

## **FYRU Disciplinary Procedures**

The FYRU Disciplinary policies and procedures are intended to be inline with [USA Rugby Disciplinary Procedures](#) and following World Rugby's [Regulation 17, 18 & 20](#).

Unless otherwise specified by USAR, or modified by these Disciplinary Procedures, World Rugby Regulations 17, 18, and 20, including but not limited to the Sanctions for Foul Play set forth in Appendix 1 and/or 3 of World Rugby Regulation 17, as now in effect and as subsequently amended by World Rugby, shall apply to all play within State of Florida, all rugby individuals, and all entities within FYRU and/or USAR.

### **FYRU Disciplinary Committee**

- All disciplinary matters are to be handled by (3) member Disciplinary Committee (DC)
- Each committee member will act as an Disciplinary Officer (DO) adjudicating on assigned cases.
- A (DO) will be assigned cases by Florida Rugby General Manager (GM) on a per case basis ensuring the avoidance of a conflict of interest in any given case.
- A (DO) is deemed to have a conflict of interest in the case if, but not limited to:
  - One of DO's associated team was involved in the match
  - DO's is personally connected an involved individual
  - If the cited person is from their associated club
  - The GM has the sole discretion to determine a conflict of interest

## **The Disciplinary Process**

*To be followed whenever a player is ordered off (Red Carded from a match), or temporarily suspended (Yellow Carded) for foul play from 3 match within a-year period.*

### Step 1 - Referee Report / Citing Process

- Referee completes the Florida Rugby Referee report which includes a red card report

### Step 2 - Assignment of Case

- The Florida Rugby GM assigns the case to a DO
- The Florida Rugby GM requests further information from the club/player about the incident.

### Step 3 - Adjudication of the Case

- The DO reviews all of the documentation completes their decision with 2 days of receiving the original report from the match.

### Step 4 - Written Notification

- The Player/Club is notified of the sanction/suspension within 24hrs of completing the decision

### Card Definitions

- Red Card—Definition. As used in these Disciplinary Procedures, “Red Card” refers to a player who has been sent off from the field of play in accordance with Law 10.7.
- Yellow Card—Definition. As used in these Disciplinary Procedures, “Yellow Card” refers to those temporary suspensions that result from infractions of Law 10.4 only.

- Multiple Yellow Cards. As provided in the Laws of the Game, a second Yellow Card to the same player in a single match results in a Red Card and carries the same consequence as a Red Card.
- For disciplinary purposes, receipt of a third Yellow Card by the same player within a one (1)-year period carries the same consequences as a Red Card and each subsequent Yellow Card received by that player carries the same consequences as another Red Card for disciplinary purposes.

### Consequences of a Red Card and Adjudication of the Case

- A player (1) receiving a straight Red Card or (2) deemed to have received a Red Card is suspended from all play until there is a resolution of the matter.
- The assigned DO and/or DC shall be responsible for the initial adjudication of any matter.
- The initial DO shall adjudicate the subject player's conduct within 4 days of the conclusion of the match, or no later than two days after receiving proper notice, and follow the provisions of WR Regulations 17 and 18 to determine if and how to impose further sanctions under WR Regulation 17 Appendix 1 and/or 3.
- The cited player, parent and/or Club representative may provide further background and/or mitigating circumstances to DO and/or GM within 48hrs of conclusion of the match and/or be apart of the hearing.
- A written decision issued by the DO shall be promptly issued to all involved, and copies sent to the player's club, the DC and GM. And be logged with Florida Disciplinary Database.
- All disciplinary sanctions and rulings will follow World Rugby Regulation 17, 18 & 20.
- World Rugby has created underage guidelines for sanctioning via Regulation 17 - appendix-3 <https://www.worldrugby.org/handbook/regulations/reg-17/appendix-3>

### Adjudication Process

#### Assessment of seriousness of the Foul Play (From WR Regulation 17)

17.19.2 DC and/or DO shall undertake an assessment of the seriousness of the Player's conduct that constitutes the offending and categorise that conduct as being at the lower end, mid range or top end of the scale of seriousness in order to identify the appropriate entry point for consideration of a particular incident(s) of Foul Play where

such incident(s) is expressly covered in Appendix 3 (Underage Guidelines). The assessment of the seriousness of the Player's conduct shall be determined by reference to the following features:

- whether the offending was intentional or deliberate;
- whether the offending was reckless, that is the Player knew (or should have known) there was a risk of committing an act of Foul Play;
- the gravity of the Player's actions in relation to the offending;
- the nature of the actions, the manner in which the offence was committed including part of body used (for example, fist, elbow, knee or boot);
- the existence of provocation;
- whether the Player acted in retaliation and the timing of such;
- whether the Player acted in self-defence (that is whether he used a reasonable degree of force in defending himself);
- the effect of the Player's actions on the victim (for example, extent of injury, removal of victim Player from the game);
- the effect of the Player's actions on the Match;
- the vulnerability of the victim Player including part of victim's body involved/affected, position of the victim Player, ability to defend himself;
- the level of participation in the offending and level of premeditation;
- whether the conduct of the offending Player was completed or amounted to an attempt; and
- any other feature of the Player's conduct in relation to or connected with the offending.

Based on the assessment of the offence(s) under consideration against the above features of offending, the DC or DO shall categorise the act of Foul Play as being at the lower end, mid range or top end of the scale of seriousness of offending and identify the applicable entry point as set out in Appendix 3 (Underage Guidelines).

17.19.3 For offences categorised at the top end of the scale of seriousness of offending, the DC or DO shall identify an entry point between the period shown as the top end for the particular offence and the maximum sanction in Appendix [3]

## Aggravating Factors

17.19.4 Having identified the applicable entry point for consideration of a particular incident, the DC or DO shall identify any relevant off-field aggravating factors and determine what additional period of suspension, if any, above the applicable entry point for the offence should apply to the case in question. Aggravating factors include:

- the Player's status generally as an offender of the Laws of the Game
- the need for a deterrent to combat a pattern of offending in the Game; and
- any other off-field aggravating factor(s) that the DC or DO considers relevant and appropriate.

## Mitigating Factors

17.19.5 Thereafter, the DC or DO shall identify any relevant off-field mitigating factors and determine if there are grounds for reducing the period of suspension and subject to Regulations 17.19.6 and 17.19.7 the extent, if at all, by which the period of suspension should be reduced. Mitigating factors include the following:

- the presence and timing of an acknowledgement of culpability/wrongdoing by the offending Player;
- the Player's disciplinary record and/or good character;
- the youth and inexperience of the Player;
- the Player's conduct prior to and at the hearing;
- the Player having demonstrated remorse for his conduct to the victim Player including the timing of such remorse; and
- any other off-field mitigating factor(s) that the DC or DO considers relevant and appropriate.

17.19.6 Subject to Regulations 17.19.7 and 17.19.8, for acts of Foul Play the Disciplinary Committee or Judicial Officer cannot apply a greater reduction than 50% of the relevant entry point suspension. In assessing the percentage reduction applicable for mitigating factors, the DC or DO shall start at 0% reduction and apply the amount, if any, to be allowed as mitigation up to the maximum 50% reduction.

17.19.7 In cases involving offending that has been classified pursuant to Regulation 17.19.2 as lower end offending, where:

- there are off-field mitigating factors; and where the DC or DO considers that the sanction would be wholly disproportionate to the level and type of offending involved the DC or DO may apply sanctions less than 50% of the lower end entry sanctions specified in Appendix 1 including in appropriate cases no sanction. In exceptional cases where the DC or DO considers it is warranted it/he may (i) expunge the Ordering Off (Red Card) from the Player's disciplinary record, or (ii) in the case of a Temporary Suspension (Yellow Card) issued by the referee, solely in circumstances attributed to mistaken identity, may expunge the Temporary Suspension from the Player's disciplinary record.

17.19.8 In cases of multiple offending, DC or DO may impose sanctions to run either on a concurrent or a consecutive basis provided that the total sanction is in all the circumstances proportionate to the level of the overall offending.

17.19.9 DC or DO shall ordinarily in their written decisions set out the reasoning for their findings, including the finding on culpability, how they have categorised the seriousness of the offence by reference to the features set out in Regulation 17.19.2, how they identified and applied any aggravating and mitigating factors and conclude with the resultant sanction, if any, imposed.

17.19.10 Decisions on sanctions and suspensions imposed on Players under World Rugby Regulation 17 shall:

- be applied universally by Unions, Associations, Rugby Bodies and their constituent bodies such that the Player may not play the Game (or any form thereof) or be involved in any on-field Match day activities anywhere during the period of suspension;
- not allow Players to avoid the full consequences of their actions by, for example, playing in Matches prior to the commencement of their suspension, or playing in Matches during a break in the suspension and/or serving their suspension during a period of inconsequential pre-season and/or so-called friendly Matches;
- apply and be served when the Player is scheduled to play;
- be imposed until a stated date which should be fixed after taking into consideration all playing consequences of such suspension; and

- be effective immediately (subject to 17.19.11(b)).

17.19.11 When imposing suspensions on Players under Regulation 17 DC or DO shall comply with the requirements set out in Regulation 17.19.10 above. In doing so DC or DO:

- must not suspend the effect of any sanction imposed;
- may defer the commencement of a suspension provided that the Player is not scheduled to play (and will not be permitted to play) prior to the commencement of the suspension;
- shall, in respect of meaningful off-season application of sanctions, set out the reasons why it or he considers those Matches to be meaningful;
- may, at its/his discretion in assessing the playing consequences of a sanction apply the suspension to scheduled pre-season and/or so-called friendly Matches, provided such scheduled pre-season and/or so-called friendly Matches have, in the opinion of the Disciplinary Committee or Judicial Officer concerned, a meaningful playing consequence for the Player. In making their assessment Disciplinary Committees and Judicial Officers may, in their discretion, take account of such factors as they consider relevant including, for example, the proximity of the Match to the commencement of the season, the identity and stature of the opponents, likely quality of teams to be selected, and the general Match profile;
- must, if a Player's suspension has not terminated by the end of the current playing season, continue the suspension until a stated date in the next playing season, unless the Player has been selected for a closed season tour, or he has made plans to play during the close of season in another Union. In this event (and subject to the Disciplinary Committee or Judicial Officer receiving satisfactory verification of such tour or playing arrangements), the period of the tour or the fact that he intends to play in another Union shall be taken into account in determining when the suspension shall come to an end; and
- may divide the suspension into two separate periods in order to exclude the whole or part of the closed season provided that the Player is not permitted to play during such closed season.

17.19.12 In respect of offences not referred to in the World Rugby Sanctions in Appendix 1 and/or 3 , appropriate sanctions may be imposed at the discretion of the relevant DO, DC, Appeal Officer and/or Appeal Committee.

17.19.13 Notwithstanding the World Rugby Sanctions in Appendix 1 and/or3 and/or the provisions of this Regulation 17.19 in cases where the Player's actions constitute mid range or top end offending for any type of offence which had the potential to result and, in fact, did result in serious/gross consequences to the health of the victim, the DO and/or DC may impose any period of suspension including a suspension for life.

## **Appeals**

### The FYRU Appeal Committee

- Two other Disciplinary Committee members not involved in the original adjudication on the player.
- Florida Rugby General Manager and FYRU Advisory Board is also appoint further members to Appeals Committee from the FYRU Coach/Management membership. Ensuring that conflicts of interest and/or availability of existing members is not an issue.

### Step 1 - Logging the Appeal

- An appeal must be logged with Florida Rugby office within 72 hours of the original written notification of the suspension.
- The appeal must state the reasoning for appeal and cite reason for further consideration.
- An appeal may be taken from the decision by the player, the player's club/team/organization, the opposing/victim player(s) or that player(s)' club/team/organization, the GU/Conference/ SRO of either the player or the victim player(s), or USA Rugby.
- All decisions of a DO and/or DC are subject to a single appeal as a matter of right.
- During the appeal, the player remains under whatever sanction, if any, originally imposed by the DO/DC.



## Step 2 - Review of Appeal

- Appeal Officer (one of Appeal Committee Members) considers appeal reasoning and determines if the appeal has grounds to be presented before the appeal committee.
- Written notification of an appeal hearing time, location, conference call line and/or denial of hearing the appeal.

## Step 3 - The Hearing

- The appellate procedures/hearing shall comply with World Rugby Regulation 17, especially 17.22.I.
- The Appeal Committee may affirm, cancel, alter, diminish, or increase any sanction imposed by the DO/DC, following the provisions of World Rugby Regulation 17. The Appeal Committee shall render a written decision within 7 days of the receipt of the appeal to all involved

## Step 4 - Further Appeal to USA Rugby

- Following the decision of the Appeal Committee or the decision of the Appeal Officer not to hear the appeal. The player, the player's club/team/organization, the opposing/victim player(s) or that player(s)' club/team/organization, or the FYRU or USA Rugby may request further review by the USAR DC.
- The USA Rugby DC may, in its discretion, choose to accept the matter for further review or decline to undertake further review and action. Such parties shall request an appeal as soon as reasonably practicable but in any event no later than 72 hours following receipt by the requesting party of the decision.
- If the USAR DC declines to accept the matter for further review, the previous decision and sanctions, if any, stand.
- If the USAR DC chooses in its discretion to accept the matter for further review, the decision and sanctions, if any, of the Appeal Committee will remain in effect pending review.
- If the USAR DC chooses in its discretion to accept the review, it shall render a written decision within 7 days of accepting review. If it accepts review, the USAR may affirm, cancel, alter, diminish, or increase any sanction previously imposed, following the provisions of World Rugby Regulation 17.
- The USAR DC shall render a written decision within 7 days of the receipt of the appeal to all involved.

- The decision of the USAR DC is final, subject to the provisions of USAR Bylaws X and XII.