

DECISION OF THE GOTHAM VOLLEYBALL GRIEVANCE COMMITTEE

**DECEMBER 30, 2024 MEETING
MANDATORY PLAYER EJECTION REVIEW REGARDING ██████████**

BACKGROUND

██████████ a player in Division █ of Gotham Volleyball's Division Play Program in Fall 2024 was issued the equivalent of a yellow+red card facility ejection during █ Division's End of Season Tournament. As required by Section II(L)(1)(iii) of the Gotham Volleyball Rules of Play and Section IV(3) of the Gotham Volleyball Sportsmanship and Anti-Violence Policy, ██████████ was automatically suspended pending a mandatory review of the incident by the Grievance Committee.

The Committee met on December 30, 2024, December 31, 2024 and January 2, 2025 to review and discuss this matter. Based on the information provided to the Committee, the Committee determined that the ejection of ██████████ was permissible under the rules of play. The Committee further determined ██████████ automatic interim suspension should be lifted and that an additional warning against further unsportsmanlike conduct is appropriate. This decision was unanimous by all members of the Committee with Eric Eichenholtz (At-Large/Acting Grievance Officer), Sonia Parada (Power), Mikey Castro (Division Play), Felix Ma (Division Play), Alan Jean (Division Play) and Mark Garner (Power) all concurring.¹

INCIDENT SUMMARY

The incident at issue began during an elimination match at the Fall 2024 Division █ End of Season Tournament involving ██████████ team. At one point during the match, during an attack by the opposing team, the ball came close to hitting the antenna on the side near the R-2 while crossing the plane of the net. While the net and antenna shook, referee ██████████ saw the ball as crossing the plane inside the antenna and therefore made no call.

██████████ was rotated out between position 2 and position 1 and, therefore, opposite the play. However, ██████████ seeing the antenna shake, was certain the ball touched the antennae. While █ team was defending the attack, ██████████ yelled "OUT!" several times and raised █ arms while walking toward the reffing stand. The referee put out █ hand to waive ██████████ off, noting only the Captain could argue calls (██████████ was not the team Captain). ██████████ stopped yelling and backed up toward the wall of the gym. The referee chose not to issue a yellow card. The referee checked with the R-2 and line judge and both confirmed the ball crossed the plane of the net in bounds.

By all accounts, the remainder of the match went smoothly. There is some suggestion ██████████ may have muttered something under █ breath after the point was concluded, but the match continued to conclusion without incident. ██████████ team lost the match and was therefore eliminated from the tournament.

¹ The position of Grievance Officer is current vacant. At-Large committee member Eric Eichenholtz has been designated by the Board of Directors as the acting Grievance Officer until the vacancy is filled.

After the conclusion of the match, █████ sought out the referee to discuss the disputed call. █████ said █████ did so because as a self-described volleyball nerd, █████ likes to understand the details of the game and the officiating. The referee said █████ decided to engage █████ for similar reasons, █████ liked talking about the mechanics of refereeing. █████ asked the referee what █████ saw. The referee said that █████ did not see █████ ball touch the net. █████ said that the net vibrates, and that's what █████ saw.

At this point, the versions of the discussion diverge significantly. █████ claims that the referee was very aggressive in shaking the net and said "this is why you're not certified." The referee said that █████ turned and left while saying, of the explanation, "you're a shitty referee." Both agree, however, that neither was satisfied with the conduct of the other after the conversation.

The referee asked to speak with the Tournament Manager, which in this case was Division █████ Representative █████ █████. The referee told █████ that █████ felt █████ had spoken to █████ in a way that was insulting,² and that only Team Captains should address the referee about calls. █████ repeated a similar instruction to the two Captains of the teams warming up for the next match.

█████ proceeded into a second gym across the hallway. While there, he spoke with various friends, teammates and players about the call and about the referee's complaint to █████ about █████. Several participants stated that █████ said the whole thing was a misunderstanding, although some observed █████ remained frustrated.

Shortly thereafter, █████ team was called on to serve as the reffing team in the same gym as their elimination match. █████ did not initially come with █████ team, choosing instead to change out of █████ volleyball gear. █████ arrived a few points into the match. Once again, precisely what occurred is not clear. The committee was provided a video of the moments following the ejection, but not the moments before.³ According to █████ he simply sat down at the scoreboard next to █████ teammate performing scorekeeping duties and was immediately ejected. According to the referee, █████ said words to the effect of "I'm here" in a manner █████ perceived as mocking and kept eye contact directly on the referee.

The referee was concerned that the conduct █████ viewed as insulting was continuing and would disrupt the match. █████ decided to eject █████ from the gym to ensure the remainder of the match and tournament proceeded smoothly.

² █████ stated █████ thought █████ referee say that █████ "abused" the referee, but █████ and all others the Committee spoke with who heard the conversation heard "insulted."

³ The Captain of one of the teams playing took video of this match. Unfortunately, while █████ provided █████ with the video of the moments immediately following the ejection, █████ deleted remainder of the match, including the moments leading up to the ejection. While we accept the explanation of the Captain that █████ deleted the video in good faith because did not have sufficient storage to keep the video, the choice to preserve only the moments following the ejection was unfortunate in that it impaired the Committee's ability to fully understand the circumstances of the ejection.

████ left the gym but remained at the facility. █████ has many friends on other teams, including the two teams playing in the championship match. █████ stated █████ was waiting for █████ friends to complete the tournament so they could all go out afterward and decided █████ wanted to return to the gym to watch the championship. █████ asked █████ █████ to check with the referee to see if █████ could. █████ checked with the referee who, after initially saying yes if █████ stayed quiet, reflected for an instant, and said no. █████ said █████ conveyed to █████ that █████ was not allowed back in, and confirmed to the Grievance Committee that the referee was clear in █████ final decision that █████ was not allowed to return to the gym.

████ however, claims that █████ remained confused after talking with █████ about whether he was allowed to return. █████ left almost immediately thereafter, and █████ started asking friends for their thoughts. All of those friends – none of whom spoke with the referee about █████ decision – told █████ they thought █████ could go back into the gym to watch the championship match.

████ returned to the gym during the championship match and remained quiet. The referee did not re-eject █████ or confront █████ about this contradiction of █████ decision. █████ advised the Committee █████ chose not to because the tournament was nearing an end and decided it was best to avoid further confrontation.

Nothing further occurred between █████ and the referee after the conclusion of the tournament. To be clear, neither party filed a grievance or complaint against the other. Rather, when a player is ejected the Rules of Play require an automatic interim suspension and require the Gotham Volleyball Grievance committee to review the incident that led to the ejection. Both █████ and █████ made themselves available during a holiday week and under challenging personal circumstances to participate in this review, and we express our gratitude to both for their efforts in that regard.

Having completed our review, our conclusions are below.

DISCUSSION

Section II(L)(1)(iii) of the Gotham Volleyball Rules of Play authorizes an in-game referee to eject a participant from the facility and tournament. It allows the referee to do so when “the player continues [previously addressed] inappropriate behavior, or if the behavior constitutes an act of violence.” The rule makes clear that “this is an extreme sanction that should be issued rarely, only under exceptional circumstance.”

The Rules of Play gives in-game referees latitude to issue in-game sanctions. In confirming whether the ejection was authorized, the Committee is not attempting to second guess, with the benefit of hindsight, whether the ejection was the ideal course of conduct or even decide if, had we been presiding over the match, we would take the same action. Rather, the question before us is whether, under the circumstances presented, the referee was permitted to eject the player. The answer to that question is yes.

As an initial matter, there is no basis, and no one involved in our review argued, that the portion of the rule that allows for an ejection due to an “act of violence” applies

here. The events here appear to best reflect misconduct contemplated by Section III(3)(f) of the SAVP, which addresses unsportsmanlike rather than violent conduct.

The ejection was justified due to a continuation of previously addressed unsportsmanlike behavior. [REDACTED] upon observing what [REDACTED] believed to be an incorrect call regarding whether the ball contacted the net antenna while crossing the plane of the net, verbally yelled "OUT" multiple times while waving [REDACTED] arms. This violated two distinct provisions of the Rules of Play, Section II(L)(2)(a), which states on the team Captain can dispute calls, and Section II(L)(2)(b), which prohibits any call disputes from occurring while the play is live. To be clear, both these violations are common, technical and to be resolved informally. The referee properly addressed them here with a warning, and [REDACTED] ultimately stopped arguing after receiving the warning.

Had the dispute ended there, this matter would have been resolved and de-escalated as so many similar disputes have. But the dispute continued after the match. [REDACTED] approached the referee after the match to talk about the call, which is not prohibited, and which was welcome by the referee. As noted above, key portions of this conversation are in dispute, although what is clear is that both [REDACTED] and the referee left the discussion in a state of either dissatisfaction, frustration or both.

Following this discussion, the referee did not take further action against [REDACTED] but instead spoke with Division [REDACTED] Representative [REDACTED] and the Captains for the next match, reminding them only the Captains should address the referee regarding disputed calls. When the referee approached [REDACTED] [REDACTED] said [REDACTED] thought [REDACTED] was saying something "abuse" but multiple individuals stated that the referee said that what [REDACTED] said had "insulted" [REDACTED]

[REDACTED] team was required to referee the following match, during which [REDACTED] was issued the ejection. While we are unable to know the precise circumstances the moments before ejection, we know the referee ejected [REDACTED] because [REDACTED] was concerned [REDACTED] would continue to make comments and perpetuate the debate over [REDACTED] earlier call, and [REDACTED] felt removing [REDACTED] from the gym was necessary to avoid further disruption.

What was also clear and not disputed by anyone the Committee spoke with was that [REDACTED] remained frustrated by the call and [REDACTED] subsequent discussion with the referee and that impacted perceptions at the time [REDACTED] joined [REDACTED] team while they were reffing. Ejection from the facility is a tool available to the referee to resolve conflict where, as here, the referee was unable to do so with lesser sanctions and de-escalation techniques.

While we conclude the ejection was authorized by the Rules of Play, we strongly believe the ejection could have been avoided with better communication and understanding. During our hearing, the referee acknowledged there could have been better ways to communicate [REDACTED] concerns that might have prevented escalation, including speaking with [REDACTED] Captain about [REDACTED] conduct. We are also aware of feedback that the referee's demeanor can (and, when seen on the video) sound brusque. We provide the feedback that clearer communication would have been helpful

here but that does not change that the rules authorized the referee to eject a player under these circumstances.

Had the incident concluded at this point, the ejection alone would have been fully sufficient to resolve this issue. However, ██████ conduct after ████ ejection reinforces the referee's potential concern about disruption and raises the question about whether additional supplemental sanctions are needed here. ██████ remained at the facility, but outside the gym, after ████ ejection. ██████ wished to watch some of ████ friends play in the championship match, as ████ intended to go out with them afterward. Accordingly, ████ asked ██████ whether he could come back into the gym for the championship match. ██████ asked the referee, who ██████ initially reacted by saying that ██████ could return if ████ did not disrupt the match. However, upon reflecting momentarily, the referee definitively told ██████ ██████ should not return to the gym at all. ██████ then told ██████ ██████ was not allowed to return, but ██████ did so nonetheless. The decision to return to the gym, coupled by the early departure of the Division Representative, put the referee in an incredibly difficult position of either further escalating the dispute or having ██████ decision undermined.

As a general matter, disobeying the directive of a referee (even when there was some uncertainty), particularly regarding an ejection, is a very serious matter that could warrant suspension and/or removal for cause from Gotham leadership positions. However, we do not feel that any of these sanctions are warranted here due to several key mitigating facts.

First, there was poor communication throughout the tournament as to the reasons or the scope of ██████ ejection. This does not entirely excuse the conduct, as ██████ knew or should have known not to return to the gym based on ████ conversation with ██████. However, as we have consistently observed in deciding grievances, clear and effective communication is a critically important, particularly when harsh sanctions are being considered or imposed. The absence of clear direct communication between ██████ and the referee about the purpose, nature and scope of ██████ ejection therefore mitigates against an additional sanction.

Second, while the incident itself cast some doubt on ██████ ability to effectively serve as a community leader, ██████ conduct since this incident, in particular ████ cooperation with this Committee and respect for the review process, was commendable and mitigates against a harsher sanction. ██████ responded to notifications about this review, was responsive to requests and questions gave this process the seriousness it deserved.

The Committee therefore concludes that further sanctions are not necessary at this time. We instead warn ██████ that any additional instances of unsportsmanlike or improper conduct will almost certainly result in severe sanctions, including suspension and/or ineligibility to serve in leadership roles such as Captain. The Committee trusts that this incident reminds all involved of the importance of maintaining respectful and sportsmanlike dialogue between officials and leaders during volleyball play. The Committee is also mindful of the fact that ██████ was recently elected a Division ████ Captain and choosing to take on this leadership role means that ██████ has now voluntarily assumed the additional responsibility of being, at all times, as the SAVP

states, a “role model[] of positive and constructive conduct while at Gotham events on and off the volleyball court.” [REDACTED] will be held strictly to that standard, particularly in the upcoming season following this incident.

PROCESS IMPROVEMENT SUGGESTIONS

This review underscored the importance of ensuring Gotham’s existing policy of having a Division Rep, GLOD or other on-site manager who is trained and comfortable with handling sportsmanship issues always present during tournaments and events.

In addition, we observed in deciding this matter that the Rules of Play, unlike the SAVP, only address conduct between players and referees during in-game interactions. However, players and referees frequently interact after games and, as was the case here, a referee may find the need to sanction or eject a player for actions occurring between games. Section III(3) of the SAVP provides broader guidance about off-court interactions and a reference to this section or language mirroring this section in the Rules of Play might be helpful. Moreover, while it is clear only a Captain can dispute a call during a game, it is less clear whether other players are welcome to approach a referee about the conduct of a game afterward. We request Division Play Leadership Group consider clarifying this language in the Rules of Play.

CONCLUSION

For the reasons discussed above, the Committee has determined as follows:

- 1) [REDACTED] ejection from the Fall 2024 Division [REDACTED] End of Season Tournament was, under the circumstances, an allowable sanction authorized by the Rules of Play.
- 2) The automatic interim suspension imposed by the Rules of Play is lifted, effective immediately.
- 3) [REDACTED] is warned that further unsportsmanlike conduct, particularly in the coming season, will likely lead to significant penalties, including suspension and/or ineligibility to serve in leadership positions.
- 4) The Division Play Leadership group is requested to consider changing the Rules of Play to more clearly address post-game referee interactions and either mirroring or referring to comparable provisions of the SAVP.

NOTICE OF APPEAL RIGHTS

Under Article IX, Section 4(d) of the Bylaws of the Gotham Volleyball League and Section VI(h) of the Gotham Volleyball Sportsmanship and Anti-Violence Policy, any interested party may appeal this decision to the Gotham Volleyball Board of Directors within 10 business days of the Committee’s decision. In order to be timely, any statement of reasons for appeal of this decision **must** be delivered by e-mail to Eric Eichenholtz, Acting Grievance Officer at grievance@gothamvolleyball.org on or before January 17, 2025.