



**MLS NEXT  
DISCIPLINARY CODE  
2022–2023**

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## I. DEFINITIONS

Capitalized terms shall have the definitions ascribed to them below, or if not defined within this Disciplinary Code (the “Code”), shall have the definitions ascribed to them in the MLS NEXT Rules & Regulations.

- a. Annulment of the Result of an MLS NEXT Game. Invalidating the Result of a Game reached on the field of play.
- b. Ban from Entering a Facility. Prohibiting an individual from entering a certain Facility.
- c. Ban from Locker Rooms. Prohibiting an individual from entering a Club’s locker rooms.
- d. Ban from Substitute Bench. Prohibiting an individual from entering a Club’s area immediately surrounding the field of play and from sitting on the substitute bench.
- e. Ban on MLS NEXT Activity. Prohibiting a person from taking part in any kind of MLS NEXT soccer-related activity (administrative, sports, or otherwise) for a period of time specified by a Disciplinary Body.
- f. Ban on Playing in a Particular Facility. Prohibiting a Club from having its team play in a certain Facility.
- g. Club (or “Member”). Any soccer club whose application for membership in MLS NEXT has been accepted, and that has signed a Membership Agreement and paid a performance bond in the amount directed by PDev. A fully executed Membership Agreement is required for a Club to become a valid member of MLS NEXT.
- h. Club Representative. Any Club personnel, including but not limited to, any Club employees, Coaches, trainers, Team administrators, other support or volunteer staff, or any individual who represents themselves as being affiliated with a Club in a manner that is known or should be known to the Club, that assist the Club in connection with the MLS NEXT Season.
- i. Coach. An individual who performs the duties and services as may be assigned to an individual by a Club regarding the training of youth soccer players, including, but not limited, to (i) conducting and supervising the Team’s practices, training camps and training sessions, (ii) coaching the Team in all competitions and Games, (iii) preparing for all Games played by the Team, including developing Game strategies, (iv) overseeing off-season Player development programs for the Team, (v) consulting and advising with respect to the Team’s Roster and Player trades, (vi) directing and supervising the Team’s coaching staff, (vii) enforcing Club and League rules, and/or (viii) participating in promotional, sponsorship and public relations activities.
- j. Deduction of Points. Deducting a Club’s points from those already attained in a current or future MLS NEXT Competition.

- k. Disciplinary Bodies. Each a “Disciplinary Body” and collectively the “Disciplinary Bodies.” The disciplinary bodies of MLS NEXT, consisting of (1) MLS NEXT Program Staff, (2) the PDev President, and (3) any designees or substitutes to any of the foregoing, as are determined in PDev’s sole and absolute discretion.
- l. Discipline Review Panel (or the “Panel”). A panel comprised of five representatives appointed by the PDev President, the purpose of which is to resolve certain incidents of alleged Infractions, and with authority to issue Sanctions. The Panel must review incidents where the potential Sanction may exceed a five (5) Game Suspension, include a Transfer Ban, Removal from MLS NEXT, or Fines in excess of \$5,000 on a Club.
- m. Dismissal. When a Game Official requests a spectator or other person not sitting in the technical area or participating on the field to leave the pitch and remain suspended for the remainder of the Game and/or Fixture. For the avoidance of doubt, a Dismissal is not a Red Card from Game Officials.
- n. Exclusion from an MLS NEXT Competition. Prohibiting a Club or individual from taking part in a current and/or a future MLS NEXT Competition.
- o. Facility. A venue for Team training and Games, including all parking, structures, and grounds on or immediately surrounding the venue.
- p. FIFA. The Fédération Internationale de Football Association (International Federation of Association Football), the international governing body of association soccer.
- q. Fine. A said monetary amount paid by a Club or an individual as a Sanction following a determination that said Club or individual committed an Infraction; said amount shall not be less than twenty-five dollars (\$25) and not more than ten thousand dollars (\$10,000).
- r. Fixture. A set of scheduled Games of multiple age groups versus one opponent.
- s. Forfeit of an MLS NEXT Game. A 3-0 loss for the team that is issued the forfeiture.
- t. Game. Any soccer match played between two MLS NEXT Clubs or any match organized by PDev as part of an MLS NEXT Competition.
- u. Game Official. The referee, assistant referees, fourth official, game commissioner, referee inspector, the person in charge of safety, and/or any other persons appointed by PDev and/or Professional Referee Organization (“PRO”) to assume responsibility in connection with a Game.
- v. Game Suspension. A ban that prevents a Player, Club Representative (in the technical area), or other MLS NEXT Participant from taking part in any future Game or MLS NEXT Competition, including, but not limited to, being present in the area immediately surrounding the field of play. The suspension is imposed in terms of Games, days, or months.

- w. Infraction. Any violation or alleged violation of the MLS NEXT Rules and Policies, or any action or alleged action that is against the spirit of the MLS NEXT Rules and Policies.
- x. Improper Conduct. Any conduct or behavior that would be deemed to be unreasonable or inappropriate by an average person. Such behavior includes, but is not limited to, violence towards persons or property, letting off incendiary devices, throwing missiles, displaying insulting slogans in any form, uttering insulting words or sounds, or invading the field. Such Improper Conduct may constitute an Infraction.
- y. Lifetime Ban. Permanently prohibiting an individual from being an MLS NEXT Participant.
- z. Membership Agreement. The document that details the rights and obligations of each Club; a fully executed Membership Agreement is required for a Club to become a valid member of MLS NEXT.
- aa. MLS NEXT Competition. The MLS NEXT schedule, collectively referring to friendly matches, MLS NEXT Regular Season matches, MLS NEXT Showcases, and MLS NEXT Cup Playoffs (each as applicable), featuring at least one Club and organized by PDev.
- bb. MLS NEXT Equity Action Committee. This Committee includes, but is not limited to, current and former MLS NEXT academy coaches and directors, current Major League Soccer players, Girls Academy leadership, and representatives from the LGBTQ+ community. The goal of the Committee is to create a holistic development environment for Players and Coaches through education programs, policy reform, and improved representation. The Committee's recommendations, once adopted, apply to all MLS NEXT Participants.
- cc. MLS NEXT Events. This definition includes, but is not limited to, MLS NEXT-sanctioned tournaments, leagues, showcases, and camps run by PDev or MLS NEXT Clubs, including local affiliate organizations (if the event is sanctioned by PDev). While PDev may not have authority or control over non-sanctioned events operated or organized by Clubs, any conduct prohibited by this policy even at non-sanctioned events may serve as an independent basis for disciplinary action if it calls into question an MLS NEXT Participant's fitness to participate in MLS NEXT Events or MLS NEXT Competitions.
- dd. MLS NEXT Participant. Any Player, Club, Club Representative, PDev employee, Game Official, parent, spectator, volunteer, independent contractor (including, but not limited to, security or medical personnel including an athletic trainer that does not fall under Club Representative), or other individual that attends or contributes to an MLS NEXT Event.

- ee. MLS NEXT Cup Playoffs. The MLS NEXT Competition held at the conclusion of the MLS NEXT Regular Season among the qualifying Teams from the U15 through U19 age groups, culminating in a champion in the U15, U16, U17, and U19 age groups.
- ff. MLS NEXT Program Staff. Those individuals who work on behalf of PDev to execute all MLS NEXT Events.
- gg. MLS NEXT Rules and Policies. The MLS NEXT Rules and Regulations, along with each Club's MLS NEXT Membership Agreement, the MLS NEXT Commercial Marketing Guidelines, the MLS NEXT Style Guide, the MLS NEXT Disciplinary Code, the MLS NEXT Code of Conduct, the MLS NEXT Safety and Wellbeing Policy, the MLS NEXT Privacy Policy, and any other rules, regulations, policies, guidelines, procedures, or directives of PDev, including, without limitation, any other organizational agreements of PDev and its affiliates (in each case, as they exist on the date hereof and as they may be amended, restated, supplemented, or otherwise modified from time to time by PDev).
- hh. MLS NEXT Season. The entire year of competitive and non-competitive programming organized by PDev as MLS NEXT Events, including, but not limited to, MLS NEXT Pre-Season, MLS NEXT Regular Season, MLS NEXT Post-Season, and any other events organized by PDev.
- ii. Neutral Territory. A venue or field for an MLS NEXT Game that is not within a reasonable geographic proximity to each Club's home location.
- jj. Notice of Infraction. A written pronouncement by the Discipline Review Panel that provides a party with notice of the specific alleged Infraction(s) of the MLS NEXT Rules and Policies.
- kk. Player. An individual who has completed the MLS NEXT Registration process and is eligible to be added to a Roster.
- ll. Removal. A Sanction against an MLS NEXT Participant that entails elimination from the league/loss of membership in MLS NEXT.
- mm. Result. The win, loss, tie, goals scored for, goals scored against, points per game or total league points achieved by the teams on the field of play during a Game.
- nn. Red Card (or "Send-Off"). A decision by the referee to Sanction misconduct by a Player or technical staff member by the display of a Red Card in accordance with the provisions of Law 12 of the FIFA Laws of the Game and related official guidance from USSF.
- oo. Sanction. A penalty or other means to enforce compliance with MLS NEXT Rules and Policies.

- pp. Serious Infraction. An infraction that would present an elevated risk to a Player, a Club, or MLS NEXT.
- qq. Staff Member. A member of a Club’s coaching or training staff.
- rr. Team. Any grouping of Players by age by a Club to play in MLS NEXT Competitions.
- ss. Transfer Ban. A Sanction against a Club that prevents the Club from registering a specific player or any player during a specific time period.
- tt. USSF (or “U.S. Soccer”). The United States Soccer Federation, the official governing body of the sport of soccer in the United States.
- uu. Yellow Card (or “Caution”). A decision by the referee to Sanction misconduct of a Player by the display of a Yellow Card in accordance with the provision of Law 12 of the FIFA Laws of the Game and related official guidance from USSF.
- vv. Warning. A cautionary reminder of the substance of a disciplinary rule.
- ww. Written Decision. A written pronouncement by the Discipline Review Panel for any Sanction that exceeds a five (5) Game Suspension, includes a Transfer Ban, Removal from MLS NEXT, or Fines in excess of \$5,000 on a Club.
- xx. Written Reprimand. A written pronouncement of PDev’s disapproval of a Club or an individual regarding an Infraction or other behavior committed by that Club or individual.

## **II. INTRODUCTION**

The Code (i) outlines the adjudication process for handling any and all Infractions of MLS NEXT Rules and Policies, and (ii) provides the process by which disciplinary decisions are made in connection with any and all Infractions. Each MLS NEXT Participant is bound by this Code. As a reminder, MLS NEXT Participants include: Players, Clubs, Club Representatives, PDev employees that do not otherwise fall under the definition of MLS NEXT Program Staff, Game Officials, parents, spectators, volunteers, independent contractors, and any other individuals that attend or contribute to any MLS NEXT Event.

### **a. Jurisdiction and Scope**

The Disciplinary Bodies or Discipline Review Panels charged with authority in this Code shall have jurisdiction over all matters relating to any conduct or occurrence during a Game or relating to a violation of the MLS NEXT Rules and Policies. Moreover, PDev retains sole and absolute discretion to address and issue Sanctions for any conduct detrimental to the integrity and public confidence in MLS, PDev, or their affiliates, regardless of whether such conduct occurs in relation to an MLS NEXT Event. Such conduct includes, but is not limited to, conduct that is illegal, violent, dangerous, irresponsible, discriminatory, or any other conduct that undercuts public respect and support for the sport of soccer and/or MLS, PDev, or their affiliates.

Notwithstanding the foregoing, the U.S. Center for SafeSport (the “Center”) has exclusive jurisdiction over allegations of sexual misconduct or sexual abuse by persons affiliated with certain organizations within its jurisdiction, which in most cases, if not all, includes Coaches and certain other Adult MLS NEXT Participants, Club Representatives, or MLS NEXT Program Staff. Each Disciplinary Body or Discipline Review Panel will exercise jurisdiction over any claim or report that is not within the exclusive jurisdiction<sup>1</sup> of the Center, but note that submission of a claim to the Center does not divest PDev of jurisdiction over the Infraction after the Center has reviewed.

**b. Subject Matter Jurisdiction.**

This Code governs every subject to which the text or the meaning of its provisions refers. If there are any omissions in this Code, PDev will decide upon the appropriate rules, subject to the USSF Bylaws. This Code applies to every Game and MLS NEXT Competition. The following are subject to this Code:

- Clubs;
- Club Representatives;
- Players;
- MLS NEXT Game Officials; and
- MLS NEXT Participants (including, but not limited to, Player parents and legal guardians, and spectators).

Adults authorized directly by PDev or the Clubs to interact with amateur athletes are generally subject to the personal jurisdiction of the Center.

**III. SCOPE OF AUTHORITY**

Unless otherwise specified, Infractions are punishable regardless of whether they have been committed with or without intention, and both the instigator and accomplice may be held equally responsible for any Infraction. Each Disciplinary Body or Discipline Review Panel may, in its sole discretion and at any stage of the investigation, any hearing and/or review, take into consideration all appropriate facts when assessing the Sanction for any Infraction and determine the extent of the mitigation as it sees fit. The Disciplinary Body or Discipline Review Panel will consider the degree of guilt of the party involved and may reduce the Sanction accordingly. Pursuant to this Code, a Disciplinary Body or Discipline Review Panel may undertake various disciplinary actions, including but not limited to, the ability to:

- Sanction any violation of the MLS NEXT Rules and Policies;

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<sup>1</sup> Matters within the Center’s exclusive jurisdiction include, but are not limited to, allegations of sexual misconduct, criminal allegations involving Child Abuse or sexual conduct, or “Other Inappropriate Conduct” as defined in the SafeSport Code. The Center also retains discretionary jurisdiction to investigate and resolve allegations of SafeSport violations. The Center is responsible for resolving all cases in which it exercises its jurisdiction.



- Sanction Serious Infractions that have escaped the Game Officials’ attention;
- Rectify errors in the Game Officials’ disciplinary decisions based on mistaken identity, clerical error, etc.;
- Review Red Cards, Game Official reports, etc. relating to unusual game action;
- Review Infractions or matters off the field;
- Extend or reduce the duration of a Game Suspension incurred automatically by a Send-Off; and
- Pronounce other Sanctions consistent with the MLS NEXT Rules and Policies.

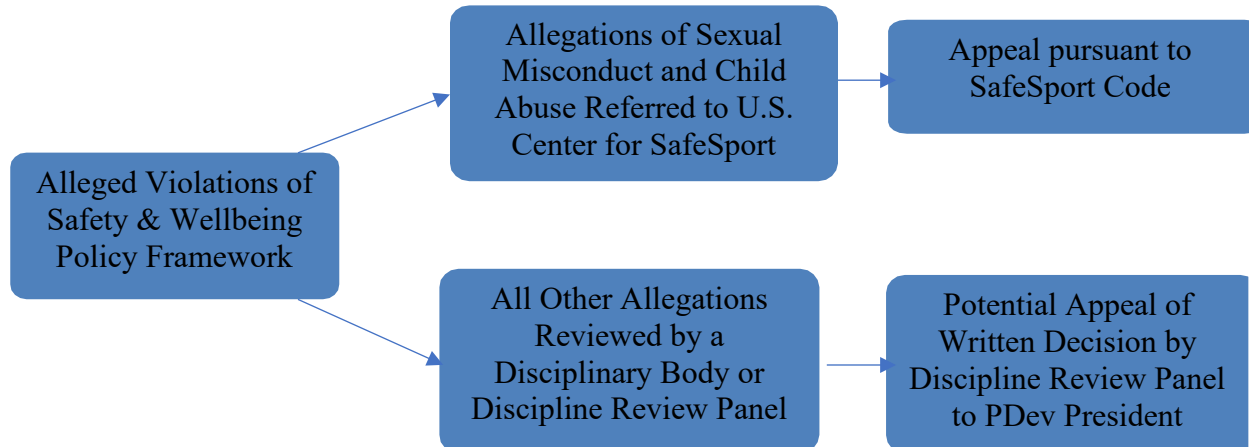
The Center retains exclusive jurisdiction over allegations of sexual misconduct or sexual abuse by persons affiliated with certain organizations within its jurisdiction (*see* Section IV) and can issue Sanctions up to and including a Lifetime Ban from all MLS NEXT Events.

#### **IV. SAFESPORT, ANTI-ABUSE AND SAFETY COMPLIANCE FRAMEWORK**

The MLS NEXT Safety and Wellbeing Policy provides rules and guidance regarding the physical and emotional protections for minors and other participants in MLS NEXT Events. Among other protections, such Policy incorporates Public Law 115-126, Protecting Young Victims from Sexual Abuse and SafeSport Authorization Act of 2017 (the “SafeSport Act”), as incorporated into the Ted Stevens Olympic and Amateur Sports Act (the “Ted Stevens Act”), as well as the “SafeSport Code,” developed by the Center to effectuate the SafeSport Act. The investigation and adjudication of matters involving allegations or reports of sexual abuse or misconduct, or other violations of the MLS NEXT Safety and Wellbeing Policy that involve prohibited conduct that is reasonably related to and accompanies an alleged violation involving sexualized behavior, are generally subject to the subject matter jurisdiction of the Center. Any alleged violation of the SafeSport Code or the SafeSport, Anti-Abuse, and Safety Compliance Framework will be handled as mandated by the Center. Allegations of Sexual Misconduct must be referred to the Center at <https://uscenterforsafesport.org/report-a-concern/> or by calling the Center at (833) 587-7233. The Center retains exclusive jurisdiction over such allegations against most MLS NEXT Participants, as circumscribed in the SafeSport Code. Allegations of Sexual Misconduct must also be reported to MLS NEXT through the MLS Integrity Hotline that can be accessed in three ways: (i) at [www.mlsreportinghotline.com](http://www.mlsreportinghotline.com) on a web browser; (ii) [mlsmobile.ethicspoint.com](http://mlsmobile.ethicspoint.com) on a mobile browser; or (iii) by calling (844) 782-0353. No direct fees or other costs are associated with making a report to the MLS Integrity Hotline. Allegations of Sexual Misconduct may also be reported to U.S. Soccer at [www.ussoccer.com/report-a-concern](http://www.ussoccer.com/report-a-concern) or by calling (312) 528-7004. Clubs agree, as a condition of MLS NEXT participation, to cooperate with any Center investigation and to refrain from interfering with the Center’s exercise of its jurisdiction. PDev will adopt any measures or remedies imposed by the Center.

There may be allegations of violations of the MLS NEXT Safety and Wellbeing Policy which: (a) are within the discretionary authority of the Center and which the Center declines to exercise its

authority or (b) over which the Center determines that it does not have jurisdiction. PDev shall have the authority to investigate any such claims of Player mistreatment or violations of the MLS NEXT Safety and Wellbeing Policy. The flow chart below summarizes the process in each case for alleged violations of the Safe Soccer Framework:



Clubs shall cooperate in good faith with any review or investigation by PDev or the Center, including, but not limited to, making available any Club Representatives for interviews as may be requested by PDev or the Center, providing requested documentation or information, or submitting written reports as may be requested by PDev or the Center, and complying with any of PDev’s directives with regard to any interim measures imposed during the lifespan of any such review or investigation. Failure to support an independent investigation by the Center or PDev may jeopardize future MLS NEXT participation.

In addition, PDev may, in its sole discretion, grant authority to the Club to conduct the investigation as appropriate. If a matter is referred by PDev to the Club for investigation, the Club may implement interim protective measures and shall perform such investigation diligently and in compliance with all applicable laws and shall share its conclusion and any other requested information with PDev prior to issuing a Sanction. ***The Club may impose a final Sanction only after consultation with PDev.***

Upon receipt of any report involving a potential violation of the MLS NEXT Safety and Wellbeing Policy, PDev reserves the right to impose interim protective measures on any MLS NEXT Participant throughout the course of any investigation by the Center or PDev. Such interim protective measures may include, but are not limited to: (a) suspension from all MLS NEXT Events and Club activities during the pendency of the investigation; (b) prohibition from contact with Players; (c) additional education; (d) a request to develop, audit, review, or update relevant Club policies; and (e) any other interim protective measure that PDev determines to be appropriate in its sole discretion. Such interim protective measures are not subject to appeal.

Please be aware that reporting any matter to PDev, the Center, or USSF will not satisfy the Club's (or any Adult's) mandatory Child Abuse reporting obligations under federal law, which require reports be made to a local law enforcement agency within 24 hours of becoming aware of the issue.

## **V. ALL OTHER DISCIPLINARY MATTERS**

Any Infraction will be handled as provided below, except to the extent that the Center decides to exercise jurisdiction over the matter, or for which disciplinary procedures and consequences are more specifically addressed in the MLS NEXT Safety and Wellbeing Policy. The processes described in this Section are not exclusive of the Clubs' disciplinary authority, meaning that Clubs are permitted to issue their own discipline for Infractions as well. Clubs must report to PDev discipline imposed on any MLS NEXT Participant because of violations of the MLS NEXT Safety and Wellbeing Policy.

### **a. Commencement of Proceedings and Process**

Any MLS NEXT Participant may report conduct that the Participant considers incompatible with the MLS NEXT Rules and Policies to PDev, including MLS NEXT Program Staff or through the MLS Integrity Hotline at (1) [www.mlsreportinghotline.com](http://www.mlsreportinghotline.com); (2) [mlsmobile.ethicspoint.com](http://mlsmobile.ethicspoint.com); or (3) 844-782-0353. No direct fees or other costs are associated with making a report to the MLS Integrity Hotline. Such reports should include the nature and background of the claim, including the involved MLS NEXT Participants. PDev prohibits retaliation against individuals raising good faith concerns. Game Officials should also report suspected violations that have come to their attention.

The members of the Disciplinary Bodies or the Discipline Review Panel shall make every reasonable effort to ensure that information disclosed to them during the course of their duty remains confidential, including, but not limited to, the facts of the case, contents of the deliberations, and decisions made. While information related to the facts of any case may necessarily be disclosed in furtherance of the investigation, only the contents of final decisions already notified to the addressees may be made public.

### **b. Disciplinary Body**

A Disciplinary Body, such as MLS NEXT Program Staff, is available in the first instance to review certain alleged Infractions and issue Sanctions. A Disciplinary Body shall carry out any necessary preliminary review of these alleged Infractions. Such Infractions include, but are not limited to, Red Cards issued following matches, as well as Game Official reports detailing any unusual or Serious Infractions or matters outside of game action, in order to rectify errors in Game Officials' disciplinary decisions to Sanction Serious Infractions that have escaped the Game Officials' attention, to address Roster issues, to extend the duration of a Game Suspension incurred automatically by a Send-Off, and to take any other disciplinary action as PDev deems appropriate.

A Disciplinary Body may request the appointment of a Discipline Review Panel where a unique issue is presented for which there is no precedent such as novel claims of discrimination based on protected class status or for any other allegation where a Disciplinary Body reasonably believes that the potential Sanction may exceed a five (5) Game Suspension. A Disciplinary Body has the

authority to issue Sanctions that do not exceed a five (5) Game Suspension or Fines that do not exceed \$5,000 against a Club.

i. Evidence

Any type of evidence may be proffered in support of any Infraction. In its sole discretion, a Disciplinary Body may reject evidence that the Disciplinary Body reasonably believes does not serve to establish relevant facts. The following is a non-exhaustive list of admissible evidence: reports from any Game Official; declarations from the parties and witnesses; expert opinions; audio or video recordings;<sup>2</sup> and any other evidence that has probative value. A Disciplinary Body shall, in its review, have absolute discretion regarding what constitutes sufficient proof of an Infraction. For example, a Disciplinary Body may take account of the parties' attitudes or credibility during interviews, including the manner in which they cooperate with the Disciplinary Body. Each Disciplinary Body will decide the validity of the evidence before it.

ii. Notice of Sanction by Disciplinary Body

A Disciplinary Body must provide notice of any Sanction determination by email or registered letter. Decisions communicated by email and/or registered letter shall be legally binding and come into force as soon as they are communicated to the parties.

iii. Non-Appealability of Sanctions by Disciplinary Body

No party can appeal a Sanction by a Disciplinary Body.

iv. Reviews

A review may be requested after a binding, non-appealable decision has been issued if a party discovers facts or evidence that would likely have resulted in a more favorable decision and that, even with due diligence, could not have been discovered sooner. A request for review shall be made within ten (10) days of discovering the reasons for review, provided that the request is made within the limitations period detailed in the next sentence. The limitation period for submitting a request for review is one (1) year after the enforcement of the decision. Following this time period, all decisions are final.

c. **Discipline Review Panel**

A Discipline Review Panel is a panel comprised of five representatives appointed by the PDev President or their designee. The PDev President or a designee may select a panel comprised of, but not limited to, the following categories of individuals: MLS NEXT Program Staff, Club Representatives from outside the conference of the Club under review, legal representatives of PDev and/or its parent entity, and Game Officials. Such individuals are charged with resolving incidents of alleged Infractions that are referred to the Discipline Review Panel by a Disciplinary

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<sup>2</sup> Note that in the event video evidence is available, a Disciplinary Body shall request and consider that evidence, including in determining appropriate Sanctions, where applicable.

Body. Individuals that serve on a particular Discipline Review Panel must not have been involved in any way with the issue under review.

i. Authority of Discipline Review Panel

The Discipline Review Panel has the authority to decide any disciplinary matter and issue Sanctions. The Discipline Review Panel must review any disciplinary matter where a Sanction may exceed a five (5) Game Suspension, include a Transfer Ban, Removal from MLS NEXT, or Fines in excess of \$5,000 on a Club. Any MLS NEXT Participant has the right to a formal hearing **only** if the potential Sanction imposed by the Discipline Review Panel may exceed a five (5) Game Suspension, a Transfer Ban, Removal from MLS NEXT, or a Fine in excess of \$5,000 on a Club.

ii. Preliminary Investigation on Behalf of the Discipline Review Panel

The Disciplinary Body (or a designee of the Discipline Review Panel (“the Designee”)) will perform the initial investigation of the alleged Infractions. The investigation by the Disciplinary Body or the Designee may include any evidence discussed in Section V(b)(i). At the conclusion of the investigation, the Disciplinary Body or the Designee shall present a summary of the preliminary factual findings to the Discipline Review Panel. Based on the information presented by the Disciplinary Body or the Designee, the Discipline Review Panel shall issue either a (1) Sanction decision, or (2) Notice of Infraction, as set forth in subsection V(c)(iii), below.

If the Discipline Review Panel requires additional information, then the Disciplinary Body or the Designee will continue the investigation until the Discipline Review Panel has sufficient information to issue a decision.

iii. Decision by The Discipline Review Panel

If, after the investigation, the Discipline Review Panel determines that the alleged Infraction is subject to a Sanction of less than a five (5) Game Suspension or a Fine of less than \$5,000 on a Club, then the Discipline Review Panel must provide written notice of this decision to the accused party or parties. This Sanction will then become a non-appealable final Sanction decision.

If, after the investigation, the Discipline Review Panel determines that the alleged Infraction may result in a Sanction that exceeds a five (5) Game Suspension, a Transfer Ban, Removal from MLS NEXT, or a Fine in excess of \$5,000 on a Club, the Discipline Review Panel must draft a Notice of Infraction to inform the accused party or parties of the alleged Infraction(s).

The Notice of Infraction must include: (1) the identity of the person/persons accused; (2) a description of the allegations and the behavior that forms the bases of the alleged violation(s); (3) the possible consequences if the allegations are found to be true; (4) notice to the accused that he/she/they has a right to request a hearing; (5) the procedural rules that will apply at any requested hearing; and (6) the timeline for a decision.

#### iv. Hearing

Unless otherwise provided for in this Code or the MLS NEXT Rules and Regulations, USSF Bylaw 701 and Policy 701-1 shall apply to all hearings conducted by a Discipline Review Panel. In the unlikely event that a member of a Discipline Review Panel has an interest in the matter before a Discipline Review Panel, PDev may appoint an impartial replacement member in its sole and absolute discretion. These hearings may take place in person, by phone, or by other means. Only the contents of the Notice of Infraction already provided to the addressee may be made public. If the Discipline Review Panel holds a hearing, the hearing must provide for the following:

- The right to be assisted in the presentation of one's case (the person giving assistance does not have to be an attorney);
- The right to all the evidence that the Discipline Review Panel will consider in reaching a Sanction decision;
- The right to present oral, video, or written evidence;
- The right to have a record made of the hearing;
- The right to call witnesses (while a party has a right to "call witnesses," these hearings do not take place in a court of law, and there is no way to mandate that a certain witness appears at the hearing. If a witness refuses to appear, and a party thus has no opportunity to question the witness, this does not mean that the party was denied due process. In addition, the Discipline Review Panel has the right to limit the number of witnesses who may testify at its sole discretion);
- The right to confront witnesses, including the right to be provided in advance with the identity of any witnesses who plan to appear at the hearing (while a party to a hearing has the right to confront witnesses that appear at the hearing, this does not apply to witnesses who do not appear at the hearing. For example, if a witness submits a letter, but refuses (or is unable) to appear at the hearing, the Panel may consider the letter even though the witness was not "confronted");
- Notice of any substantive or material action made by the Discipline Review Panel in the course of the proceeding (e.g., if the Panel decides that it needs to consider a new witness or needs additional argument, the Panel should notify the parties); and
- A Written Decision, with the reasons for the decision, based solely on the evidence of record.

#### v. Information Provided by the Parties

The parties may include any MLS NEXT Participant, MLS NEXT Program Staff, or anyone who reported, witnessed, or otherwise has information related to the alleged conduct. The parties before the Discipline Review Panel must comply with requests for information from the Discipline Review Panel. If a party is dilatory in responding, the Discipline Review Panel may, after warning

the party, impose a Sanction. If the party fails to comply, especially if it ignores the stipulated time limits, the Discipline Review Panel may reach a decision on the case using the available information in its possession.

vi. Time Limits

Time limits for investigations, hearings, and reviews conducted by the Discipline Review Panel will be set by the Discipline Review Panel. If the last day of the time limit coincides with a weekend or public holiday, the time limit will expire on the next day that is not a weekend or public holiday.

vii. Right to be Heard

The parties in a hearing before a Discipline Review Panel will have the opportunity to be heard before a final decision is made as to any Sanctions, including presenting any arguments. They may, in particular: (a) request all the evidence the Panel will consider; (b) present their argument in fact and in law; and (c) produce any additional evidence necessary for their defense. The opportunity to be heard may be restricted in exceptional circumstances in PDev's sole discretion, such as when confidential matters need to be safeguarded.

viii. Evidence

The Discipline Review Panel may consider all the evidence identified in Section V(b)(i). The Discipline Review Panel will decide the Sanction based on all the evidence presented and reviewed. In the event video evidence is available, the Discipline Review Panel shall request and use the evidence.

ix. Language Used in Proceedings

The language used in proceedings will be English. If the primary language of a person concerned is not English, the person concerned is permitted to engage a translator for the purposes of the hearing, and will be responsible, at their own expense, for any such translation services.

x. Deliberations

A Discipline Review Panel shall deliberate outside the presence of the parties if a hearing is conducted. A Discipline Review Panel may choose to engage in deliberations by phone conference or other similar method.

xi. Decisions

As set forth above in Section (V)(c)(iii), the Discipline Review Panel must provide written notice to the accused parties where a Sanction does not exceed a five (5) Game Suspension or a Fine less than \$5,000 on a Club. In such circumstances, the notice shall be provided by email or registered letter, and the Sanctions shall be legally binding and come into force as soon as they are communicated.

The Discipline Review Panel must issue a Written Decision where a Sanction exceeds a five (5) Game Suspension, includes a Transfer Ban, Removal from MLS NEXT or a Fine in excess of \$5,000 on a Club. The Written Decision shall contain: (a) the composition of a Discipline Review Panel; (b) the names of the accused parties; (c) a summary of the facts; (d) the rationale for the decision; (e) the provisions on which the decision was based; (f) the terms of the decision; and (g) notice of the channels for appeal. All accused parties must be notified of the Written Decision.

Written Decisions, Sanctions, Notices of Infraction, and other documents intended for Players, Clubs, Club Representatives, and Game Officials may be addressed to the Club concerned. In such an instance, the Club must promptly forward the documents to the accused parties concerned within four (4) days. Following this four (4)-day period, the accused parties will be considered to be on notice of such documents and/or decisions.

#### xii. Notice of Appeal

A party intending to appeal must inform the MLS NEXT Program Staff of any intention to appeal within one (1) business day of the notification of the decision. Reasons for the appeal must be given in writing within seven (7) days of the notice of appeal. A party wishing to lodge an appeal shall submit an appeal fee of \$500 to PDev within seven (7) days of receipt of the decision. The seven-day period begins to run immediately after the one (1) business day notification period. Any appeal will be rejected for failure to comply with these requirements, unless the appealing party shows good cause for failure to comply.

#### xiii. Appeals from Discipline Review Panel Decisions

A Sanctioned party (or other interested party) can only appeal a Sanction by the Discipline Review Panel if the Sanction exceeds a five (5) Game Suspension, includes a Transfer Ban, Removal from MLS NEXT, or Fines in excess of \$5,000 on a Club. Such appeal will be reviewed by the PDev President (or, in their sole and absolute discretion, a designee who is not an employee of PDev or on the Discipline Review Panel) based on the record and any subsequent submissions by the parties. The appeal does not have a suspensive effect except with regard to Fines. The PDev President (or their designee) will promptly send written notice of their decision to the parties.

Pursuant to USSF Bylaw 704, all decisions from the PDev President (or their designee) denying a party the right to participate in MLS NEXT, as defined by USSF, can be appealed to USSF. All other decisions from the PDev President (or their designee) are final, binding and not appealable except where provided by law.

## **VI. DISCIPLINE FOR ON-FIELD CONDUCT**

### **a. Caution**

Two Cautions received during the same Game incur a Send-Off.

Players. If a Player receives a Caution in five (5) separate Games of the same MLS NEXT Competition, the Player is automatically suspended from the Club's next Fixture, regardless of location. If a Player receives a Caution in ten (10) separate Games of the same MLS NEXT Competition, the Player is automatically suspended from the Club's next two (2) Fixtures,



regardless of location. If a Player receives a Caution in fifteen (15) separate Games of the same MLS NEXT Competition, the Player is automatically suspended from the Club's next three (3) Fixtures, regardless of location.

Coaches/Staff Members. If a Coach or Staff Member receives a Caution in three (3) separate Games of the same MLS NEXT Competition, the Coach or Staff Member is automatically suspended from the Club's next Fixture, regardless of location. If a Coach or Staff Member receives a Caution in five (5) separate Games of the same MLS NEXT Competition, the Coach or Staff Member is automatically suspended from the Club's next two (2) Fixtures, regardless of location. If a Coach or Staff Member receives a Caution in six (6) separate Games of the same MLS NEXT Competition, the Coach or Staff Member is automatically suspended from the Club's next three (3) Fixtures, regardless of location.

If a postponed Game is to be replayed from the start, any Caution issued during that Game will not count for purposes of the replayed Game except as specified below. If the Game is not to be replayed, the Cautions received by the Team responsible for causing the Game to be abandoned are upheld; if both Teams are responsible, all Cautions are upheld. If a Player is guilty of serious unsporting behavior as defined in Law 12 of the FIFA Laws of the Game and is sent off (direct Red Card), any other Caution the Player has previously received in the same Game is upheld. Cautions received during one (1) MLS NEXT Competition year are not carried over to another MLS NEXT Competition year or from the MLS NEXT Regular Season to the MLS NEXT Cup Playoffs. The MLS NEXT Technical Director may depart from this rule in exceptional circumstances.

**b. Send-Off**

The Red Card is regarded as direct if it is the result of serious unsporting behavior as defined by Law 12 of the FIFA Laws of the Game; it is regarded as indirect if it is the result of an accumulation of two Yellow Cards. In the event any Player receives a Red Card, the Player's Club is required to continue play with one fewer eligible Player on the field. A Send-Off automatically incurs a Game Suspension for the remainder of the Fixture date, and for a minimum of the subsequent Fixture date, even if imposed in a Game that is later abandoned and/or annulled. Any reviewing Disciplinary Body may extend the duration of the Game Suspension. Subsequent Red Card violations during the MLS NEXT Season may result in increased Game Suspensions.

**c. Minimum Sanctions Applicable to Send-Offs/Red Cards**

The overall Game Suspension imposed on any person receiving a direct Red Card, including the automatic Game Suspension incurred, shall be for:

- i. At least one (1) Fixture date for denying the opposing Team a clear goal-scoring opportunity (particularly by deliberately handling the ball);
- ii. At least one (1) Fixture date for serious foul play or violent conduct. Subsequent serious foul play or violent conduct offenses during the MLS NEXT Season will result in increased Game Suspensions: at least two (2) Games for the second offense, at least three (3) Games for the third offense, at least four (4) Games for the fourth offense, at least five

- (5) Games for fifth offense, and the remainder of the MLS NEXT Season for the sixth Red Card received for serious foul play or violent conduct during the MLS NEXT Season;
- iii. At least one (1) Fixture date for unsporting conduct towards an opponent or a person other than a Game Official;
  - iv. At least one (1) Fixture date for offensive or abusive language towards a Game Official;
  - v. At least four (4) Fixture dates for spitting at a person; and
  - vi. At least four (4) Fixture dates for making racist or discriminatory remarks at or about an opponent or any other person, as well as additional training that may be required by a Disciplinary Body

**d. Sanctions for Other On-Field Misconduct**

Sanctions for other on-field misconduct that violates the MLS NEXT Safety & Wellbeing Policy shall be determined by PDev in its discretion, except shall always include the following:

Players. A Player who engages in discriminatory conduct towards another Player, Coach, Game Official, or spectator—including, but not limited to the use of any Banned Term—during an MLS NEXT Event—and was not given a Red Card during the MLS NEXT Event—will be subject to a minimum four-game suspension, as well as any additional training that may be required by a Disciplinary Body.

Academy Director or Coach. Any Academy Director or Coach who engages in discriminatory abuse of a Player, Coach, Game Official, or spectator—including, but not limited to the use of any Banned Term—during an MLS NEXT Event shall be subject to a minimum ban of **6 months for the 1st incident** and will be required to complete an MLS NEXT Equity Action Committee approved anti-discrimination course.

- Any Academy Director or Coach who is found to have engaged in discriminatory conduct and suspended as a result of their conduct may appeal their suspension pursuant to the appeal process described in Section V.c.xiii.
- Any Academy Director or Coach who is found to have engaged in discriminatory conduct and suspended as a result of their conduct may be reinstated at the sole discretion of the MLS NEXT Equity Action Committee and the MLS Chief Diversity Equity and Inclusion Officer.

Spectators. Any MLS NEXT spectator who engages in discriminatory abuse of a Player, Coach, Game Official, or other spectator—including, but not limited to the use of any Banned Term—during an MLS NEXT Event will face a minimum ban of **6 months for the 1st incident** and a one-year ban for any incident thereafter from all MLS NEXT Events.

- Any spectator who engages in violent conduct towards a Player, Coach, Game Official, other spectator, or any other MLS NEXT Participant during an MLS NEXT Event will be sanctioned with a ban from MLS NEXT Events, including the potential of a permanent ban.

**Game Officials.** Any MLS NEXT Game Official who engages in or witnesses an instance of discrimination in competition—including, but not limited to witnessing the use of any Banned Term—and willfully does not report it will be suspended from MLS NEXT program activities **for a minimum of 6 months**. Reporting is defined as recording in the Game Report or calling MLS NEXT Staff.

- Any MLS NEXT Game Official who is found to have engaged in discriminatory conduct and suspended as a result of their conduct may appeal their suspension pursuant to the appeal process described in Section V.c.xiii.
- Any MLS NEXT Game Official who is found to have engaged in discriminatory conduct and suspended as a result of their conduct may be reinstated at the sole discretion of the MLS NEXT Equity Action Committee and the MLS Chief Diversity Equity and Inclusion Officer.

**MLS NEXT Clubs.** Any MLS NEXT Club that is aware of sanctionable on-field conduct and does not report within 72 hours or attempts to hide the conduct may be fined \$1,000.

- MLS NEXT reserves the right to institute greater sanctions based on the facts and circumstances of individual Clubs and cases.

## **VII. DISCIPLINE FOR OFF-FIELD MISCONDUCT**

### **a. Investigations of Off-Field Misconduct**

PDev retains the sole and absolute discretion to address and issue Sanctions for any conduct detrimental to the integrity and public confidence in PDev, MLS, or their affiliates, regardless of whether such conduct occurs in relation to an MLS NEXT Event. Such conduct includes, but is not limited to, conduct that is illegal, violent, dangerous, irresponsible, discriminatory, or any other conduct that undercuts public respect and support for the sport of soccer and/or PDev, MLS, or their affiliates.

PDev reserves the right to investigate any reports it receives that include allegations of sanctionable off-field misconduct in violation of the MLS NEXT Safety and Wellbeing Policy or any applicable laws. PDev will investigate reports pursuant to the procedures discussed in Sections IV. and V.

### **b. Sanctions for Off-Field Misconduct**

Sanctions for off-field misconduct in violation of the MLS NEXT Safety & Wellbeing Policy shall be determined by PDev in its discretion, except shall always include the following:

Players. A Player who engages in off-field discriminatory conduct shall be subject to a minimum four-game suspension, as well as any additional training that may be required by a Disciplinary Body. PDev, at its sole discretion, may decrease the suspension depending on extenuating circumstances in extraordinary circumstances.

Academy Director or Coach. Any Academy Director or Coach who engages in off-field discriminatory conduct in connection with any MLS NEXT activity will face a minimum ban of **6 months for the 1st incident** and will be required to complete an MLS NEXT Equity Action Committee approved anti-discrimination course.

- Any Academy Director or Coach who is found to have engaged in discriminatory conduct and suspended as a result of their conduct may appeal their suspension pursuant to the appeal process described in Section V.c.xiii.
- Any Academy Director or Coach who is found to have engaged in discriminatory conduct and suspended because of their conduct may be reinstated at the sole discretion of the MLS NEXT Equity Action Committee and the MLS Chief Diversity Equity and Inclusion Officer.

MLS NEXT Clubs. Any MLS NEXT Club that is aware of sanctionable off-field conduct in connection with any MLS NEXT activity and does not report within 72 hours or attempts to hide a racial/discriminatory incident may be fined \$1,000.

- MLS NEXT reserves the right to institute greater sanctions based on facts and circumstances of individual Clubs and cases.

## **VIII. SANCTIONS**

### **a. Available Sanctions**

The Sanctions available pursuant to this Code include, but are not limited to:

- Annulment of the Result of an MLS NEXT Game (only applicable against Clubs);
- Ban from Entering a Facility;
- Ban from Locker Rooms;
- Ban from Substitute Bench;
- Ban on MLS NEXT Activity;
- Ban on Playing in a Particular Facility;
- Deduction of Points (only applicable against Clubs);
- Dismissal;
- Exclusion from an MLS NEXT Competition;
- Fine;
- Forfeit of an MLS NEXT Game (only applicable against Clubs);
- Game Suspension;
- Lifetime Ban;
- Playing an MLS NEXT Game on Neutral Territory (only applicable against Clubs);
- Playing an MLS NEXT Game Without Spectators (only applicable against Clubs);
- Red Card (Send-Off);

- Removal from MLS NEXT;
- Sensitivity Training;
- Transfer Ban (only applicable against Clubs);
- Temporary Suspension;
- Warning;
- Written Reprimand; and
- Yellow Card.

PDev reserves the right to issue any other Sanction that has been reasonably recommended by a Disciplinary Body. Unless otherwise specified, the Sanctions provided for in this Code may be combined.

**b. Game Suspensions**

Unless otherwise specified, Game Suspensions may not exceed twenty-four (24) Games or twenty-four (24) months. If a Game Suspension is to be served in terms of Games, only those Games played by the Team count towards fulfillment of the Game Suspension(s). If a Game in which a Player or Game Official was suspended is rescheduled, the MLS NEXT Program Staff will determine the date(s) of the Game Suspension(s) based on the change in schedule.

If a Game Suspension is combined with a Fine, the Game Suspension may be prolonged until the Fine has been paid in full. As a general rule, every Game Suspension (of Players and other persons) is carried over from one (1) round to the next in the same MLS NEXT Competition. Game Suspensions in relation to a Send-Off of a Player or person outside of an MLS NEXT Competition (e.g., separate Games) or not served during the MLS NEXT Competition for which they were intended (elimination or the last Game in the MLS NEXT Competition) are carried over as follows: (i) MLS NEXT Regular Season: carried over to the representative Team's subsequent official Game; (ii) MLS NEXT Cup Playoffs: carried over to the representative Team's subsequent official Game. Game Suspensions resulting from Yellow Card accumulation issued to a Player in different Games of the same MLS NEXT Competition are never carried over to another MLS NEXT Competition. Any Send-Off or Dismissal taking place in a Team's final Game of an MLS NEXT Season will result in the Game Suspension being carried over to the subsequent MLS NEXT Season.

**c. General Rules Regarding Sanctions**

The Disciplinary Body or Discipline Review Panel pronouncing the Sanction decides the scope and duration of such Sanction. Sanctions may be limited to a geographical area or to one or more specific categories of Game or MLS NEXT Competition. A Disciplinary Body or Discipline Review Panel shall consider all relevant factors in the case when imposing the Sanction, including:

- i. Repeated Infractions – Unless otherwise specified, a Disciplinary Body may increase the Sanction if an Infraction has been repeated, or if an MLS NEXT Participant has multiple Infractions.

- ii. Concurrent Infractions – If several Fines are levied against a Club as a result of one or more Infraction, the relevant Disciplinary Body bases the Fine on the most serious offense committed.
- iii. Limit on Sanctions – With the exception of a Lifetime Ban, unless there are extraordinary circumstances, Sanctions shall last no more than two (2) years. The limitation period begins on the day on which the decision comes into force.

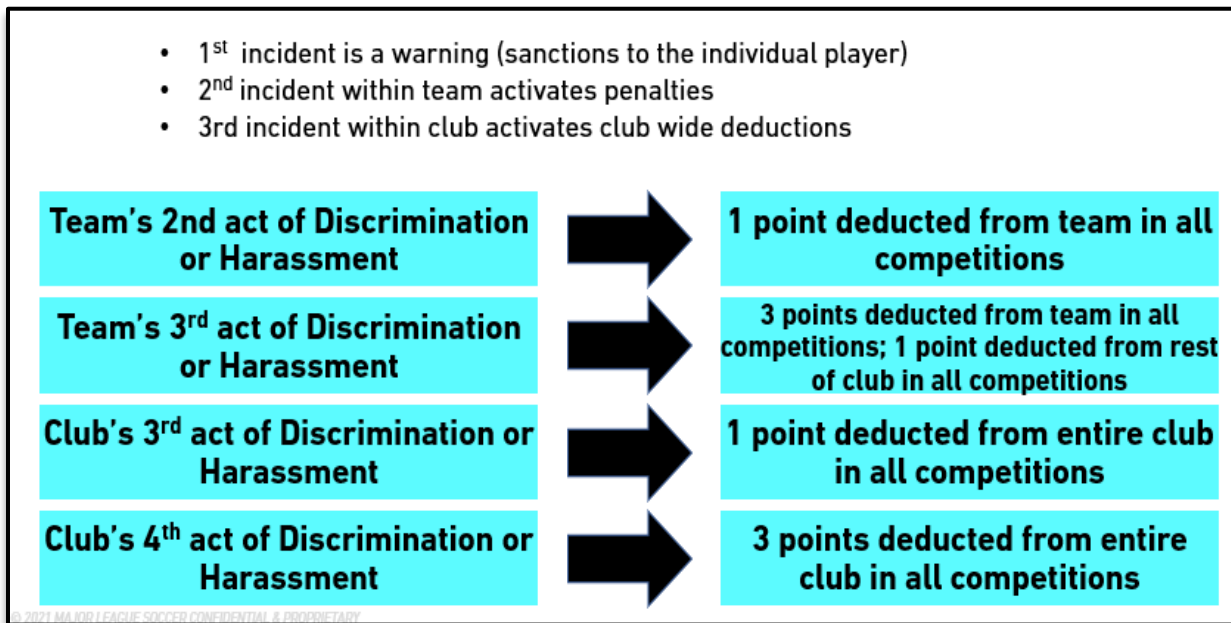
**d. Fines**

In all cases, a Fine may also be imposed against the MLS NEXT Participant for any of the above-referenced Infractions.

The Disciplinary Body or Discipline Review Panel that imposes the Fine decides the terms and time limits for payment. Any Club involved will be liable for Fines imposed because of the conduct of any Club Representative. The fact that a natural person has left a Club does not cancel out joint liability. The fact that a Club ceases to be an MLS NEXT member after the conduct at issue occurred does not cancel out joint liability so long as the Club was an MLS NEXT Member when the conduct at issue occurred.

**e. Sanctions for Clubs with Multiple Offenses**

Any MLS NEXT Club that is found to have committed multiple offenses involving racial/discriminatory conduct in connection with any MLS NEXT activity shall be subject to the following Sanctions:



Any Club with four confirmed instances of on-field or off-field racial/discriminatory conduct in connection with any MLS NEXT activity within an MLS NEXT Season—regardless of time span—is required to undergo a review by the MLS Chief DEI Officer and Technical Director before participating in another MLS NEXT Event.

- For the sanctions in this section, the incidents of racial/discriminatory conduct shall reset at the conclusion of the MLS NEXT Season.

**f. Records of Sanctions**

Records of Cautions, Send-Offs, and Game Suspensions will be maintained by PDev. When necessary, PDev will update Clubs of Game Suspensions in writing. These updates serve only as confirmation; Cautions, Send-Offs, and automatic Game Suspensions have an immediate effect on subsequent Games, regardless of whether the information from the Game report has been uploaded, verified, or cataloged on the official MLS NEXT website or any other location as designated by PDev. It is the responsibility of the Club to uphold all Game Suspensions regardless of confirmation from PDev.

**IX. STANDARDS FOR CLUB REPRESENTATIVES**

This Code is intended to provide standards for all Club Representatives. Any violation of these standards may result in Sanctions and impact a Club Representative’s eligibility to participate in MLS NEXT:

**a. General Principles**

Competence: Club Representatives shall maintain high standards of work, recognize boundaries, competencies, and limitations of expertise, and provide services for which they are qualified. Club Representatives shall also maintain any necessary and up-to-date certifications in connection with their duties while participating in MLS NEXT Events or Competitions. If it is determined that a Club Representative failed to maintain these certifications, then such Coach or Club Representative may incur Sanctions, including, but not limited to, a suspension from MLS NEXT.

Integrity: Club Representatives shall promote integrity in the practice of coaching and Club administration through honesty and respect. Coaches and Club Representatives should function appropriately in accordance with their roles within MLS NEXT or a Club and never participate in actions, conduct and/or relationships that would be considered to be improper and/or harmful.

Professional Responsibility: Club Representatives shall ensure that they understand their professional roles and obligations, shall conduct themselves appropriately in accordance with the highest standards in their execution of any of their Club obligations, and shall adapt their methods to the needs of different Players.

Avoiding Conflicts of Interest: Club Representatives should avoid pursuing a personal, business, financial or other interest, activity or relationship outside or inside MLS NEXT that is, or might be perceived to be, in conflict with MLS NEXT’s interests in a material manner. Any material transaction or relationship that might give rise to an actual or perceived conflict of interest should be discussed with PDev.

Financial Disclosures: Club Representatives shall: (i) specify financial and billing arrangements as early as possible in the professional relationship between Players and the Club; (ii) not exploit Players and their families; (iii) remain at all times in compliance with all applicable laws; and (iv) not misrepresent fees (including, but not limited to, registration fees, travel fees, ancillary costs, etc.) associated with a Club's MLS NEXT participation.

Sponsorships: Club Representatives must refrain from aligning a Club to, or engaging a Club in, any sponsorship or other activity or association, be it personal, financial, social, organizational, or political, that might lead to misuse of their influence in their professional capacity as a role model for Players. Club Representatives shall not endorse on behalf of a Club, any organization or group that disrespects others based on Protected Status.

Solicitation: Club Representatives shall not engage, directly or through others, in uninvited in-person solicitation of business from actual or potential Players, potential sponsors, or other individuals in connection with any MLS NEXT Championship, Competition, Event, Playoff, Pre-Season, Post-Season, Regular Season, or Showcase.

Public Statements: Club Representatives shall not make public statements that are false, deceptive, misleading, fraudulent, or that violate this Policy, or any of the MLS NEXT Rules and Policies. Further, Club Representatives shall not make any public statements on behalf of MLS NEXT without prior authorization.

**b. Coaching Standards**

Training Methods: Coaches shall provide services within the boundaries of their competence. New techniques shall only be implemented after a Coach has received appropriate training in such techniques. Coaches shall take reasonable steps in emerging areas in which generally recognized standards for preparatory training do not yet exist. If it is determined that a Coach deliberately provided false information to MLS NEXT about their training for specific techniques and emerging areas, then that Coach and their staff may be subject to suspension from MLS NEXT Events and Competitions.

Power Imbalance: Coaches must recognize the power they hold over Players and therefore shall avoid engaging in demeaning conduct or any other conduct that could significantly affect the emotional well-being of a Player. Such actions include, but are not limited to, using untoward language, such as curse words, and demeaning a Player for reasons unrelated to the sport in front of other Players.

Communications: Coaches should establish an appropriate process for providing feedback to Players. Such evaluation shall be based on the actual performance of relevant and established program requirements. Coaches must perform evaluations and Team selections in a professional manner. The assessment, recommendation reports, or evaluative statements used to select Team members shall be based on information and techniques sufficient to provide appropriate substantiation for their findings. When engaged in coaching, Coaches shall present information accurately and with a reasonable degree of objectivity.

Avoiding Conflicts of Interest: Coaches shall not accept any gifts, meals, or other forms of compensation in connection with selecting the Players for their Team. If it is found to be true that



a Coach engaged in such conduct, then that Coach and their staff may be subject to serious and significant Sanctions, including, but not limited to, a Lifetime Ban from MLS NEXT.

Roster Decisions: Coaches shall communicate honestly and openly with all Players, parents, and other stakeholders about Club operations and with a Player and their parents/guardians about Player/Roster decisions involving that Player. Coaches will make reasonable efforts to communicate and to avoid apparent misunderstandings about training.

## **X. INAPPROPRIATE CONDUCT**

PDev will not tolerate any conduct that it believes to be inappropriate, and, in accordance with this Code, will impose Sanctions on offending Clubs and other MLS NEXT Participants for any such conduct. Such conduct includes, but is not limited to:

### **i. Misconduct Against Game Officials**

Misconduct toward Game Officials is expressly governed, and prohibited, by U.S. Soccer Policy 531-9, available at: [www.ussoccer.com/about/governance/bylaws](http://www.ussoccer.com/about/governance/bylaws). In the event of misconduct against a Game Official, Sanctions may be imposed against the offending MLS NEXT Participant.

Furthermore, a particular note is required regarding Game Officials who are also minors. Youth referees are trained Game Officials, and many are experienced players, but they are minors nonetheless and are therefore entitled to all of the protections extended to athletes by the SafeSport Code, the MLS NEXT Safety and Wellbeing Policy, and this Code.

Without limiting the foregoing, each Club and all Club Representatives are responsible for ensuring a safe environment for youth referees. Wherever an MLS NEXT rule includes protections for athletes, they should also be read as protecting youth referees as well.

### **ii. Brawls**

Anyone involved in a brawl may be Sanctioned. Anyone who has tried merely to prevent a fight, shield others, or separate those involved in a brawl is not subject to punishment. If, in the case of violence, it is not possible to identify the perpetrator(s), PDev may Sanction the Club to which the aggressors belong.

### **iii. Team Misconduct**

The following constitutes misconduct by a Team and may be Sanctioned by a Fine:

- When four (4) Players are cautioned (receive Yellow Cards) during one Game;
- When three (3) Players are sent off (receive Red Cards) during one Game; and
- When several Players together make threats or show force against a Game Official.

iv. Corruption

Match fixing, betting, or gambling of any kind on Games is strictly prohibited. Anyone who offers, promises, or grants an unjustified advantage to a Club, a Game Official, a Player, or a Club Representative on behalf of themselves or a third party in an attempt to entice them to violate any of the MLS NEXT Rules and Policies will be Sanctioned in accordance with this Code. Passive corruption (soliciting, being promised, or accepting an unjustified advantage) will be Sanctioned in the same manner. In serious cases or in the cases of repetition, a Lifetime Ban may be imposed.

v. Failure to Respect Decisions

Failure to respect and abide by a decision of a Disciplinary Body constitutes Improper Conduct and may constitute an Infraction leading to additional Sanctions.

Anyone who fails to pay a Club, a Game Official assigned by PDev, or PDev a sum of money in full or part, where such sum is related to MLS NEXT activity, even though instructed to do so by a Disciplinary Body of MLS NEXT, or anyone who fails to comply with another decision passed by a Disciplinary Body of MLS NEXT: (1) may be Fined for failing to comply with a decision; (2) may be granted a final deadline by a Disciplinary Body of MLS NEXT by which to pay the amount due or to comply with the (non-financial) decision; or (3) (*only for Clubs*) may be warned and notified that, in the case of default or failure to comply with a decision within the period stipulated, the Club may experience a Deduction of Points or the Club may be Removed from MLS NEXT, and a Transfer Ban may also be issued. If the Club's Sanction involves a Deduction of Points, such points deducted shall be proportionate to the amount owed. A Ban on any MLS NEXT-related activity may also be imposed against any MLS NEXT Participant.

**XI. CLUB RESPONSIBILITY IN IMPLEMENTING THIS CODE**

Clubs that organize Games shall abide by, implement, and ensure compliance with all MLS NEXT Rules and Policies and all safety directives provided by PDev. Any Club that fails to fulfill its obligations under the MLS NEXT Rules and Policies may be Fined or subject to other Sanctions. In the case of a Serious Infraction, additional Sanctions may be imposed up to and including Removal from MLS NEXT.

Each Club may be held responsible for any and all Infractions among its spectators, Players, Club Representatives, and other affiliated MLS NEXT Participants, regardless of the question of culpable conduct or culpable oversight, and, depending on the situation, may be Fined. Further Sanctions may be imposed in the case of serious disturbances.