Multiple members of the Glendale Raptors have filed grievances with USA Rugby in regards to the Clubs Strategic Committee's decision to rescind eligibility waivers initially granted for seven players transferring from Aspen to Glendale during the 2010/2011 competitive cycle.

Former USA Rugby employee Matt Trenary granted the waivers, the players played until Alan Sharpley, chair of the newly formed Club Strategic Committee (CSC) and president of the Austin Blacks, put together an ad hoc eligibility committee from within the CSC to look into the Aspen transfers. The ad hoc committee recommended to the CSC that the seven waivers be rescinded, and they were. Since then, the players in question, or "Aspen 7", filed new waiver requests, had them denied, and appealed the denials to no avail.

Thursday, just two days before the Raptors line up across from the Boston Irish Wolfhounds in the DI men's club semifinals, the final Glendale grievance was denied. The grievance was filed by Stephen Tarr, a Glendale asst. coach. The only remaining option for those who filed grievances, per USA Rugby's Bylaws, is to seek arbitration from the American Arbitration Association. There has been no indication that arbitration will be sought, however, it has been said the Aspen 7 will attempt to have their dues for the 2010/2011 competitive cycle refunded.

The appellate panel was comprised of Francois Viljoen, George Durocher and Gary Lee Heavner. Here is the unedited e-mail sent from Heavner to Glendale, alerting them of the appellate panel's decision:

"The Appellate Panel has considered the grievance of Stephen Tarr as it relates to the denial of eligibility waivers to allow certain Gentlemen of Aspen players to transfer to other clubs after the start of the competitive season and after said players were CIPPed to another team.

Tarr's arguments are summarized as follows: 1) Matt Trenary is responsible for USA Rugby competition and eligibility decisions; 2) The Club Strategic Committee ("CSC") has no authority, or no authority over Trenary, as to USA Rugby competition and eligibility decisions; 3) The USA Rugby Bylaws require the CSC to request an Appellate Panel review and pay a fee to review the eligibility decision of Trenary; and 4) that "the initial decision in consideration of an application to transfer is not the direct responsibility of the CSC".

Working with the last argument first, the CSC was created by the Board of Directors of the Corporation on or about February 11

th, 2011 pursuant to Article VII, Section 7.1 of the Bylaws. At its creation, the CSC was, "fully charged with all Club activities, including internal competitions and eligibility" by the Board of Directors of the Corporation. The language used by the Board to create the CSC is clear and concise. The CSC has ultimate authority over all matters Club related, including eligibility, until that duty is rescinded by the Board. It therefore follows that the CSC has authority over the directives, actions and decisions of Trenary, and all other paid USA Rugby office staff, as it relates to Club matters, especially eligibility matters.

In the instant matter, Trenary's initial approval was conditioned, as are all decisions by staff, upon the CSC's choice to review the decision. The CSC chose to review that decision, as was their option and prerogative. While many power, duties and obligations are shared under the Bylaws of USA Rugby by various boards, groups, committees and members, only the Board has authority over the CSC as it relates to all Club matters. It logically flows that the CSC has otherwise full authority over all other entities as it relates to Club matters.

Therefore, in the immediate matter, the CSC was within its power and authority to act the way it did in regards to this eligibility issue. The language of the section is not limiting, but sweeping and broad. The language gives the Chairman broad discretion to send "any [] decision" to the Appellate Panel. Thus, even if the CSC did not have the power and authority over eligibility as detailed above, this matter was still properly heard by the Appellate Panel.

Finally, since the CSC's authority flows directly from the Board, it is not a 'member' as that term is defined in the membership regulations, nor is it a 'party' as that term is used by Tarr or Bylaw Article 10, Section 10.3. It would be absurd to suggest that a duly authorized committee of USA Rugby is required to pay the Appellate Panel fee.

For the aforementioned reasons, Tarr's grievance is denied in its entirety and the current rulings and decision in regards to this matter remain intact."