

# Rugby Indiana

## Disciplinary Policy

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Rugby Indiana

Policy: Disciplinary

Number: 02.001

Effective: 12 March 2024

This policy supersedes all previous versions of the policy.

*Disclaimer: The below policy and overview of the Disciplinary Process does not supersede that outlined by the Bylaws of USA Rugby and World Rugby. The following was written to summarize and simplify World Rugby Regulations 17, 18, and 20, as well as Rugby Indiana proceedings and likely relevant timelines. Procedures and proceedings under Regulation 17 and/or Regulation 18 or any decision of a Disciplinary Committee, Judicial Officer, Appeal Committee, or Appeal Officer shall not be quashed or held invalid by reason only of any defect, irregularity, omission, or other technicality unless such defect, irregularity, omission, or other technicality raises a material doubt as to the reliability of the findings or decisions of a of a Disciplinary Committee, Judicial Officer, Appeal Committee, or Appeal Officer or results in a miscarriage of justice (17.28.2). In other words, if a referee is late to file a report or the information is not processed within certain timelines, this is not grounds for a dismissal or appeal.*

**Players are considered ineligible for play while awaiting a hearing, sanctioning, or an appeal. Only once a ruling has been provided and the player has served their sanction is a player eligible to play.**

## REGULATIONS AND PROCEDURES FOR DISCIPLINARY ACTIONS

Rugby Indiana, the operations group of Indiana Youth Rugby Foundation, is affiliated with USA Rugby. As such, it follows the USA Rugby and World Rugby Disciplinary Procedures. Rugby Indiana has established the following regulations and procedures for itself and its affiliates who are players, parents, coaches, team, clubs, spectators, and administrators.

*Each Club/Organization should appoint a Disciplinary Panel charged with the responsibility of maintaining standards of discipline within their own Club/Organization.*

### General Information and Requirements:

1. Rugby Indiana will ensure that all their affiliates are fully aware of and follow these procedures. For its part, Rugby Indiana will post these regulations to its website, and inform its members via other electronic or printed media.
2. Reciprocity is mandated. Players and/or clubs affiliated with and/or sanctioned in Rugby Indiana are sanctioned in all LAUs and SBRO's and vice versa.
3. Where a person receives a sanction or report for Foul Play (Regulation 17) or Code of Conduct (Regulation 18) is from another Territorial Union, Local Area Union or State Based Organization

reports should be addressed to the Disciplinary Committee of that organization, unless the tournament has Community or Qualified Judicial Officers.

4. Rugby Indiana will maintain written records of all disciplinary decisions reached and actions taken. The information may be brief, but will include name, USA Rugby Membership Number, date and type of incident, action taken, etc. Details will be maintained for 4 years and also reported in the RX system. These files must be kept in a professional manner and passed to the new Disciplinary Committee. The information is required in order to determine whether an individual is a repeat offender. The information is only to be used during the deliberation portion of any hearing or action, and only if there has been prior disciplinary action taken. It may not be utilized in determining if the individual has been found to have committed Foul Play or Misconduct.
5. If an individual has been found to have committed foul play or misconduct 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 or SBRO in the new location. Additionally, all Disciplinary decisions will be entered into the RX system as part of the individual's profile. This will ensure continued awareness of past problems that will need to be addressed if the individual is again accused of misconduct.
6. PARTICIPATION IN RUGBY DOES NOT PERMIT CRIMINAL ACTIVITY. THOSE FOUND TO HAVE COMMITTED MISCONDUCT OF NON-RUGBY RELATED PHYSICAL OFFENSE(S), WILL BE TURNED OVER TO THE AUTHORITIES FOR CRIMINAL CHARGES AND PROSECUTION. THIS INCLUDES ACTIVITIES THAT ALSO FALL WITHIN SAFESPORT CODE.
7. Any activities that fall within Sexual Misconduct and Related as defined by the *SafeSport Code for the U.S. Olympic and Paralympics Movement* shall be reported to the proper SafeSport authority per the USA Rugby Policy.

#### Scope and Jurisdiction:

1. These regulations and procedures shall cover the following;
  - a. All youth and high school rugby games, jamborees, events, tournaments, and events in Indiana, and all programs (clubs/teams) affiliated with Rugby Indiana. It shall also cover games and any incidents that may result involving a touring team from another union, foreign or domestic, playing a Rugby Indiana team at an event within the jurisdiction of Rugby Indiana.
  - b. All players, coaches, parents, and administrators representing Rugby Indiana or its affiliates at any regional or national event either as a member of their local team or as an elite player.
  - c. All affiliates including players, parents, coaches, team, clubs, spectators, vendors, and administrators.
    - i. Indiana Youth Rugby Foundation Board members will be subject to the authority of the Disciplinary Committee. The findings of the Disciplinary Committee will then be shared with the Board of Directors for any additional action that may be warranted.
    - ii. The Executive Director, being an employee of the Indiana Youth Rugby Foundation, is not subject to the authority of the Disciplinary Committee. That authority rests solely with the Indiana Youth Rugby Foundation Board of Directors.

## Disciplinary Panel

1. Rugby Indiana will have a Disciplinary Panel which shall be comprised of trained Community Judicial Officers who are a part of Rugby Indiana.
  - i. The Executive Director will be the Keeper of the Records and assist with the coordination of Judicial Officers and schedules for Disciplinary Matters. The Executive Director, or the Board of Directors in the absence of the Executive Director, may appoint a Community Judicial Officer as Chairperson of the Disciplinary Panel.
  - ii. Youth & High School Players: Hearings will be held with a single Community Judicial Officer.
  - iii. Adults: Have the option of a single Community Judicial Officer or a Committee of three Community Judicial Officers.
  - iv. Community Judicial Officers will adhere to the World Rugby judicial standards for conflict of interest.
2. The proceedings, findings, or decisions of a Judicial Officer or Disciplinary Committee 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.
3. The Community Judicial Officer(s) and/or Disciplinary Committee will be made up of trained Community Judicial Officers from Indiana. In the event those individuals are not available, Rugby Indiana may select Community Judicial Officers from other SYROs, Unions, etc.
4. The Disciplinary Committee and/or Community Judicial Officer may choose to consult with a Qualified Judicial Officer (JO) (defined in the USA Rugby Disciplinary Procedures) in the course of conducting its business.
5. In the absence of a Disciplinary Committee / Community Judicial Officer, or at their request, or the request of the Executive Director or the Rugby Indiana Board of Directors, a Qualified JO may conduct the business of the Disciplinary Committee

## The Process:

1. **Foul Play:** In most cases, the Disciplinary Process begins when a player is shown a red card, or their second yellow card, during a match resulting from foul play. These disciplinary issues fall under **World Rugby Regulation 17**. Following the match, the match official/ referee will **submit a Discipline Report** via Rugby Indiana's reporting website form within 48 hours of the conclusion of the match; in most cases, this is Monday. This report is sent to the Executive Director or Chairperson of the Disciplinary Panel.
2. **Code of Conduct:** While Regulation 17 focus on foul play that occurs on the field of play, World Rugby Regulation 18 expands to include any conduct, behavior, statements and/or practices on or off the playing enclosure during or in connection with a match or otherwise, that is unsporting and/or cheating and/or insulting and/or unruly and/or ill-disciplined. Misconduct shall exclude foul play during a match which has already been the subject of consideration under Regulation 17. Regulation 18 offenses may be reported by not only the match official/referee, but also other coaches, players, or citing commissioners.  
  
**Notification:** After a report has been submitted, whether it is foul play or misconduct, the accused will receive notification, either via telephone or email, that a Discipline Report has

been filed against them. In some cases, the Judicial Officer or Disciplinary Committee member may have to reach out to the club in order to get valid contact information for the accused. In the case of a youth or high school player, that initial contact will be made with the player's head coach. Once contacted, the accused will be provided two options in regards to a virtual hearing held online via Zoom, Google Meets or some other similar technology:

Option #1 – The accused can request to have a one-person hearing directly with the Community Judicial Officer (CJO) who does not have a conflict of interest in the process. This type of hearing is usually quicker and easier as it only includes a Community Judicial Officer, the accused, and any additional interested parties such as the club coach, captain or president. NOTE: This is the sole process for youth & high school players.

Option #2 – The accused can request a full three-person hearing with members of the Disciplinary Committee. No members of the Disciplinary Committee may have a conflict of interest in the process.

3. Lack of Response to Notification: If a club does not respond to the request for contact information or the accused doesn't respond and schedules a hearing within the stated time frame, the Judicial Officer or Disciplinary Committee member will rule on the matter usually within one (1) day of the proposed hearing date. All communications from a Judicial Officer or Disciplinary Committee (member) will be sent to the club's Administrator/President on record with Rugby Indiana.
4. Hearing: If a hearing is required, the parties involved will receive at least thirty-six (36) hours notice of the time of the hearing. Hearings are typically held weekly on Thursday evenings at 7:30pm ET but may be scheduled for a different time depending on available disciplinary resources. In most cases, hearings will be held during the week following the report due date. In other words, if an infraction occurs on a given Saturday, the report is submitted on the immediate following Monday (48 hours later), then the hearing will likely be held on the Thursday of the next week, approximately eleven (11) days after the match.
  - a. The accused will be provided with a copy of the (referee's) report and any other evidence that is being reviewed such as video or witness statements and have at least twenty-four (24) hours to review this evidence. It is highly recommended that players and/or clubs should submit their own report and provide any evidence they wish to submit (including video of the incident) prior to the hearing if possible so that mitigating factors can be considered. Failure of the club/ player to submit their report or provide evidence which provides mitigating factors is not grounds for an appeal. Additionally, they should familiarize themselves with recommended sanctions which are applied to all levels of play by World Rugby. Regulation 17 includes information on potential mitigating and aggravating factors that can be considered by the Judicial Officer or Disciplinary Committee member(s). Unless determined otherwise, the entry point for consideration of most red cards issued is the mid-range offense. Foul play that involves contact with the head must have an entry point of mid-range offense or higher.
  - b. Hearings related to foul play should have the accused player present and are composed of two steps. The first step involves the Judicial Officer or Disciplinary Committee member(s) determining whether the infraction truly was a red card offense. If it is deemed that the infraction has met the "red card test", the second step is to determine the appropriate sanction. The Officer or Committee members will read the charges against the accused, present

evidence that support the charges, and ask questions of the parties involved. No cross-examination is permitted. If they have not done so already, the accused is entitled to review the evidence against them and present such evidence intended to establish innocence, mitigation, or demonstrate their good character so long as the evidence is relevant. Admission is considered a mitigation. The accused may be represented by counsel or other representative and the parties will be given the opportunity to present concluding remarks. Players will likely be asked to discuss their disciplinary history (if any) and clubs should be able to provide their upcoming match schedule.

- c. Immediately after the conclusion of the hearing, the Judicial Officer or Disciplinary Committee will deliberate and make a finding of innocence or guilt with respect to each charge and will issue an appropriate sanction for any finding of guilt. The ruling by the Judicial Officer or Disciplinary Committee (member) will be sent in writing and include whether the foul play was found/ admitted, will state the seriousness of the offense, the entry point of the sanction, any aggravating factors, any mitigating factors, and any appeal rights.

### Minor Infractions (Yellow Cards)

1. Yellow cards (temporary suspensions) will be given to players in accordance with the current WR (World Rugby) laws and at the discretion of the referee. In order to address the issue of repeat offenders and professional fouls the following disciplinary procedures will be implemented.
2. If a player commits an infraction that warrants a second yellow card in a game that player will be shown a red card and ejected from the game.
3. For disciplinary purposes, receipt of a third Yellow Card by the same player within a season 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.

### Non-Playing Violations / Misconduct

1. A non-playing violation/Misconduct constitutes an act that violates the codes of conduct, policies, laws, and rules of World Rugby, USA Rugby, or Rugby Indiana, or that is detrimental to the sport of rugby or the Indiana Youth Rugby Foundation.
  - a. Filing of false violations or withholding information relevant to the investigation is considered an act that is contrary to good sportsmanship and the spirit of the game and is an act detrimental to the sport.
  - b. Clubs/Organizations are responsible for the activities of their members and supporters, as they relate to the image of the game. Clubs/Organizations are expected to provide for the discipline of their members and supporters who bring the game into disrepute.
2. Non-Playing Violations/Misconduct, as defined in this code, are outside the limits, authority, and control of the match referee, and as such become the responsibility of the clubs to report any such violations to the Rugby Indiana Disciplinary Committee.
3. Abusive or foul language, belligerence, and/or physical threats by spectators shall not be tolerated and upon the request of a match official the offender should be removed from the immediate vicinity of the playing area by a member of the coaching staff. Police intervention should be considered when necessary.

4. All disciplinary action as the result of a Non-Playing/Misconduct Violation may be initiated by any member of any affiliated-team/club of Rugby Indiana in good standing.
5. The individual initiating the disciplinary action shall determine the offender's name and club affiliation at the time of the incident.
6. The individual initiating the disciplinary action shall prepare a formal written report providing full details of the violation; and shall send the original to the Disciplinary Committee Administrator.
7. The Disciplinary Committee reserves the right to ignore, warn, fine, suspend or dismiss non-playing violations.
8. Any allegations regarding Misconduct by a referee, assistant referee, or match official must come from a directly involved player/club/SRO or USA Rugby, and shall be directed to, and handled by a Disciplinary Committee or Qualified JO appointed by the Referee's local referee organizing body, which shall (1) adjudicate whether Misconduct occurred, (2) upon a finding of misconduct, determine what sanctions, if any, shall be imposed, and (3) issue a written decision. Additional process and information is contained in the *USA Rugby Disciplinary Procedures*, Section 8.2.
9. With respect to Sexual Misconduct cases and Related Misconduct or other Prohibited Conduct as defined by The *SafeSport Code for the U.S. Olympic and Paralympic Movement* and within the *SafeSport Practices and Procedures for the U.S. Olympic and Paralympic Movement* all such cases shall be reported to the USA Rugby SafeSport Liaison, or, at the reporting individual's option, to the U.S. Center for SafeSport Response & Resolution Office (Office), which is the division of the U.S. Center for SafeSport responsible for monitoring and enforcing compliance with the *SafeSport Practices and Procedures for the U.S. Olympic and Paralympic Movement*, which body has exclusive authority over such cases.
  - i. Additional processes and information is contained in the *USA Rugby Disciplinary Procedures*, Sections 11.1 – 11.3.
  - ii. Violations of SafeSport shall also be reported to the appropriate legal jurisdiction.

### Appeals Procedure

1. During any appeal, the individual remains under whatever sanction, if any, originally imposed by the Disciplinary Committee or Community Judicial Officer
2. An appeal must be filed within 72 hours from the date of the Disciplinary Committee's decision is communicated to the offending individual/team/club.
3. An appeal must state the basis of the appeal. Grounds for an appeal include cases of mistaken identity, video evidence which is contrary to information in the written report, and any aggravating or mitigating factors that were not known during the sanction process.
4. A \$50 Appeal Processing fee is required, although the fee will be refunded if the appeal is successful.
5. Instructions:
  - a) Complete the appeal application form completely and print it.
  - b) Pay the \$50 processing fee: Check made out to Indiana Youth Rugby Foundation
  - c) Take a photo of the check

- d) Mail the check AND the printed copy of the appeal application form to:  
Indiana Youth Rugby Foundation  
PO Box 502802  
Indianapolis, IN 46250
  - e) Email a photo of the check and the electronic form to the following two email addresses with “RI APPEAL” in the subject line:  
DC Admin (Disciplinary\_Admin@RugbyIndiana.com)  
ExDir as a copy (WEells@RugbyIndiana.com)
6. As a matter of its discretion, as exercised by a simple majority of the members of the Appeal Committee (or solely in the discretion of an Appeal Officer), the Committee/ Officer may hear or deny hearing an appeal. In any appeal that the Appeal Committee/ Officer agrees to hear, the Committee/Officer may consider certain aspects of the decision of the Disciplinary Committee or may conduct a hearing in de novo. The members of an Appeal Committee or an Appeal Officer must not have been involved with the original ruling and may have no conflicts of interest in the process. The Appeal Committee/ Officer may affirm, cancel, alter, diminish, or increase the sanction imposed in the initial ruling, following the provisions of Regulation 17. A hearing or appeal decision will be communicated as outlined above for a sanction but will include participants in the hearing process and how and if due process was given.

### Tracking Offenders

Offenders will have the results of their hearings added into the RX system in their profile.

### Fines / Penalties

Any fines, penalties, or fees collected will be placed into the scholarship account and used help players with financial needs.

### Sanction Lengths

WR uses the term “weeks,” but as a practical matter, this means matches.

### Regulation 17

Below is a brief overview of information contained in World Rugby Regulation 17 that is considered relevant to interested parties. This information may be updated on the World Rugby website and the version published at that site will prevail.

#### 17.18 Assessment of seriousness of the Foul Play

17.18.1 Disciplinary Committees or Judicial Officers shall undertake an assessment of the seriousness of the Player’s conduct that constitutes the offending and categorize 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 particular act(s) of Foul Play where such act(s) are expressly covered in Appendix 1. The assessment of the seriousness of the Player’s conduct shall be determined by reference to the following features:

- (a) whether the offending was intentional;
- (b) whether the offending was reckless, that is the Player knew (or should have known) there was a risk of committing an act(s) of Foul Play;

- (c) the nature of the actions, the manner in which the offense was committed including part of body used (for example, fist, elbow, knee or boot);
- (d) the existence of provocation;
- (e) whether the Player acted in retaliation and the timing of such;
- (f) whether the Player acted in self-defense (that is whether the Player used a reasonable degree of force in defending himself);
- (g) the effect of the Player's actions on the victim (for example, extent of injury, removal of victim Player from the game);
- (h) the effect of the Player's actions on the Match;
- (i) the vulnerability of the victim Player including part of victim's body involved/affected, position of the victim Player, ability to defend himself;
- (j) the level of participation in the offending and level of premeditation;
- (k) whether the conduct of the offending Player was completed or amounted to an attempt; and
- (l) any other feature of the Player's conduct in relation to or connected with the offending.

Based on the assessment of the offense(s) under consideration against the above features of offending, the Disciplinary Committee or Judicial Officer shall categorize the act(s) 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 1.

17.18.2 For offenses categorized at the top end of the scale of seriousness of offending, the Disciplinary Committee or Judicial Officer shall identify an entry point between the period shown as the top end for the particular offense and the maximum sanction in Appendix 1. (3)

#### 17.19 Mitigating Factors

17.19.1 Having identified the applicable entry point for consideration of a particular incident, the Disciplinary Committee or Judicial Officer shall identify any relevant off-field mitigating factors and determine if there are grounds for reducing the period of suspension and subject to Regulations 17.19.2 and 17.19.3 the extent, if at all, by which the period of suspension should be reduced. Mitigating factors include the following:

- (a) the presence and timing of an acknowledgement of the commission of foul play by the offending Player;
- (b) the Player's disciplinary record;
- (c) the youth and/or inexperience of the Player;
- (d) the Player's conduct prior to and at the hearing
- (e) the Player having demonstrated remorse for his/her conduct to the victim Player including the timing of such remorse; and



(f) any other off-field mitigating factor(s) that the Disciplinary Committee or Judicial Officer considers relevant and appropriate.

17.19.2 Subject to Regulations 17.19.3 and 17.21.1, for acts of Foul Play the Disciplinary Committee or Judicial Officer cannot apply a greater reduction than 50% of the relevant entry point suspension (prior to any increase for aggravating factors). In assessing the percentage reduction applicable for mitigating factors, the Disciplinary Committee or Judicial Officer shall start at 0% reduction and apply the amount, if any, to be allowed as mitigation up to the maximum 50% reduction.

17.19.3 In cases involving offending that has been classified pursuant to Regulation 17.18.1 as lower end offending, where:

(a) there are off-field mitigating factors; and

(b) where the Disciplinary Committee or Judicial Officer considers that the sanction would be wholly disproportionate to the level and type of offending involved; the Disciplinary Committee or Judicial Officer may apply sanctions less than 50% of the lower end entry sanctions specified in Appendix 1 including in appropriate cases no sanction.

#### 17.20 Aggravating Factors

17.20.1 Thereafter, the Disciplinary Committees or Judicial Officers shall identify any relevant off-field aggravating factors and determine what additional period of suspension, if any, should apply to the case in question. Aggravating factors include:

(a) the Player's status generally as an offender of the Laws of the Game; (4)

(b) the need for a deterrent to combat a pattern of offending in the Game where the teams participating in the Match or Tournament have been put on notice that such a need exists; and

(c) any other off-field aggravating factor(s) that the Disciplinary Committee or Judicial Officer considers relevant and appropriate (including poor conduct prior to or at the hearing).

#### Resources

- World Rugby Regulation 17: Discipline and Foul Play
- World Rugby Appendix 1 – Sanctions for Foul Play
- World Ruby Appendix 3 –
- World Rugby Appendix 5 – Summary of Disciplinary Process
- Word Rugby Regulation 18: Misconduct and Code of Conduct
- World Rugby Regulation 20: Disciplinary and Judicial Matters
- USA Rugby Disciplinary Procedures
- World Rugby Head Contact Process