two hours. Such follow-up may include communication via e-mail or fax.
- ◆ Where more than one College Conference is involved the report should be addressed to the Disciplinary Chair of USA Rugby. Likewise, off field behavior that is detrimental to the image of the game of rugby should be reported to the appropriate Disciplinary Chair in the same timely manner.

Upon receipt of these types of reports, the Disciplinary Chair must contact the accused within forty-eight hours (two business days). After receipt of the comments of the accused the Chair will follow these procedures:

The Disciplinary Chair or Committee or their designee will review the reports immediately and render a decision within forty-eight hours (two business days) of receiving the report. If there is no dispute noted in the clubs reports and no questions arising from the Referee's Report, then the Disciplinary Chair shall act as follows:

- ◆ If there are questions, the Chair shall interview all those involved, and others at the Chair's discretion, and request additional information and/or documentation of the incident.
- ◆ If necessary, or if requested by the player sent off, a hearing will be convened prior to the end of the period of automatic suspension. Prior to the hearing the individual who is the subject of the disciplinary action shall be informed of the specific conduct that is at issue.
- ◆ At that hearing, which may be conducted by telephone, all involved may make statements relating to the incident and may be represented by counsel.
- ◆ The individual who is the subject of the disciplinary action shall have an opportunity to review all evidence, and the hearing shall be consistent with traditional notions of due process.
- ◆ The committee will render its written decision within forty-eight hours (two business days) of the hearing. Such decision may be communicated by mail, fax, or e-mail and followed up by regular mail as appropriate.

Foul play incidents, if found to be true, should be penalized as in "Offenses Requiring Written Report to USA Rugby" 'C' and 'D' above.

Off field incidents will be reviewed on a case-by-case basis. Proven allegations of misconduct that tends to place the game in disrepute are to be dealt with in the strongest manner. As a reminder, clubs are responsible for the activities of their members and supporters as they relate to the image of the game. Clubs are expected to provide for the discipline of their members and supporters who bring the game into disrepute.

## **Appeals Procedure**

### **The Appeal.**

- ▶ An individual or club may appeal a decision they feel unjust. This does not apply to suspensions related to players sent off if the initial report was not addressed by the individuals or the clubs deemed guilty.
- ▶ A written notice of appeal must be made within ten days of receipt of the notice of suspension. The appeal must be made to the Chair of the Disciplinary Committee that made the suspension decision.
- ▶ A copy of the appeal must also be sent to the Conference Commissioner or LAU/TU/GU President to which the Disciplinary Committee reports.
- ▶ The Disciplinary Chair shall initiate a hearing by contacting and securing the services of two officers of the Disciplinary Committee's governing body not involved in the case. The appellant shall do the same. The Disciplinary Chair and the four persons selected from the governing body shall be the Appeals Committee.
- ▶ The Disciplinary Chair shall copy and forward all information regarding the case to all members of the Appeals Committee. A hearing date, time and place shall be determined by the Chair and sent to each member of the Appeals Committee and to the appellant. Such details of the hearing shall be agreeable to all parties, subject to them not withholding consent unreasonably.

### **The Hearing.**

- ▶ All parties involved shall be given an opportunity to present all pertinent information, and counsel they may represent the appellant.
- ▶ Upon completion of the hearing, the Appeals Committee shall reach a decision by majority vote. A written copy of the decision shall be sent to the appellant and to the members of the Appeals Committee within forty-eight hours of the hearing.

### **Appealing Decisions of the Appeals Committee.**

- ▶ Decisions of the Appeals Committee may be appealed if it is felt evidence was not entered, or if extreme bias was present.
- ▶ The appellant must notify the President of the next level of rugby administration in writing within ten days of receiving the Appeals Committee decision.
- ▶ The President shall gather all the material pertinent to the case and review this and any new evidence, or claim of bias, that is presented by the appellant. Within forty-eight hours (two business days) of receiving the case file from the Chair of the Disciplinary Committee, the President shall issue a decision on the case.
- ▶ That written decision will be sent to the appellant and to the Chair of the Disciplinary/Appeals Committee.
- ▶ This decision shall be final and no appeals shall be heard or entertained above this level except as provided in the By-Laws of USA Rugby.

## **Appendix 1**

### **Yellow Cards**

In order to address the issue of repeat offenders and professional fouls the following disciplinary procedures will be implemented:

If a player receives two yellow cards in a game that player will be ejected from the game and will receive an automatic minimum suspension of eight days or one competitive game, whichever is the longer, pending a review by the Disciplinary Chair of the Union under whose jurisdiction the game was played. The competitive game will be the next match following the expiration of the time for appeal against the yellow card(s).

If a player receives a yellow card in successive games that player will receive an automatic minimum suspension of eight days or one competitive game, which ever is the longer, pending a review by the Disciplinary Chair of the Union under whose jurisdiction the games were played. The competitive game will be the next match following the expiration of the time for appeal against the yellow card(s).

If a player receives four yellow cards during a twelve month period that player will receive an automatic minimum suspension of sixteen days or two competitive games, which ever is the longer, pending a review by the Disciplinary Chair of the LAU of which the player's club is a member. The two competitive games will be the next two matches following the expiration of the time for appeal against the fourth yellow card.

If a player receives six yellow cards during a twelve month period that player will receive an automatic minimum suspension of twenty days or three games, whichever is the longer, plus a disciplinary hearing before the Disciplinary Chair of the LAU of which the player's club is a member.

A player may appeal against being given a yellow card within 14 days of being given that yellow card by giving notice in writing to the Disciplinary Chair of the LAU of which the player's club is a member who shall then convene a hearing as soon as is conveniently possible.

The hearing of an appeal against a yellow card shall follow the procedures set out in Section V of these Guidelines where a player has been sent off but pleads 'not guilty' save that:

The Disciplinary Panel may impose the punishment that would have been appropriate had the player been sent off for the offense, or cancel, or confirm the giving of the yellow card.

Where a player appears before the Disciplinary Panel having been given a yellow card or cards in addition to having been sent off the Disciplinary Panel is entitled to take those yellow cards into consideration and decide they shall form no part of future computations under these Guidelines.

The proceedings, findings, or decisions of a Disciplinary Panel shall not be invalidated by reason of any minor defect, irregularity, omission or technicality unless such defect, irregularity, omission or technicality raises a material doubt as to the reliability of the proceedings, findings or decisions.

Notice of appeal given by fax or email is acceptable provided a hard copy is posted within three days of the fax or email.

## Appendix 2

### Procedures applicable to citing pursuant to Undetected Foul Play/Off Field Misconduct

Citing occurs where a player commits an act of foul play that was not detected by the match officials and either of the College Conferences or Clubs participating in the match have the discretion to cite that player to show cause why that player should not be held accountable in the same way as a player who has been ordered off.

#### Who can cite?

*Only College Conferences or Clubs in membership with the College Conferences or LAU/TU/GU's participating in the match.*

#### How to cite:

*The citing must be in writing and signed by an official, or nominated person acting on behalf of the College Conference or LAU/TU/GU or Club seeking to cite. A citing by fax or email is acceptable provided a hard copy is posted within three days of the fax or email.*

*The citing must be addressed to the Disciplinary Chair of the Conference of which the player's club is a member within forty-eight hours after the incident by phone, or with a written follow-up in no more than seventy-two hours. Such follow-up may include communication via e-mail or fax. Likewise, off field behavior that is detrimental to the image of the game of rugby should be reported to the appropriate Disciplinary Chair in the same timely manner. In cases of doubt, or where two Conferences or LAU/TU/GU's are involved, the citing should be addressed to the Disciplinary Chair of USA Rugby.*

#### The citing must state:

- ◆ *Date, venue and teams participating in the match.*
- ◆ *Details of the alleged act of foul play including as accurately as possible the time elapsed in the game, the score, and the position on the field where the alleged incident occurred.*
- ◆ *The identity of the player or players alleged to be guilty of foul play, or provide the means of doing so.*

#### Receipt of a written citing.

- ◆ *Upon receipt of a written citing whether direct or through USA Rugby, the Disciplinary Chair shall consult the match officials, which in this context shall mean the Referee and any touch judges officially appointed (and not appointed by a participating club) to determine whether they had detected the alleged act of foul play which is the subject of the citing.*
- ◆ *In the event any official detected the alleged act of foul play which is the subject of the citing, and having detected the act considered that it did not constitute foul play, the citing shall be dismissed, and no further action shall be taken other than advising the Complainant that the citing is dismissed together with the reasons for doing so.*
- ◆ *Where the alleged act of foul play was not detected by any of the match officials the Chair of the Disciplinary Committee shall consider the complaint and unless he considers it to be frivolous or vexatious the player cited shall be advised in writing of the allegations made in the citing.*
- ◆ *If the Chair of the Disciplinary Committee considers the complaint to be frivolous or vexatious the Complainant will be so advised. The Complainant, if aggrieved, may refer the matter to the USA Rugby Disciplinary Chair whose decision shall be final and given within four days of the reference.*
- ◆ *Any such reference to the USA Rugby Disciplinary Chair shall be in writing and posted within three days of the College Conference or LAU/TU/GU of the affiliated Club being informed the complaint is considered frivolous or vexatious.*
- ◆ *Where the player, having been advised, admits the allegations the player may invite the Disciplinary Committee to deal with the complaint under the provisions outlined under "Undetected Foul Play / Off Field Misconduct" included within these regulations.*
- ◆ *A player who has been cited is presumed innocent until proved guilty and may continue playing pending the hearing of the complaint whether or not the player admits allegations of foul play.*