

Discipline Policy

Murfreesboro Parks and Recreation Department

This policy applies to all MPRD facilities and programs, including off-site field trips and staffed events.

Murfreesboro Parks and Recreation Department (MPRD) welcomes everyone to use our facilities as resources for social, educational, leisure and recreational uses. MPRD facilities accommodate a wide variety of activities varying from meeting and conference rooms to noisy playgrounds and athletic fields. A visitor whose conduct is disruptive, compromises safety, damages/destroys property, or is otherwise incompatible with the intended purpose of a facility prevents others from enjoying and using the facility.

Therefore, it is necessary that everyone who uses the facilities of Murfreesboro Parks and Recreation Department follow this policy in order to:

- Afford appropriate respect for other visitors and staff
- Provide an appropriate level of maintenance and safety
- Ensure public access and use of facilities by everyone
- Facilitate success in programming

GENERAL INFORMATION

Murfreesboro Parks and Recreation Department reserves the right to have participants leave our facilities or programs if there is a discipline issue. Refunds will not be given for anyone asked to leave our facility or programs for disciplinary reasons. MPRD reserves the right to suspend an individual's financial assistance through the MPRD Financial Assistance Program when an individual violates MPRD rules and regulations, Murfreesboro City Code or state statute.

Efforts will be made to notify a parent upon suspension. Suspensions begin immediately; however, the next operating day will be counted as day one of the suspension.

When the participant has served suspension time, upon return to the facility he or she will have a meeting with the Superintendent/Coordinator or designee about behavior expected in the future. Efforts will be made to include a parent or guardian in this conversation. We reserve the right to make a parent conference mandatory before the participant will be allowed to return to any Murfreesboro Parks and Recreation facility or program.

If special circumstances warrant that a participant may return before the participant's suspension has been served, the Director or Deputy Director must be informed of the situation. Whenever possible, the staff member(s) who suspended the participant should reinstate the individual, with the approval of the Superintendent/Coordinator or designee.

Each facility will document each offense per participant (from Level 1, second offense and up). Severe or multiple offenses will be punished accordingly, at the discretion of the Superintendent/Coordinator or designee.

Any participant suspended from a MPRD facility or program is therefore suspended from all MPRD facilities and programs. Suspensions shall be immediately reported to the main office, and a current list of suspensions and dates of reinstatement will be faxed to each facility on a regular basis.

APPEAL PROCESS:

The Director of the Murfreesboro Parks and Recreation Department or the Director's designee may ban an individual from the use of City parks and facilities, without appeal, for a period up to thirty (30) days by informing the individual in writing that they have failed to adhere to the General Park Rules and Regulations. Individuals banned from park and facility use for a period of more than thirty (30) days shall be notified in writing within five (5) working weekdays of the decision to ban the individual from park and facility use. The individual will have five (5) weekdays from the time of receipt of the notification to appeal the disciplinary action in writing stating why the individual should not be banned. Such request for appeal must be sent to the Director of the Murfreesboro Parks and Recreation Department at 697 Barfield Crescent Road, Murfreesboro, TN 37128.

Should the individual wish to appeal the disciplinary action imposed by the Director or designee, the individual may do so by filing an appeal in writing with the Director within five (5) working weekdays of the decision to ban the individual from park and facility use. An appeal will not automatically delay the Director's or designee's decision; disciplinary actions shall take effect immediately unless stated otherwise by the Director or designee. The request for an appeal may include a request for a delay of the disciplinary decision pending a hearing before the Director or designee. The Director or designee shall have discretion to grant or reject a request for a delay of disciplinary action pending a due process hearing on the disciplinary action. The Director may condition any delay of disciplinary action upon the individual's absence from a particular park or facility during the period of the delay.

The Director or designee shall hold a due process hearing on any timely appeal of a ban of more than thirty (30) days. There is no right to a due process hearing before the Director or designee in any other disciplinary action which is a thirty (30) day or less ban from park or facility usage, but the Director may hold a hearing on any disciplinary measure.

A due process hearing shall be held within 10 working weekdays before a disciplinary committee consisting of the Director or designee, Superintendent/Coordinator or designee, and a staff member from the facility or park where the conduct occurred. The due process hearing before the disciplinary committee shall be conducted in accordance with the evidentiary rules generally applicable to administrative hearings. Decisions shall be based upon a preponderance of the evidence. The due process hearing shall be based upon the grounds specified in the written notice of proposed disciplinary action sent to the individual when the discipline was initially imposed. This notice shall describe the conduct of the individual which forms the basis for the proposed disciplinary action and shall specify how such conduct varies from that required by Parks and Recreation Rules. The individual shall be entitled to present witnesses, exhibits, and argument. Should the individual wish to call City employees as witnesses, the individual must request their attendance at least forty-eight (48) hours in advance of the date and time scheduled for the hearing. Such request must be made in writing to the Director or designee at least 48 hours in advance of the hearing. If the City employee(s) can reasonably be made available without undue disruption of City operations, the employee(s) may be required to attend and to participate in the hearing; this shall be considered as time worked by the employee(s). A decision in an appeal may result in a reduction or an increase of the discipline.

DISCIPLINE LEVELS & CONSEQUENCES:

Level 1

Offenses to include but not limited to:

- Inappropriate language/actions
- Violation of appearance policy
- Violation of rules
- Disrespectful behavior

Staff to enforce consequences: Any staff member may enforce 1st and 2nd offenses. For the 3rd offense suspension, the responsible full-time program staff member shall impose the consequence.

Consequence:

1st offense: verbal warning & correction of behavior

2nd offense: 1-day suspension

3rd offense: 7-day suspension

4th offense: see Level 2

Level 2

Offenses to include but not limited to:

- Roughhousing/horseplay, wrestling or verbal fights
- Severely inappropriate language/actions (such as continuous cursing directed at a specific person or group of people)
- Severe violation of rules (such as tobacco use by a minor)
- Fourth or greater Level 1 offense

Staff to enforce consequences: Superintendent/Coordinator or designee, or responsible full-time staff member, and the staff member witnessing the incident shall impose the consequence.

Consequence:

1st offense: 14-day suspension and loss of financial assistance privilege for 30 days.

2nd offense: 30-day suspension and loss of financial assistance privilege for 90 days.

3rd offense: 90-day suspension and loss of financial assistance privilege for 180 days.

4th offense: see Level 3

Level 3

Offenses to include but not limited to:

- Fighting that does not warrant police assistance/involvement.
- Minor cases of vandalism or theft that do not warrant police assistance/involvement.
- Severely disrespectful behavior (such as blatant refusal to follow the instructions of a staff member)
- Fourth or greater Level 2 offense.

Staff to enforce consequences: Superintendent/Coordinator or designee, responsible full-time staff member, and the staff member witnessing the incident shall impose the consequence.

Consequence:

- 1st offense: 30-day suspension and loss of financial assistance privilege for 90 days.
- 2nd offense: 180-day suspension and loss of financial assistance privilege for 365 days.
- 3rd offense: 365-day suspension and loss of financial assistance privilege for 2 years.

Level 4

Offenses to include but not limited to:

- Misdemeanor, such as theft or vandalism of less than \$500.00, simple assault, or violation of weapon, drug, or alcohol policies. Offender does not have to be arrested, charged or convicted of the misdemeanor to be subject to discipline pursuant to this policy.

Staff to enforce consequences: Police will be called to the scene and proceed with normal protocol. Additionally, the Superintendent/Coordinator or the designee shall impose the consequence.

Consequence:

- 1st offense: 180-day suspension and loss of financial assistance privilege for 365 days.
- 2nd offense: 365-day suspension and loss of financial assistance privilege for 2 years.
- 3rd offense: indefinite at the discretion of MPRD Director or designee and loss of financial assistance privilege for a minimum of 3 years.

Level 5

Offenses to include but not limited to:

- Felony, such as theft or vandalism of \$500.00 or more, or aggravated assault (serious bodily harm or the use of a weapon). Offender does not have to be arrested, charged or convicted of the felony to be subject to discipline pursuant to this policy.

Staff to enforce consequences: Police will be called to the scene and proceed with normal protocol. Additionally, the Superintendent/Coordinator or the designee shall impose the consequence.

Consequence:

- 1st offense: Indefinite suspension and loss of financial assistance privilege for minimum of 3 years.
- 2nd offense: Permanent ban from all MPRD programs and facilities at the discretion of MPRD Director or designee and loss of financial assistance privilege.