



Suspension of Aquatics Services Policy

Statement of Policy

The City of Albuquerque Aquatics Division (Aquatics) has developed Aquatics Facility Rules of Use to help ensure the safety and security of Aquatics patrons and staff. Rules of use are additionally established to promote a comfortable and enjoyable aquatics experience for all. Persons who violate the Rules of Use Policy are subject to removal from the premises and/or suspension of their Aquatics Facility privileges, or, when appropriate, Albuquerque Police Department or City security intervention.

Need for the Policy

This Suspension Policy gives the Aquatics Division a mechanism to protect the public and staff from disruptive, offensive or unsafe behavior. The Suspension Policy also gives the Aquatics Division a mechanism to protect Aquatics Facility property, equipment and facilities.

Behavior infractions and staff response

Violation of the *City of Albuquerque Aquatics Facility Rules of Use* constitutes conduct that may result in expulsion from all Aquatics facilities and forfeiture of Aquatics privileges. The Aquatics facility reserves the right at all times to immediately eject a patron that is engaged in any conduct that threatens the life or safety of any person or that is damaging to Aquatics property, equipment or facilities.

The Head Pool Manager may decide to suspend Aquatics Facility services for individuals in response to inappropriate behavior. Aquatics services may be suspended anywhere from a single day for minor infractions, to permanent suspension for potential criminal offenses, depending upon severity and frequency of behavior. The Aquatics services suspension applies to all City of Albuquerque Aquatics facilities.

If the decision is made by the Head Pool Manager to suspend a patron, the on-duty Aquatics Facility Manager will complete a "Notice of Aquatics Facility Suspension" form. A copy will be made available to the patron. In the case of a minor, the Aquatics staff will attempt to notify the parent or guardian and provide them with a copy of the form.

The Head Pool Manager will keep an internal file of information on all incidents regarding violations of the City of Albuquerque Aquatics Facility Rules of Use. The purpose of the file is to track any serious problems that are reported by the staff. It will be used to document incidents of inappropriate behavior and to track problems of a reoccurring nature.

Rule infractions will be divided into three categories based on their severity: Inappropriate or Disruptive, Violent or Threatening, and Potential Criminal Acts. Minor violations of the *City of Albuquerque Aquatics Facility Rules of Use* will first result in Aquatics staff attempting to educate or warn individuals about policies and enforcement. For more serious violations, Staff response will vary

according to infraction ranging from a documented verbal warning to a ban of one year or longer, detailed below.

Inappropriate or disruptive behavior includes but is not limited to:

- Suggestive actions or behavior
- Swearing, cursing, or disrespectful language
- Running on the pool deck
- Not showering with soap and water before entering any swimming pool
- Eating food in the pool or locker rooms
- Not wearing proper swim attire in the pool — no street clothes will be permitted
- Smoking on premises
- Diving in undesignated areas
- Bringing glass containers in the pool area
- Excessive displays of affection
- Use of hard balls or other projectiles that will cause injury - no tennis balls, footballs, racquetballs, etc.
- Visiting with Lifeguards
- Disobeying direction provided by Lifeguards
- Violating any additional rules or guidelines posted specific to each facility for lap swimming, diving, or water slides

Staff response: Depending on the inappropriate behavior, up to two verbal warnings will be given by the staff. If a third warning is needed, patron may be asked to leave the Aquatics Facility (pool) for the day. If patron does not comply, or returns after being asked to leave, they may receive a multiple day ban.

Violent or threatening behavior may include:

- Hitting or punching
- Verbal abuse of staff or other patrons
- Aggressive, hostile, or uncontrolled behavior
- Intentional entry into restricted areas of the building
- Possession of alcohol
- Panhandling or soliciting
- Intrusive behavior including staring at or following staff or patrons with the intent to annoy, harass, violate privacy, or otherwise interfere with staff or patron activities
- Possession of firearms or other weapons

Staff response: Staff response will vary according to the severity of the disruption or threat, ranging from a warning, being asked to leave for the day, or calling the police. A ban for up to a month may follow from the Aquatics Division Manager depending upon the severity of the behavior. Continuance of the behavior may result in a ban of one year or longer.

Criminal behavior may include:

- Physical assault
- Alcohol or drug intoxication
- Exhibitionism
- Inappropriate touching or other sexual harassment
- Possession of illegal drugs
- Child pornography
- Theft
- Vandalism

Staff response: Staff will respond by calling the police for any of the above conduct. A ban of one year or longer may follow from the Aquatics Division Manager.

City of Albuquerque Aquatics Division
Notice of Aquatics Facility Services Suspension

Name of patron in violation of Rules of Use Policy: _____

Name of Aquatics Facility: _____ Date of Suspension: _____

Name of Issuing Aquatics Manager: _____ Title: _____

Your visitor privileges to the Pool are suspended for a period of: _____ day(s)/week(s).

This means you may not enter the Aquatics Facility from _____ to _____.

Your access to the Pool will be restored on _____.

Reason for suspension: _____

You are receiving this notice of suspension due to the behavior listed above, and/or other history of inappropriate conduct at the pool. If you enter any Aquatics Facility before the return date listed above, the police will be called and charges may be filed for trespassing.

Any patron suspended for more than one day may appeal the suspension by contacting the Aquatics Division Manager in writing (aquatics@cabq.gov), within five business days of the suspension. The Aquatics Division Manager will consult with staff, review the incident report and related documentation, and any written information provided by the patron. The patron may also schedule an appointment with the Division Manager to discuss the suspension. After reviewing the information, the suspension period may be terminated, shortened, or remain in place. The Division Manager will inform the patron of the decision in writing.

Anyone whose Aquatics Facility privileges have been suspended for more than one month may appeal the decision to the Director of Parks and Recreation. The Director, or designee, may affirm, modify, or revoke any suspension. These appeals must be made in writing and must be received within seven days of the suspension. Appeals should be addressed to the Parks and Recreation Director, PRD Administration, 1801 4th St NW, Albuquerque, NM 87102. A parent or guardian must submit the appeal for a minor (under the age of 18). The patron will be notified by letter of the decision of the Parks and Recreation Director.

THE ABOVE SUSPENSION REMAINS IN EFFECT DURING ANY REVIEW PROCESS AND PATRON MAY ONLY RETURN TO THE POOL IF/WHEN THE ABOVE SUSPENSION IS TERMINATED EITHER THROUGH THE APPEALS PROCESS OR COMPLETION OF ORIGINAL TERMS.

Suspension Appeal Determination – Aquatics Division Manager

Name of patron in violation of Rules of Use Policy: _____

Reason for suspension: _____

_____.

After reviewing the above suspension, it has been determined that your suspension

IS IS NOT warranted.

If it was determined that it was warranted, your suspension will remain in effect until

If it was determined that it was not warranted, your suspension is withdrawn effective immediately and your Aquatics privileges are restored.

Division Manager Signature: _____

Comments:

Suspension Appeal Determination – Parks and Recreation Director

Name of patron in violation of Rules of Use Policy: _____

Reason for suspension: _____

_____.

After reviewing the above suspension on _____, it has been determined that your suspension

IS IS NOT warranted.

If it was determined that it was warranted, your suspension will remain in effect until

If it was determined that it was not warranted, your suspension is withdrawn effective immediately and your Aquatics privileges are restored.

Director Signature: _____

Comments: