



November 26, 2019

## USA HOCKEY AFFILIATE RESPONSIBILITIES

### **The following document has been developed to assist USA Hockey Affiliates with the management of the directive issued by USA Hockey President Jim Smith around Rule 601(e)3**

Pursuant to the directive issued by USA Hockey President Jim Smith on October 30, 2019, officials are instructed that anyone penalized under Rule 601(e)3 will receive a match penalty (in lieu of the game misconduct previously in the rule), which carries a five-minute penalty, disqualification from that game, and suspension from further participation until such time the governing Affiliate or junior league has conducted a hearing to review the matter. Rule 601(e)3 applies to any situation where a person uses language that is ***offensive, hateful or discriminatory in nature anywhere in the rink before, during or after the game***. Affiliates or junior leagues have up to 30 days to investigate and conduct a hearing and the offending individual(s) is subject to further discipline. Officials are also instructed to immediately file a game report to the Proper Authorities immediately following the game, and Affiliates must review all incidents, whether penalized or unpenalized, to ensure proper application of the rules.

All USA Hockey officials have also received the attached memorandum from the USA Hockey Officiating Education Program to provide guidance to the officials as to what types of comments are appropriate as a match penalty under Rule 601(e)3 and what types of comments are more appropriate with other penalties under 601 (a, b, c and d). Affiliates should use that memo as further guidance in distinguishing which penalty is appropriate in given circumstances.

Below are scenarios to help guide the Affiliate in responding to these reports.

#### **Scenario 1 – Match penalty assessed for hateful/discriminatory language under Rule 601(e)3**

In this instance, the following must occur:

- Appropriate Affiliate representative does an initial review to determine whether match penalty is warranted based on the official's game report.



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- If the match penalty is found warranted, the Affiliate notifies the program and the offending player/team official of suspension and of pending hearing according to By-Law 10 of the Annual Guide.
- The hearing is conducted at the Affiliate Level (hearings for these actions cannot be funneled down to the local Proper Authorities) according to By-Law 10.
- If the action is confirmed, the offending player/team official is provided a minimum suspension of three (3) games. The Affiliate may also impose a longer suspension if deemed appropriate, or may also include other conditions on the return to eligibility, (e.g., sensitivity training, counseling, apology, etc.). The hearing determination is subject to any normal appeal rights.
- If it is determined either in the initial intake or at the hearing level that a match penalty was not warranted, the offending player/team official may be reinstated or may be subject to other appropriate sanctions (e.g., game misconduct under a different rule).
- A summary report of the hearing and action taken shall be forwarded to the USA Hockey national office.

### **Scenario 2 – Official potentially improperly assessed a game misconduct penalty for hateful/discriminatory language under Rule 601(e)3**

In this instance, the following must occur:

- The Affiliate Disciplinary persons must be alert to all game reports submitted and if they identify that a game misconduct was improperly assessed under Rule 601(e)3, proper follow up is required.
- Appropriate Affiliate representative does an initial review to determine whether a match penalty is potentially warranted based on the official's game report. This may require follow up with the officials. If a match penalty is not warranted, then the game misconduct stands.
- If a match penalty is found warranted, the Affiliate notifies the program and the offending player/team official of suspension and of pending hearing according to By-Law 10 of the Annual Guide.
- The hearing is conducted at the Affiliate Level (hearings for these actions cannot be funneled down to the local Proper Authorities) according to By-Law 10.



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- If the action is confirmed, the offending player/team official is provided a minimum suspension of three (3) games. The Affiliate may also impose a longer suspension if deemed appropriate, or may also include other conditions on the return to eligibility, (e.g., sensitivity training, counseling, apology, etc.). The hearing determination is subject to any normal appeal rights.
- If it is determined either in the initial intake or at the hearing level that a match penalty was not warranted, the offending player/team official is reinstated or may be subject to other appropriate sanctions (e.g., game misconduct under a different rule).
- A summary report of the hearing and action taken shall be forwarded to the USA Hockey national office.

### **Scenario 3 – Match penalty potentially inappropriately assessed for hateful/discriminatory language**

In this instance, the following must occur:

- The Affiliate Discipline Chair does an initial review to determine whether a match penalty is warranted.
- If not warranted or rule was misapplied and the action does not fall under Rule 601(e)3
  - The match penalty is rescinded and the player may be assessed a game misconduct penalty or other appropriate sanctions.
  - The program and offending player/team official are notified of the result.
  - The District Referee-in-Chief is notified for further education of the official(s) involved as to the proper application of the rules.

### **Scenario 4 – Hateful/discriminatory language is reported to the game official(s) but it was not heard on the ice by the officials**

In this instance, the following must occur:

- The game officials are instructed to notify the coach of the offending player/team official of what was reported to them for proper action by the coach.
- The official(s) are required to submit a game report under the category of “Other Incident” and give a detailed description of what was reported to them.





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- Once the report is received by the Affiliate Disciplinary Chair, they are required to gather additional information and determine whether the language used can be confirmed by other parties that warrants additional disciplinary action.
- If it can be confirmed and is deemed to be appropriate under Rule 601(e)3, then the procedure outlined in Situation 1 should be followed.
- If it cannot be confirmed, then the Affiliate Disciplinary Chair shall contact the association leadership of the offending team to gather follow-up information as to the actions taken by the association to minimize this type of behavior in the future.



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