



2020-2021 MASSACHUSETTS HOCKEY DISCIPLINE PROCEDURES

USA Hockey Bylaw 10 & Massachusetts Hockey Bylaw XIV

This Memorandum is to provide guidance to those within USA Hockey that have occasion to impose suspension or other discipline to any participant. (This includes all participants in Massachusetts Hockey from the MH BOD through all parents.) All USA Hockey Affiliates, Leagues, Programs, Associations, or other organizations, must follow Bylaw 10 in imposing discipline.

These procedures are in place to deal with any alleged violations of any USA Hockey or Mass Hockey Bylaws, Rules & Regulations, Policies, Codes of Conduct or Codes of Ethics, and any alleged violations of USA Hockey SafeSport Handbook Policies.

THE MOST IMPORTANT RULE

Any Discipline (suspension, probation, censure or other discipline) of a participant may be taken only AFTER a hearing by the appropriate Discipline Authority, and must follow specific rules and procedures spelled out in USA Hockey Bylaws Chapter 10 and Mass Hockey Bylaws Article XIV.

“Appropriate Discipline Authority” shall mean Massachusetts Hockey, each District of Massachusetts Hockey, and each League, Association or Program having jurisdiction to operate within USA Hockey Massachusetts Hockey.

THREE EXCEPTIONS TO THE MOST IMPORTANT RULE

Exceptions to the requirement that there be a hearing BEFORE discipline can be imposed:

1. All suspensions resulting from USAH Playing Rules violations:
 - Match Penalties
 - Game Misconduct Penalties
 - Additional suspensions (usually 1-3 games) pursuant to written League rules which have been approved by the Mass Hockey Referee-in-Chief.
2. Summary Suspensions
 - In Massachusetts, Summary Suspensions may only be issued by the Chair of the Discipline Committee or the USA Hockey SafeSport Coordinator.
 - May be issued only in those cases where a person has been arrested for a crime alleged to have been committed, a person has allegedly assaulted another, a person has allegedly violated USA Hockey SafeSport Policy, or allegedly violated USA Hockey or Massachusetts Policies that are in writing.



3. Officiating Suspensions

- The Mass Hockey Referee in Chief and the Mass Hockey Discipline Chair has the authority to suspend a referee up to 10 days without a prior hearing.

MAIN PRINCIPLES OF USA & MASS HOCKEY DISCIPLINE PROCEDURES

A. Hearings

1. In nearly all cases, a suspension may not be issued until *after* a participant has been afforded a right to a hearing under the procedures set forth in USA Hockey Bylaw Chapter 10 and Mass Hockey Bylaw Article XIV.

2. Hearing Requirements:

- a. **Hearing Panel:** The Hearing Panel must have at least 3 reasonable disinterested and impartial persons. The Mass Hockey Discipline Chair may appoint a Hearing Panel Chair/Facilitator whose function shall be to facilitate the process. The Chair/Facilitator shall not have a vote on any discipline issues, but may participate in the hearing process. In cases involving coaches and referees, the Mass Hockey Coach in Chief or Referee in Chief, or his/her designee, shall serve on the Hearing Panel
- b. **Offer of Hearing:** The Hearing Panel must hold a hearing within 30 days after its appointment unless a later date is agreed upon by the parties and approved by the hearing panel.

-
- **Notice of Hearing:** The Hearing Panel must provide:
 - At least 7 days' notice of the hearing (unless waived in writing by the party)
 - which shall include time and place of the hearing,
 - the manner in which the hearing will be conducted,
 - the grounds for any proposed suspension or discipline,
 - the possible consequences of an adverse finding, and
 - the issues to be resolved by the panel;
 - notice that the hearing will be recorded by either video or audio. A copy of any such record shall be provided at cost to the Parties.
 - Prior to hearing, the names of all Hearing Panel members and Facilitators must be provided to persons subject to discipline. If there is any objection to Hearing Panel member/Facilitator on basis of conflict of interest, the participant must state so in writing to the Hearing Panel chair and the Mass Hockey Discipline Chair at least 24 hours prior to hearing.
-



- Suspension Remains in Effect: Any existing suspension remains in effect until the decision of the Hearing Panel is rendered.
- Hearing Requirements: A fair hearing is required, including:
 - (a) Reasonable notice of the grounds for the proposed suspension, but any grounds supported by the evidence may be considered in reaching a decision;
 - (b) Notice of the possible consequences of an adverse finding;
 - (c) A reasonable opportunity for each Party to present their case and argument;
 - (d) The ability to have counsel present – although counsel may not participate in hearing;
 - (e) The Rules of Evidence in judicial proceedings shall not apply in the hearing;
 - (f) All Parties are to be treated in a substantially equal manner.

3. Hearing Rules

- The Hearing Panel may decide the level of formality for the hearing, may hear evidence it thinks is relevant, may place limits on time, evidence and documentation, may allow witnesses, and/or written statements, and may establish other hearing rules as long as each Party is treated substantially equally.
- The Hearing Panel may allow a Party to question the other Party. The extent of such questioning is determined by the Hearing Panel Chair/Facilitator.
- Burden of Proof: The Party proposing the suspension must establish the facts and the violation of rules/bylaws/policies/codes of Conduct/Ethics, etc., by a preponderance of the evidence (ie., more likely true than not true.)
- Decision Deadlines: The Hearing Panel must use reasonable efforts to render a decision within 5 business days of the hearing. A formal written decision must be prepared and delivered to the Parties within 15 business days of the hearing.
- Decision Contents: The written decision must contain findings of material facts, conclusions, and the decision of the Hearing Panel. There is a Mass hockey form to use for this process.
- Scope of Discipline/Suspension: Except for suspensions of one year or more in length, or for violations of sexual misconduct, any suspension imposed is only valid within the jurisdiction of the suspending authority (eg., a local program may only suspend within its program; a League may only suspend within its League, and Mass Hockey may only suspend a party from participation within Mass Hockey.) HOWEVER, a local program, or league may request that Mass Hockey honor the discipline throughout Mass Hockey; and, Mass Hockey may request that USA Hockey honor the discipline throughout USA Hockey's jurisdiction.
- **NOTE: All suspensions of one year or more , and all violations of sexual misconduct policies are automatically national in scope.**



Incidents Resulting in Discipline Hearings

1. Match Penalties – USA Hockey Playing Rule 405
2. Physical and Other Assaults (Players, Coaches, Referees, Parents)
3. Supplemental Discipline – USA Hockey Playing Rule 410
4. USA Hockey Code of Conduct violation – Administrators, Officials, Parents, Players, Spectators (See USA Hockey Annual Guide.)
5. USA Hockey Coaches Code of Ethics
6. Zero Tolerance Violations (USA hockey Annual Guide)
7. USA Hockey SafeSport Violations (See USA Hockey SafeSport Program Handbook)
 - Sexual Misconduct
 - Physical Misconduct
 - Emotional Misconduct
 - Bullying
 - Threats
 - Harassment
 - Hazing
 - One on One interactions
 - Locker Room Monitoring violations
 - Social Media and Electronic Communications Policy violations
 - Travel Policy violations
 - Billeting Policy violations
 - Any other violations of US Center for SafeSport Policies

USA Hockey Playing Rule 410 – Supplemental Discipline

- (a) In addition to the suspensions imposed under the USA Hockey playing Rules, the proper disciplinary authority, at its discretion and after the game has been completed, may investigate any incident that occurs in connection with any game. Any incident that occurs prior to, during, or after the game is subject to review regardless of whether the action was penalized by the Referee.

