



## SIRC Disciplinary Regulations and Procedures

Reference and authority:

### **A. USA Rugby Disciplinary regulations and Procedures.**

The South Independent Rugby Conference has established the following regulations and procedures for itself and its member teams in accordance with Reference A.

**I. Disciplinary Structure:** The SIRC has appointed a Discipline Director. The SIRC Discipline Director must follow the requirements of these regulations and procedures.

**II. Disciplinary Jurisdiction:** The SIRC Discipline Director is responsible for the following:

- A. Incidents at an SIRC event, including league matches where the parties concerned are members of the South Independent Rugby Conference.
- B. Incidents involving an SIRC team when it is playing a team from another conference. The SIRC Discipline Director will deal with the SIRC team only and advise the other team's Conference disciplinary chair of their actions. If there is a difference of opinion or any dispute between the two, then the matter will be referred to the USA Rugby Discipline Committee.
- C. Off-field incidents (including those that affect rugby in a negative fashion) by teams or players or supporters that occur at an SIRC event/match or involve an SIRC team whilst playing a team from another conference.
- D. Every SIRC team should have its own procedures in place and are charged with the responsibility of maintaining standards of discipline within the team.
- E. Maintaining an accurate record of all disciplinary proceedings involving a player or team within the SIRC.
- F. If there is a conflict of interest, and the SIRC Discipline Director is involved with the team or individual subject to a disciplinary matter, then he will recuse himself from this particular case. The SIRC

Commissioner or an appointed individual from the SIRC Board of Directors will be the responsible party for that one case.

### **III. Player Sent Off by a Referee**

A. Any SIRC 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 SIRC Discipline Director. The player has a right to a timely appeal.

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

1. Reports must be filed with the SIRC Discipline Director in a timely basis, which shall be no more than forty-eight hours after the incident. The preferred method is via the SIRC website's Discipline Report Form.

2. The SIRC Discipline Director will review the reports immediately and render a decision within forty-eight hours of receiving the report. If there is no dispute noted in the clubs report and no questions arising from the Referee's Report, then the Discipline Director shall act according to the guidelines below. If there are questions, the Director shall interview all those involved, and others at the Director'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 Discipline Director will render his written decision within forty-eight hours of the hearing. Such decision may be communicated by email or fax and followed up by regular mail if required.

3. If a team that is a party to a send off does not file a report with the SIRC Discipline Director, it will be treated as an undisputed send off.

C. 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.

1. 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.

2. 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.

3. Major Physical Offense (kicking, punching, dangerous rucking):

First Offense: - 2 - 6 weeks.

Repeat Offense (within one year): - 4 - 10 weeks.

(a) If these strikes were directed to the head or groin:

First Offense: - 3 - 12 weeks.

Repeat Offense (within one year): - 6 - 12 months.

(b) 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.

4. The suspensions noted above shall be interpreted as implying one week equals one regularly scheduled match - whichever is the longer suspension. Teams 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.

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

1. 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 include the Disciplinary Committee meeting.

(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.

(c) Continuation of (a) or (b) 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:

1. Player is suspended immediately.
2. A formal hearing must be held within two weeks of the incident. The hearing must include the representation from the USAR Discipline Committee. If the event, or match, or incident occurs at a USA Rugby event, then the SIRC Discipline Director must be included in the hearing.
3. Unless overwhelming evidence is presented that would mitigate the situation a minimum suspension of five years will be assessed the guilty party.

#### E. Tracking Offenders

1. It is the responsibility of the SIRC Discipline Director to provide a written report to the National Office of USA Rugby of any action taken in Section D 1 c and d above. For all individuals suspended for three or more months the report must contain a recent photograph of the suspended individual. Any team that allows a suspended player to participate in matches while suspended will be subject to additional penalties by the South Independent Rugby Conference.

#### **IV. Undetected Foul Play/Off Field Misconduct** - Action to be taken is the same for both situations.

A. When an act of foul play occurs but is undetected by the Referee or Touch Judges it is the responsibility of the witness(s) 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(s) to send a written report of the alleged act of foul play to the SIRC Discipline Director, or the Union of which the player's team is a member within forty-eight hours. Where more than one Union is involved the report should be addressed to the Chair of the USA Rugby Discipline Committee. Likewise, off field behavior that is detrimental to the image of the game of rugby should be reported to the SIRC Discipline Director in the same timely manner.

B. Upon receipt of these types of reports, the Discipline Director must contact the accused within forty-eight hours. After receipt of the comments of the accused the Discipline Director will follow the procedures established in Section III B above.

1. From this point forward, the procedures of Section III B 2 should be followed including the opportunity for a hearing and for the individual subject to the disciplinary action to review all the evidence prior to such a hearing.
2. Foul play incidents, if found to be true, should be penalized as in Sections III C and D above.

3. 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. Teams are expected to provide for the discipline of their members and supporters who bring the game into disrepute.

## **V. Appeals Procedure**

A. An individual or team may appeal a decision they feel unjust. This does not apply to suspensions related to players sent off if the individuals or teams did not address the initial report.

B. 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 SIRC Discipline Director. A copy of the appeal will be sent to the SIRC Commissioner, who will hear the appeal with a review board.

1. The Discipline Director shall copy and forward all information regarding the case to the league commissioner. A hearing date, time and place shall be determined by the SIRC Commissioner and sent to the appellant. Such details of the hearing shall be agreeable to both parties, subject to them not withholding consent unreasonably.

2. The SIRC Commissioner will appoint two further individuals from the SIRC Board of Directors to assist him in the appeals process who will then constitute the SIRC Appeal Review Board.

3. If there is a conflict of interest, and the Commissioner is involved with the team of the appellant, then he will recuse himself from the appeals process and appoint an individual from the SIRC Board of Directors to hear the appeal.

### **C. The Hearing**

1. All parties involved shall be given an opportunity to present all pertinent information, and counsel may represent the appellant.

2. Upon completion of the hearing, the SIRC Commissioner and members of the review board shall reach a decision. A written copy of the decision shall be sent to the appellant and to the SIRC Discipline Director within forty-eight hours of the hearing.

D. Decisions of the SIRC Appeal Review Board may be appealed if it is felt evidence was not entered, or if extreme bias was present. The appellant must notify the Chairman of the USA Rugby Discipline Committee in writing within ten days of receiving the appeals decision. The Chairman 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 of receiving the case file from the SIRC Appeal Review Board, the Chairman of the USAR Discipline Committee shall issue a decision on the case. That written decision will be sent to the appellant, the SIRC League Commissioner, Discipline Director and Review Board. 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.

## **VI. General Information and Requirements**

A. SIRC Officials at every level (committee members, coaches, team officers) have a responsibility to ensure that all their members are fully aware of and follow these procedures. For its part, the SIRC will have these regulations posted to its website, and periodically remind its teams of them via email.

1. Reciprocity is mandated. Players and/or clubs sanctioned in one LAU/conference are sanctioned in all LAUs/conferences.

B. 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:

1. The SIRC 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 SIRC Discipline Directors. 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.

2. 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 LAU/Conference 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.

C. SIRC will publicly display the names and details of all Red and Yellow card offences on a page on its website.

### **Appendix 1**

#### **Yellow Cards**

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

- A. 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 SIRC Discipline Director. The competitive game will be the next match following the expiration of the time for appeal against the yellow card(s).

- B. 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 SIRC Discipline Director. The competitive game will be the next match following the expiration of the time for appeal against the yellow card(s).

C. 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, whichever is the longer, pending a review by the SIRC Discipline Director. The two competitive games will be the next two matches following the expiration of the time for appeal against the fourth yellow card.

D. 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 SIRC Discipline Director.

A player may appeal against being given a yellow card within 14 days being given that yellow card by giving notice in writing to the SIRC Discipline Director. The hearing of an appeal against a yellow card shall follow the procedures set out in Section III. B. 2. of these Guidelines where a player has been sent off but pleads 'not guilty' save that: The SIRC Discipline Director may impose the punishment that would have been appropriate had the player been sent off for the offence, or cancel, or confirm the giving of the yellow card. Where a player appears before the SIRC Discipline Director having been given a yellow card or cards in addition to having been sent off, the SIRC Discipline Director and Committee 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 the SIRC Discipline Director 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.

## **Appendix 2**

### **Procedures applicable to citing in domestic games pursuant to Section IV of these Guidelines**

1. Citing occurs where a player commits an act of foul play that was not detected by the match officials and either of the Unions 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.
2. Who can cite? Only unions, conferences or clubs in membership with the unions participating in the match.
3. How to cite in domestic games
  - 3.1 The citing must be in writing and signed by an official, or nominated person acting on behalf of the union 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.

3.2. The citing must be addressed to the Discipline Chair or Director of the union or conference of which the player's club is a member within the time-lines noted in Section III B above. Likewise, off field behavior that is detrimental to the image of the game of rugby should be reported to the appropriate Discipline Chair or Director in the same timely manner. In cases of doubt, or where two unions or conferences are involved, the citing should be addressed to the Chair of USA Rugby Discipline Committee.

3.3. The citing must state:

3.3.1 Date, venue and teams participating in the match.

3.3.2. 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.

3.3.3. The identity of the player or players alleged to be guilty of foul play, or provide the means of doing so.

4. Receipt of a written citing.

4.1. Upon receipt of a written citing whether direct or through USA Rugby, the Discipline Chair or Director 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.

4.2. 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.

4.3. 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.

4.4. 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 Union of the affiliated Club being informed the complaint is considered frivolous or vexatious.

4.5. Where the player, having been advised, admits the allegations the player may invite the Discipline Director to deal with the complaint under the provisions of Section IV.B of these regulations.



4.6. 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.