



## **Parks and Recreation Appeals Board Policy**

### **A. GOAL**

**1. Goal** - The goal of the City of Brentwood Parks and Recreation Department (“the Department”) is to provide and promote recreational activities for persons interested in good conduct, fair play, and sportsmanship in a pleasant, safe and healthy environment. One objective in developing a Parks and Recreation Appeals Board (“Appeals Board”) is to provide a venue for persons found in violation of the Activity Code of Conduct (“Code of Conduct”) to appeal a disciplinary action or penalty.

**2. Definitions** - For the purpose of the Appeals Board process, unless otherwise apparent from the context or defined elsewhere in the Appeals Board process, certain words and phrases used are defined as the following:

- **“Activity”** is defined as a specified form of action in the area of recreation. An Activity may include, but is not limited to, a class, program, sports league, special event, training, or meeting.
- **“Activity Code of Conduct”** is defined as a document that outlines specific behavior expectations that promote good conduct, fair play, and sportsmanship in a pleasant, safe and healthy environment when participating in and activity or event, and the penalties that may ensue for its violation.
- **“Instructor”** is defined as one who imparts knowledge or skill to another.
- **“Flagrant”** is defined as extreme or deliberate violation of rules and regulations and/or customary acceptable behavior.
- **“Official”** is defined as an authorized authority who supervises the play of a sport or event.
- **“Parent”** is defined as mother, father, legal guardian, grandparent, aunt, uncle, brother, sister or anyone over age 18 representing that child at an event.
- **“Participant”** is defined as one who takes part in an activity or program.
- **“Person of Authority”** is defined as any full or part-time City of Brentwood employee authorized to supervise and enforce City of Brentwood rules, regulations or codes as they pertain to a specific activity.
- **“Volunteer”** is defined as an individual, coach, manager, team parent, umpire, referee, teacher, or other official who is giving their time and expertise, and acting in a non-paid capacity.
- **“Spectator”** is defined as an observer or on-looker of an activity.

**B. ACTIVITY CODE OF CONDUCT** - This Code of Conduct will be in effect before, during and immediately after all City of Brentwood (“City”) activities when on City controlled property. All activities held in Brentwood shall be conducted in compliance with the Brentwood Municipal Code (“BMC”) and any rules and regulations (“R/R”) specific to utilizing a particular

facility/program. Violations of the Activity Code of Conduct and R/R may result in penalties. Violations of the BMC may also result in civil and/or criminal citations. Any flagrant violation of the Activity Code of Conduct, the BMC and/or R/R may result in immediate expulsion from the class/program/facility. Further disciplinary action may be taken, and the participant/spectator may not be issued a refund.

**C. PROCESS** - Any individual who is found to be in violation of the Activity Code of Conduct will have the incident processed as outlined:

1. A person of authority must notify their lead Supervisor or next available Supervisor in the chain of command of the incident, as soon as possible. Completed reports will be turned in to the lead Supervisor by 5:00 p.m. of the next business day for weekend occurrences. Weekend or holiday reports are due to the Supervisor by 11:00 a.m. of the next business day. Proper reporting procedures may include, but are not limited to, completing an incident report, accident report, and/or filing a Police report.

2. Upon receiving the report, the lead Supervisor will begin an incident investigation. It is the responsibility of the lead Supervisor to fully collect and complete all paperwork, and to conduct a thorough investigation, including contacting all involved parties. Required paperwork may include: on-site staff incident and/or accident report, lead Supervisor incident report, documentation of verbal interviews with players, coaches, managers, spectators, participants, instructors, Recreation Staff and Police Officers. The lead Supervisor may also obtain written documentation from the referees/umpires and/or game officials, if applicable for their investigation. All of the background information must be collected within a reasonable period of time.

3. Once the investigation and reports are completed, the lead Supervisor will send a written letter to the involved participant. The letter shall outline the infraction(s) and/or incident(s), and any related information and will outline any disciplinary measures. The letter shall also include a statement regarding their right to appeal and outline the appeal process. The letter will be sent via certified mail and sent to the participant mailing address. If no mailing address is obtained, the lead Supervisor will determine the proper means of notification.

4. Any appeal to the disciplinary decision must be made in writing by the participant within five (5) days of receipt. The five (5) day period begins on the date indicated by the U.S. Postal Service certified mail receipt return slip. The appeal letter must be turned in at the City of Brentwood Parks and Recreation Department, 101 B Sand Creek Road, Brentwood, CA 94513. The appeal letter shall be addressed to the lead Supervisor. No fax, Email, or post-marked letters will be accepted.

If the involved participant decides not to appeal the recommendation, then the recommendation becomes final.

5. Should the participant involved appeal the recommendation made by the lead Supervisor, the lead Supervisor will then have five (5) working days to contact the involved participant to acknowledge receipt of the appeal. The lead Supervisor will then schedule a Parks and Recreation Appeals Board hearing within a reasonable period of time after receiving the appeal. Once the hearing date and time has been set, the lead Supervisor will contact the appealing participant with the meeting information.

6. The Parks and Recreation Appeals Board consists of the Recreation Manager, one (1) Park and Recreation Commissioner and one (1) adult program participant not directly involved in the same activity, league or division of play. The appealing participant may invite other individuals to present relevant information at the Parks and Recreation Appeals Board meeting on his or her behalf. The lead Supervisor involved with the investigation will also be in attendance.

7. At the conclusion of the meeting, the Parks and Recreation Appeals Board will render a final decision.

8. A letter outlining the Parks and Recreation Appeals Board decision will be mailed within one (1) business day following the meeting. The letter will be sent as certified mail to the appealing participant mailing address.