



Expulsion Policy

This policy is related to any disruptive conduct or interfering condition in any Ontario Recreation & Community Services Department public Community Centers

Recreation & Community Services Department

The Ontario Recreation & Community Services Department operates several public community centers open to all for recreational use. No one has the right to interfere with anyone else's right to use the Community Centers. Any disruptive conduct or interfering condition is cause for expulsion.

Failure to comply with the Code of Conduct of the Ontario Recreation & Community Services Department may result in the suspension of privileges and/or temporary or permanent expulsion from Ontario Community Centers, in accordance with Section 5-32.04 of the Ontario Municipal Code.

Staff Response to Infractions

Violation of the Ontario Recreation & Community Services Code of Conduct can result in expulsion from a Community Center and forfeiture of privileges. Minor violations of these results will result in staff attempting to educate or warn individuals about policies before enforcing such policies. If an individual continues to violate these policies, staff may require them to leave for the day. However, any conduct (verbal, physical, or other) that threatens the life or safety of any person or that is damaging to the property, equipment, or facilities may result in immediate expulsion from the premises.

Recreation & Community Services staff members are authorized to contact the Ontario Police Department (extension 4420) to respond to such situations. Repeat misconduct or severe offenses (even if a single isolated event) may result in individuals being banned from the Community Center from a week to a year, or permanently.* Staff will follow the established procedures below in making this determination. Staff will call the Ontario Police Department for severe or illegal behavior or when an individual refuses to leave when told by staff to do so.

***Note** – Staff can expel someone from the community centers for 24 hours for committing a serious offense or for committing repeated infractions (See Recreation & Community Services Community Center Code of Conduct) but banning requires action by Recreation & Community Services Administration. After consulting with the assigned building lead or

supervisor, staff at any level may require a customer to leave for 24 hours but must notify the assigned building lead and Recreation & Community Services Administration.

Banning Procedure

After staff determines that a person has engaged in severe or repeat misconduct and staff has determined that the individual involved should be banned, staff will follow the below steps:

1. Staff will involve the Recreation & Community Services Director or Recreation & Community Services Manager(s), or if not available, the supervising or assigned building lead.
2. Staff will gather information about the individual being banned, including name, address, phone number, etc.
3. Staff will complete a Citizen Incident Report along with details about the potential ban and recommendations for the time period of the ban.
4. After review, if the Recreation & Community Services Director/Manager(s) agrees with the reasons for the ban then the Director will mail the *Banning Letter*, via certified mail attached herein. The Director/Manager(s) will notify the Recreation & Parks Commission and staff regarding the ban.
5. The Recreation & Community Services Director will review and may reconsider the decision to ban an individual upon written request of the banned individual and may shorten or terminate the banning period if information submitted by the individual, in the discretion of the Director, warrants such modification. The Director may consult with the City Attorney's Office before issuing the response to the banned individual. Until such times as the Banning Letter has been reviewed and/or modified by the Director or reversed on appeal by the Recreation & Parks Commission, the individual may not use any Community Center.

Alternative Juvenile Banning Procedure

Discretionary Restricted Recreation & Community Services Use for Juveniles:

As an alternative to banning a juvenile, a supervisor and a staff member may restrict a juvenile from independent use of a specified Community Center site for a period of thirty (30) days (first restriction) or ninety (90) days (second or more restriction(s)). The juvenile whose use is restricted may use the Community Center during the specified period only when the juvenile is accompanied by a responsible parent or guardian. The juvenile's parent or guardian must be notified of the restriction via certified mail.

Failure to abide by the restriction may lead to banning of the juvenile from all Community Center facilities premises.

Appeal Procedure

1. Notice of Appeal. The Recreation & Community Services Director's written determination may be appealed to the Recreation & Parks Commission if the individual aggrieved files a written notice of appeal within ten (10) days after he/she receives the determination. Such notice shall be filed with, both the Recreation & Community Services Director and the Recreation & Parks Commission Chairperson c/o Ontario Recreation & Community Services, 1265 S. Palmetto Avenue, Ontario, CA 91762. The Recreation & Parks Commission will discuss at the next available Recreation & Parks Commission meeting at which the appellant may speak on his/her behalf.
2. Decision. Within thirty (30) days of the completion of the meeting, the Recreation & Parks Commission shall issue a written decision stating the reason(s) therefore. The Recreation & Parks Commission shall have the power to affirm or reverse the written determination or to remand it to the Recreation & Community Services Director, or designee, with instructions for reconsideration. The decision, except for remand, shall be a final determination for the purposes of judicial review.

Non-Compliance with Ban Enforcement

If a banned individual enters any Ontario Community Center before the return date listed in the *Banning Letter*, the Ontario Police Department will be called and individual may be arrested for violating Section 5-32.04 of the Ontario Municipal Code.

Banning Letter Template

To:

Care Of (if customer banned is a minor):

On (date) at approximately (time) you were observed at the Anthony Muñoz Community Center . At that time you were:

- INTOXICATED
- LOUD AND DISTURBING
- IN A COMMUNITY CENTER DESPITE BEING PREVIOUSLY BANNED UNTIL _____
- OTHER CONDUCT (as set forth below)

COMMENTS:

Because of the behavior listed above, and/or another history of inappropriate behavioral conduct at any Ontario Community Center, you are banned from all Ontario Community Centers until the date listed below. If you enter any Ontario Community Center before the return date listed below, Ontario Police Department will be called, and you will be subject to being arrested for violating Section 5-32.04 of the Ontario Municipal Code.

You may file a written request to the Recreation & Community Services Director, 1265 S. Palmetto Avenue, Ontario, CA 91762 to reconsider this ban from all Ontario Community Centers. Your written request shall set forth your reasons for reconsideration of the ban.

For juvenile customers, the Recreation & Community Services Department will consider restricted use during the specified period only when the juvenile is accompanied by a responsible parent or guardian. Responsible parent or guardian must contact the Recreation & Community Services Director at the address above to request restricted use. Failure to abide by the Restriction may lead to the banning of the juvenile from all Community Center premises.

THE LENGTH OF THIS BAN FROM ALL ONTARIO COMMUNITY CENTERS SHALL REMAIN AS STATED IN THIS DOCUMENT UNLESS THE DIRECTOR ISSUES A WRITTEN DETERMINATION ALTERING THE TERMS OF THIS DOCUMENT.

BANNED FROM COMMUNITY CENTERS: (date)

RETURN DATE: (date)

Staff Initials: