

# **HSSOA Discipline and Protest Complaint Standard Operating Procedures**

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# HSSOA Discipline and Protest Complaint Standard Operating Procedures

## 1) Purpose

- a) The purpose of these Standard Operating Procedures ("**SOP**") is to provide the structure and process for consideration, investigation, and resolution of complaints involving members of HSSOA.

## 2) Complaint Requirements

- a) Complaint Submission - The person making a formal complaint ("**Complainant**") must submit the following minimum information in writing (email submission is acceptable), preferably using the official HSSOA complaint form, to any Area Representative in order for the complaint to be considered:
  - i) Full name and, if applicable, TASO identification number of the Complainant;
  - ii) Name(s) of the HSSOA member being complained of ("**Respondent**");
  - iii) Date(s) and place(s) of the alleged incident/conduct;
  - iv) Detailed factual description of the alleged incident/conduct;
  - v) Type(s) of incident/conduct that is the basis for the complaint;
  - vi) Brief explanation of why Complainant believes Respondent should be sanctioned for the alleged incident/conduct.
- b) Timeliness
  - i) All complaints must be submitted to an Area Representative within fifteen (15) days of the alleged incident or conduct that forms the basis for the complaint. Failure to comply will result in dismissal of the complaint as time-barred. However, this time limitation shall not begin to run until a Complainant discovers or should have discovered the incident or conduct that is the basis of the complaint.
- c) Parties
  - i) **Complainant** - Complaints may be submitted by HSSOA members, coaches, athletic directors, school administrators or any other persons allegedly aggrieved by a member of HSSOA in relation to an HSSOA activity.
  - ii) **Respondent** - One (1) or more HSSOA members must be named as a Respondent in the complaint for it to be considered.
    - (1) HSSOA has no jurisdiction over those which are not members of HSSOA and therefore will not consider any complaints where the named Respondent is not an HSSOA member.
    - (2) The Complainant and/or the Respondent may be an HSSOA Board of Directors member, but a Complainant may not seek the removal of an HSSOA Board of Directors member through these SOPs.
- d) Types of Conduct
  - i) **Actionable Conduct/Incidents:**

The following non-exclusive list are examples of conduct and incidents that may form the basis of an actionable complaint:

    - (1) Breach of ethics;
    - (2) Conflict of interest;

- (3) Harassment (sexual, racial, ethnic, bullying, etc.);
- (4) Discrimination on the basis of a protected class under state or federal law including, but not limited to, sex, race, ethnicity, national origin, religion, and/or disability;
- (5) Failure to show up at a game, late arrival to a game, and/or early departure from a game;
- (6) Use of foul, abusive, or offensive language at a UIL, TASO, and/or HSSOA event;
- (7) Engagement in political electioneering or political expression at any UIL, TASO, and/or HSSOA event;
  - (a) HSSOA members do NOT have First Amendment free speech rights under the U.S. Constitution at HSSOA events or events in which they represent HSSOA because HSSOA is a private, non-governmental organization.
  - (b) For example, wearing articles of clothing to a game that express support or opposition to a candidate for political office or a social/political movement.
- (8) Unprofessionalism through words, writings, actions, dress appearance, punctuality, etc. in relation to HSSOA services and activities;
- (9) Fraud or Misrepresentation;
  - (a) Fraud - For example, seeking payment for games which a member did not officiate, reimbursement for expenses for which a member did not incur costs, cheating on the TASO exam, etc.
  - (b) Misrepresentation - For example, falsifying information (experience, age, USSF grade, fitness test results) in order to obtain HSSOA membership or better HSSOA assignments.
- (10) Criminal conduct (regardless of whether charged or arrested);
- (11) Smoking, vaping, or consumption of tobacco, illicit drugs or alcohol onsite at a game venue;
- (12) Any other violation of the by-laws, codes, policies or procedures of HSSOA, UIL, TASO, and/or NFHS.

ii) ***Non-Actionable Conduct/Incidents:***

The following non-exclusive list are examples of conduct and incidents that may NOT form the basis of a complaint. Complaints solely alleging the following conduct and incidents must be dismissed without consideration.

- (1) Matters with no valid, legitimate connection to HSSOA and its operations;
- (2) Quantity and quality of game assignments;
- (3) Selection/exclusion of members for officiating at playoffs;
- (4) Matters which are or become the subject of civil litigation or arbitration;
- (5) Matters that occurred in the context of other soccer organizations or other sports;
  - (a) For example, alleged conduct that occurred at a USSF/NISOA event or at a UIL basketball contest;
- (6) Matters wherein a Complainant seeks the removal of one (1) or more of the Board of Directors.

**3) Complaint Processing Procedures**

- a) Upon receipt of a complaint by an Area Representative, (s)he shall forward a copy of the complaint to the other two (2) Area Representatives for their review.
- b) Within ten (10) days of the initial submission of the complaint by the Complainant, the three (3) Area Representatives shall determine and vote whether (i) the complaint satisfies all of the requirements of Section 2, and (ii) whether the alleged incident/conduct complained of rises to

the level that would merit adjudication and potential discipline by a D&P Committee. Such vote is required regardless of when each Area Representative actually received a copy of the complaint.

- i) If an Area Representative believes BOTH (i) the complaint satisfies all of the requirements of Section 2, AND (ii) the alleged incident/conduct complained of rises to the level that would merit further adjudication and potential discipline by a D&P Committee, then (s)he shall vote to refer the complaint for full adjudication by the D&P Committee.
  - ii) If an Area Representatives believes EITHER (i) the complaint does NOT satisfy one (1) or more of the requirements of Section 2, OR (ii) the alleged incident/conduct complained of does NOT rise to the level that would merit further adjudication AND potential discipline by the D&P Committee, then (s)he shall vote to dismiss the complaint.
  - iii) If a majority of the Area Representatives timely votes to refer the complaint for adjudication by the D&P Committee, then the complaint must be considered, investigated, and a decision adjudicated by the D&P Committee.
  - iv) If (A) only a minority of the Area Representatives votes to refer the complaint for adjudication by the D&P Committee, (B) the vote of the Area Representatives is tied, or (C) the Area Representatives fail to timely vote to refer the complaint for adjudication by the D&P Committee within ten (10) days of the initial submission of the complaint by the Complainant, then the complaint must be dismissed.
- c) No complaint may by-pass the D&P Committee or otherwise be adjudicated by the Board of Directors except on appeal after a hearing and adjudication by the D&P Committee.
  - d) Any complaint which is dismissed may not be refiled or reconsidered. This means that the conduct or incident complained of may not be the subject of a subsequent complaint either by the same Complainant or a different Complainant.

#### **4) D&P Committee Membership and Selection**

##### **a) Pool of Potential Committee Members**

- i) There shall be a pool of at least nine (9) HSSOA members eligible to serve on a D&P Committee.
- ii) The pool shall consist of the three (3) Area Representatives, and at least six (6) additional HSSOA members nominated by the Area Representatives.
  - (1) Each academic year, each Area Representative shall appoint at least three (3) HSSOA members from their respective area to serve in the pool for the D&P Committee. All HSSOA members appointed by an Area Representative to serve in the D&P Committee pool must be approved by a majority of the HSSOA Board of Directors.
  - (2) Pursuant to the HSSOA By-laws, current members of the Board of Directors (whether a voting or non-voting, advisory position), other than the Area Representatives, cannot be appointed to the D&P Committee pool or serve on a D&P Committee.

##### **b) Recusal/Disqualification**

- i) Any D&P Committee pool member (including an Area Representative) or Board of Director member (on appeal) shall recuse themselves and are disqualified from serving on a D&P Committee or on appeal, as applicable, if any of the following apply to them:
  - (1) Either a Complainant or Respondent is a family member or co-worker;
  - (2) They are or were previously in a romantic relationship with either a Complainant or Respondent;
  - (3) They are or were the Complainant or Respondent of a current or previous complaint filed with HSSOA, TASO, or UIL involving the Complainant or Respondent;

- (4) They have consulted with, advised or offered support to a Complainant or Respondent regarding a subject of the complaint;
    - (a) For example, if a Complainant contacted them about whether to file a complaint, and they encouraged the Complainant to file a complaint or advised the Complainant that the conduct or incident merited the filing of a complaint;
  - (5) They believe, for any other reason, that they cannot be impartial towards either the Complainant or Respondent;
  - (6) They are unable to adjudicate a complaint due to other circumstances (health, work, school, travel, family commitments, etc.)
- ii) Failure of a D&P Committee pool member or Board Director (on appeal) to properly recuse themselves under the circumstances listed above but who nonetheless participates in a hearing and/or votes on adjudication of a complaint shall result in the full and complete nullification of any decision of the D&P Committee or Board of Directors (on appeal), as applicable. Decisions about whether or not a D&P Committee member or Board Director (on appeal) properly recused themselves shall be determined by the Board of Directors as part of any appeal of a D&P Committee decision, or TASO in the case of an appeal of the Board of Directors' decision.
- (1) If the above occurs in the context of the D&P Committee, then a new D&P Committee must be convened with the recused individual replaced by an eligible member of the D&P Committee pool. The new D&P Committee must then hold a new disciplinary hearing and adjudicate the complaint *de novo*, giving no weight or consideration to the prior nullified decision.
  - (2) If the above occurs in the context of an appeal to the Board of Directors, then the Board of Directors must hold a new appeal hearing and adjudicate the complaint *de novo*, giving no weight or consideration to the prior nullified decision.
- c) Selection of D&P Committee Members and Chairman
- i) For each complaint which is properly referred by the Area Representatives for adjudication by the D&P Committee pursuant to Section 3, a separate D&P Committee shall be formed within five (5) days from the vote of the Area Representatives.
  - ii) The Area Representatives shall jointly appoint three (3) individuals from the D&P Committee pool to sit on a D&P Committee, one from each area, if possible, such that the total number of D&P Committee members (including the Area Representatives) shall be six (6).
    - (1) If all three (3) Area Representatives are eligible and available, then they shall select only three (3) additional members from the D&P Committee pool to sit on the D&P Committee to adjudicate a particular complaint.
    - (2) If one (1) or more of the Area Representatives is recused/disqualified, then the remaining Area Representatives will appoint additional members from the D&P Committee pool to replace the missing Area Representative on the D&P committee such that the D&P Committee will always have six (6) members to adjudicate a complaint.
  - iii) Once formed, each D&P Committee shall be chaired by the Area Representative that represents the area in which the conduct/incident that is the subject of the complaint took place.
    - (1) If such Area Representative is recused/disqualified, then the HSSOA President will appoint one of the remaining Area Representatives to serve as the D&P Committee Chairman.
    - (2) If the conduct/incident did not take place in a specific area (North, Central, South) or took place in multiple areas, then the President of HSSOA will appoint one of the Area Representatives to serve as the D&P Committee Chairman.

- iv) The Area Representative that serves as Chairman of the D&P Committee shall preside over the hearing and adjudication of the complaint but may NOT vote to adjudicate the complaint unless to break a tie vote. Accordingly, the Chairman shall preside over the process and maintain order over the D&P Committee disciplinary hearing but shall not substantively participate in the hearing by asking questions, offering opinions, or acting in a capacity other than as an impartial arbiter of procedural rules.

## 5) D&P Committee Hearing Procedures

### a) Notification of Parties

- i) Within seven (7) days of the formation of a D&P Committee, the Chairman shall notify and provide all parties to the complaint the following:

#### **(1) Complainants**

- (a) Notice that the complaint has been referred for adjudication by the D&P Committee;
- (b) The names of the D&P Committee members who will adjudicate the complaint;
  - (i) If a Complainant intends to call one or more of the D&P Committee members as a witness and/or feels that one or more D&P Committee members must be recused/disqualified, then the Complainant must inform the Chairman within three (3) days of receiving notice.
  - (ii) Any D&P Committee member named as a witness for either a Complainant or Respondent must be recused from the D&P Committee and replaced with another member from the D&P Committee pool.
  - (iii) If a D&P Committee member is requested to be recused/disqualified by the Complainant, then the Area Representatives will vote to determine whether such recusal/disqualification is merited. Any D&P Committee member which the Area Representatives determine should be recused/disqualified must be replaced with another member from the D&P Committee pool.
- (c) An opportunity to provide the D&P Committee Chairman with written declarations of witnesses to the alleged incident/conduct supporting Complainant's allegations within seven (7) days of receiving notice;
- (d) An opportunity to provide the D&P Committee Chairman any other documents or information in support of the complaint allegations within seven (7) days of receiving notice;
- (e) The date, time and format (in-person, phone, online, etc.) of a disciplinary hearing of the D&P Committee to hear testimony and adjudicate the complaint;

#### **(2) Respondents**

- (a) Notice that a complaint has been filed against them which has been referred for adjudication by the D&P Committee;
- (b) The names of the D&P Committee members who will adjudicate the complaint;
  - (i) If a Respondent intends to call one or more of the D&P Committee members as a witness and/or feels that one or more D&P Committee members must be recused/disqualified, then the Respondent must inform the Chairman within three (3) days of receiving notice.
  - (ii) Any D&P Committee member named as a witness must be recused from the D&P Committee and replaced with another member from the D&P Committee pool.
  - (iii) If a D&P Committee member is requested to be recused/disqualified by the Respondent, then the Area Representatives will vote to determine whether such recusal/disqualification is merited. Any D&P Committee member which the Area

Representatives determine should be recused/disqualified must be replaced with another member from the D&P Committee pool.

- (c) A copy of the complaint and any supporting documentation provided by the Complainant to the D&P Committee Chairman;
- (d) An opportunity to provide a written response to the complaint to the D&P Committee Chairman within seven (7) days of receiving notice;
- (e) An opportunity to provide written declarations of witnesses to the alleged incident/conduct to the D&P Committee Chairman supporting Respondent's defense within seven (7) days of receiving notice;
- (f) An opportunity to provide the D&P Committee Chairman any other documents or information in support of Respondent's defense within seven (7) days of receiving notice;
- (g) The date, time and format (in-person, phone, online, etc.) of a disciplinary hearing of the D&P Committee to hear testimony and adjudicate the complaint;

**(3) All Complainants and Respondents**

- (a) Within three (3) days of the Chairman's receipt of the following, (s)he shall provide copies to all D&P Committee members and opposing parties:
  - (i) Respondent's written response to the complaint;
  - (ii) All written declarations of witnesses to the alleged incident/conduct;
  - (iii) Any other documents or information submitted by the Complainant or Respondent to the Chairman in support or defense of their positions.

b) Scheduling the Hearing

- i) The Chairman shall schedule a disciplinary hearing of the D&P Committee within twenty-one (21) days of the vote by the Area reps to proceed with the complaint, to hear testimony and adjudicate the complaint. The Chairman shall confer with all participants (D&P Committee members, Complainants, Respondents, and witnesses) in an effort to schedule a mutually agreeable date and time. Notwithstanding the foregoing, the Chairman retains absolute discretion to schedule a hearing date and time that facilitates some, but not all, participants' requests and availability so long as all D&P Committee members are available. In the event that one committee member is unable to attend the hearing due to unforeseen events, the hearing shall proceed as scheduled. Every effort shall be made to provide the absent committee member with any oral testimony that is not covered by the written testimony, and to seek input from the absent committee member to the adjudication process. If two or more committee members do not attend the scheduled hearing, a new date must be found for the hearing.
  - (1) All Complainants, Respondents and witnesses shall be invited to participate in the D&P Committee hearing but are not required to attend and/or participate in the hearing.
- ii) The hearing of the D&P Committee may take place in-person, online, by phone or some combination of these three (3) options.
- iii) Each of the Complainant and Respondent shall have at least five (5) days advance notice before a D&P Committee hearing is to be held and shall be provided the hearing schedule and time limitations for each part of the hearing (e.g., 5 minutes for opening statements, 15 minutes for presentation of each side's position, etc.).

c) Hearing Format and Procedures

- i) At the outset, the Chairman will take roll of all participants (D&P Committee members, Complainants, Respondents, and witnesses) to the hearing and call the hearing to order.

- (1) The Complainant and Respondent may choose to be represented by an attorney or other counsel. If a party is being formally represented by counsel, (s)he shall inform the Chairman of the counsel's name at this point.
- ii) The Chairman will then provide a brief summary of the hearing format and time limitations for each part of the hearing (e.g., 5 minutes for opening statements, 15 minutes for presentation of each side's position, etc.) which will follow the following schedule:
  - (1) Factual summary of the allegations as described in the complaint by the Chairman;
  - (2) Brief opening statement by the Complainant;
  - (3) Brief opening statement by the Respondent;
  - (4) Presentation of evidence and testimony by the Complainant in support of the allegations in the complaint.
    - (a) During this time, the Complainant may call and question anyone except the D&P Committee members as witnesses, including the Respondent. The Chairman shall ensure that all such testimony, questions, and responses are germane to the complaint and allegations being adjudicated.
    - (b) No interruptions by the Respondent, its witnesses, or D&P Committee members shall be permitted during Complainant's presentation.
  - (5) Presentation of evidence and testimony by the Respondent in defense of the allegations in the complaint.
    - (a) During this time, the Respondent may call and question anyone except the D&P Committee members as witnesses, including the Complainant. The Chairman shall ensure that all such testimony, questions, and responses are germane to the complaint and allegations being adjudicated.
    - (b) No interruption by the Complainant, its witnesses, or D&P Committee members shall be permitted during Respondent's presentation.
  - (6) Questioning of the Complainant, Respondent and/or witnesses by the D&P Committee members, except the Chairman.
  - (7) Brief closing statement by the Complainant;
  - (8) Brief closing statement by the Respondent;
  - (9) Adjournment of the disciplinary hearing by the Chairman.

**6) Adjudication by the D&P Committee**

- a) Immediately following adjournment of the disciplinary hearing, and at the latest 48 hours after the adjournment, by the Chairman, the D&P Committee shall go into executive session to discuss and adjudicate the complaint.
- b) During executive session, the D&P Committee shall take two (2) votes of the members as follows:
  - i) First, each member shall vote either to (1) sanction the Respondent for the incident/conduct, or (2) dismiss the complaint. The Chairman shall NOT vote unless to break a tie.
    - (1) In order for a member to vote to sanction a Respondent, (s)he must be convinced that the incident/conduct complained of BOTH was proved by clear and convincing evidence AND merits some form of penalty.
    - (2) If a D&P Committee member believes that EITHER the incident/conduct complained of was NOT proven by clear and convincing evidence or does NOT rise to the level that a penalty is merited, then (s)he shall vote to dismiss the complaint.
    - (3) If a majority of the D&P Committee members vote to dismiss the complaint, then the Chairman shall select a member of the majority to draft a written opinion within seven (7) days explaining the majority's decision to dismiss the complaint. Any members that voted to sanction the Respondent but were in the minority may draft a separate written



dissent within seven (7) days explaining their disagreement with the majority opinion at their discretion.

- (a) In the rare event that a majority of the D&P Committee members determine that the Complainant filed a complaint that was frivolous, false, fraudulent, and/or malicious, then the D&P Committee members may also vote to sanction the Complainant, provided that the Complainant is a member of HSSOA.
  - ii) If a majority of the D&P Committee members vote to sanction the Respondent for the incident/conduct, then ONLY those members in the majority shall vote on what penalty should be assessed against the Respondent as punishment for the incident/conduct. Members that voted to dismiss the complaint may NOT vote on the penalty to be assessed against the Respondent.
    - (1) Only the penalties listed in Section 6(c) may be imposed on a Respondent or Complainant, as applicable, as sanctions.
    - (2) The Chairman shall select a member of the majority to draft a written opinion within seven (7) days explaining the majority's decision and the penalty imposed. Any members that voted to dismiss the complaint but were in the minority may draft a separate written dissent within seven (7) days explaining their disagreement with the majority opinion at their discretion.
- c) Penalties
- i) The D&P Committee, or the HSSOA Board of Directors on appeal, may impose any one (1) or more of the following penalties:
    - (1) Verbal or written reprimand;
    - (2) Requirement of a written apology;
    - (3) Coaching and/or retraining;
    - (4) Restitution (refund or repayment of monies) not including legal fees;
    - (5) Probation for a period of no more than one (1) year;
    - (6) Temporary suspension of some or all game assignments from HSSOA;
    - (7) Temporary suspension of membership in HSSOA, which shall expire no later than the end of the following TASO soccer membership year;
    - (8) Termination of membership in HSSOA for a period to be recommended by the D&P committee;
  - ii) No other disciplinary measures or penalties, except as listed above, may be imposed.
- d) Delivery of D&P Committee Opinions
- i) As soon as is reasonably practicable after receipt of all majority and, if applicable, minority written opinions, the Chairman of the D&P Committee shall deliver copies of those opinions to the following people:
    - (1) All D&P Committee members
    - (2) All Complainants and Respondents
    - (3) All members of the HSSOA Board of Directors

## **7) Appeals of D&P Committee Decisions to the HSSOA Board of Directors**

### **a) Right to Appeal**

- i) Any Complainant and/or Respondent, as applicable, has the right to appeal a decision of the D&P Committee to the HSSOA Board of Directors.
- ii) A Complainant or Respondent that desires to appeal a decision of the D&P Committee must notify the President of HSSOA in writing (email submission is acceptable) that (s)he is

exercising their right of appeal within seven (7) days after (s)he receives a copy of the majority opinion of the D&P Committee from the Chairman. The notification of an appeal must include the ground(s) for the appeal. If no grounds for an appeal are provided, the appeal shall be dismissed by the President without a hearing.

**(1) EXCEPTION: Any D&P Committee decision which includes the penalties of (A) suspension and/or (B) termination of HSSOA membership shall be automatically appealed to the HSSOA Board of Directors because only the Board of Directors have authority to suspend or terminate a member pursuant to the HSSOA By-Laws.**

iii) The decision of the D&P Committee shall become final and unappealable if no notice of appeal is timely submitted to the HSSOA President, subject to the express exception above.

b) Eligibility of Board Members to Participate in an Appeal

i) All voting members of the HSSOA Board of Directors (non-voting, advisory members of the Board of Directors are NOT eligible) may participate in the appeal hearing and vote on adjudication of the complaint except:

(1) President – Pursuant to the HSSOA By-Laws, the President of HSSOA shall preside as Chairman of the appeal hearing but may NOT vote to adjudicate the complaint UNLESS to break a tie vote. Accordingly, the President as Chairman shall preside over the process and maintain order over the appeal hearing but shall not substantively participate in the hearing by asking questions, offering opinions, or acting in a capacity other than as an impartial arbiter of procedural rules.

(2) Area Representatives – Any Area Representatives that voted in the D&P Committee proceedings for a particular complaint are disqualified from participating in the appeal of the same matter.

(3) Recused/Disqualified Board Members – The recusal/disqualification criteria discussed in Section 4(b) shall be equally applicable to HSSOA Board members in any appeal of a D&P Committee decision.

(4) If the HSSOA President is unable to chair the Appeal, is recused or disqualified, then the Vice-President of Development shall take his or her place, in accordance with the by-laws, thereafter followed by the Vice-President of Scheduling.

c) Scheduling the Hearing

i) Within ten (10) days of the receipt of a notice of appeal from a Complainant or Respondent, the Chairman shall schedule an appeal hearing of the Board of Directors to hear testimony and adjudicate the complaint. The Chairman shall confer with all participants (Board members, Complainants, Respondents, and witnesses) in an effort to schedule a mutually agreeable date and time. Notwithstanding the foregoing, the Chairman retains absolute discretion to schedule a hearing date and time that facilitates some, but not all, participants' requests and availability so long as all eligible Board members are available.

(1) All Complainants, Respondents and witnesses shall be invited to participate in the appeal hearing but are not required to attend and/or participate in the appeal hearing.

ii) The appeal hearing of the Board of Directors may take place in-person, online, by phone or some combination of these three (3) options.

iii) Each of the Complainant and Respondent shall have at least five (5) days advance notice before an appeal hearing is to be held and shall be provided the schedule and timing limitations for the hearing.

- iv) At least three (3) days before the appeal hearing, the Chairman of the appeal shall obtain the following documents from the Chairman of the D&P Committee and thereafter provide such documents to all participating Board members:
  - (a) A copy of the complaint;
  - (b) Respondent's written response to the complaint;
  - (c) All written declarations of witnesses to the alleged incident/conduct;
  - (d) Any other documents or information submitted by the Complainant or Respondent to the D&P Committee Chairman in support or defense of their positions.
  
- d) Hearing Format and Procedures
  - i) The same format and procedures as discussed in Section 5(c) shall be utilized in any appeal before the Board of Directors. At the outset, the President of HSSOA, in his role as Chairman of the Appeal hearing, will take roll of all participants (Board members, Complainants, Respondents, and witnesses) to the hearing and call the hearing to order.
    - (1) The Complainant and Respondent may choose to be represented by an attorney or other counsel. If a party is being formally represented by counsel, (s)he shall inform the Chairman of the counsel's name at this point.
  - ii) The Chairman will then provide a brief summary of the hearing format and time limitations for each part of the hearing (e.g., 5 minutes for opening statements, 15 minutes for presentation of each side's position, etc.) which will follow the following schedule:
    - (1) Factual summary of the allegations as described in the complaint by the Chairman;
    - (2) Brief opening statement by the Complainant;
    - (3) Brief opening statement by the Respondent;
    - (4) Presentation of evidence and testimony by the Complainant in support of the allegations in the complaint.
      - (a) During this time, the Complainant may call and question anyone except the Board members as witnesses, including the Respondent. The Chairman shall ensure that all such testimony, questions, and responses are germane to the complaint and allegations being adjudicated.
      - (b) No interruptions by the Respondent, its witnesses, or Board members shall be permitted during Complainant's presentation.
    - (5) Presentation of evidence and testimony by the Respondent in defense of the allegations in the complaint.
      - (a) During this time, the Respondent may call and question anyone except the Board members as witnesses, including the Complainant. The Chairman shall ensure that all such testimony, questions, and responses are germane to the complaint and allegations being adjudicated.
      - (b) No interruption by the Complainant, its witnesses, or Board members shall be permitted during Respondent's presentation.
    - (6) Questioning of the Complainant, Respondent and/or witnesses by the Board members, except the Chairman.
    - (7) Brief closing statement by the Complainant;
    - (8) Brief closing statement by the Respondent;
    - (9) Adjournment of the disciplinary hearing by the Chairman.
  
- e) Adjudication by the Board of Directors

- i) The same format and procedures as discussed in Section 6) shall be utilized in any appeal before the Board of Directors.
    - (a) Pursuant to the HSSOA By-laws, membership in HSSOA may only be suspended or terminated by a two-thirds (2/3) vote of the Board of Directors following an appeal hearing.
  - ii) Immediately following adjournment of the disciplinary hearing, and at the latest 48 hours after the adjournment, by the Chairman, the Board shall go into executive session to discuss and adjudicate the complaint.
  - iii) During executive session, the Board shall take two (2) votes of the members as follows:
    - (1) First, each member shall vote either to (1) sanction the Respondent for the incident/conduct, or (2) dismiss the complaint. The Chairman shall NOT vote unless to break a tie.
      - (a) In order for a member to vote to sanction a Respondent, (s)he must be convinced that the incident/conduct complained of BOTH was proved by clear and convincing evidence AND merits some form of penalty.
      - (b) If a Board member believes that EITHER the incident/conduct complained of was NOT proven by clear and convincing evidence or does NOT rise to the level that a penalty is merited, then (s)he shall vote to dismiss the complaint.
      - (c) If a majority of the Board members vote to dismiss the complaint, then the Chairman shall select a member of the majority to draft a written opinion within seven (7) days explaining the majority's decision to dismiss the complaint. Any members that voted to sanction the Respondent but were in the minority may draft a separate written dissent within seven (7) days explaining their disagreement with the majority opinion at their discretion.
        - (i) In the rare event that a majority of the Board members determine that the Complainant filed a complaint that was frivolous, false, fraudulent, and/or malicious, then the Board members may also vote to sanction the Complainant, provided that the Complainant is a member of HSSOA.
    - (2) If a majority of the Board members vote to sanction the Respondent for the incident/conduct, then ONLY those members in the majority shall vote on what penalty should be assessed against the Respondent as punishment for the incident/conduct. Members that voted to dismiss the complaint may NOT vote on the penalty to be assessed against the Respondent.
      - (a) Only the penalties listed in Section 7(f), also listed in section 6(c) may be imposed on a Respondent or Complainant, as applicable, as sanctions.
      - (b) The Chairman shall select a member of the majority to draft a written opinion within seven (7) days explaining the majority's decision and the penalty imposed. Any members that voted to dismiss the complaint but were in the minority may draft a separate written dissent within seven (7) days explaining their disagreement with the majority opinion at their discretion.
- f) Penalties
- i) The D&P Committee, or the HSSOA Board of Directors on appeal, may impose any one (1) or more of the following penalties:
    - (1) Verbal or written reprimand;
    - (2) Requirement of a written apology;
    - (3) Coaching and/or retraining;
    - (4) Restitution (refund or repayment of monies) not including legal fees;

- (5) Probation for a period of no more than one (1) year;
  - (6) Temporary suspension of some or all game assignments from HSSOA;
  - (7) Temporary suspension of membership in HSSOA, which shall expire no later than the end of the following TASO soccer membership year;
  - (8) Termination of membership in HSSOA for a period to be recommended by the D&P committee;
- ii) No other disciplinary measures or penalties, except as listed above, may be imposed.
- g) Delivery of Opinions
- i) As soon as is reasonably practicable after receipt of all majority and, if applicable, minority written opinions, the Chairman shall deliver copies of those opinions to the following people:
    - (1) All HSSOA Board members that participated in the appeal
    - (2) All Complainants and Respondents
    - (3) TASO, if a Respondent's HSSOA membership is suspended or terminated

## **8) Appeals of HSSOA Board of Directors' Decision to TASO**

- a) Right to Appeal
- i) Any Complainant and/or Respondent has the right to appeal a decision of the HSSOA Board of Directors to TASO.
  - ii) A Complainant or Respondent that desires to appeal a decision of the Board of Directors must notify TASO in writing (email submission is acceptable) that (s)he is exercising their right of appeal within thirty (30) days after (s)he receives a copy of the majority opinion of the Board of Directors from the Chairman. Failure to submit a notice of appeal to TASO in writing and/or within the thirty (30) day deadline will result in waiver of the party's right to appeal.
  - iii) The decision of the Board of Directors shall become final and unappealable if no notice of appeal is timely submitted to TASO.

**This SOP was originally APPROVED by the Board of HSSOA on January 12, 2022. The revised version was approved on September 26, 2022.**

**It applies to the 2022-23 season from the date above and henceforth until amended/replaced.**