

Appeals Process for Disciplinary Action Policy

Policy Statement

In order to maintain a welcoming and business-like atmosphere, the library board of trustees has adopted a code of conduct policy, which includes disciplinary action for persons not complying with the policy. In the interest of fairness, customers whose privileges have been suspended or revoked may have the decision reviewed by the board of trustees.

Regulations

1. The staff member in charge at the time of the incident giving rise to the imposition of a penalty under the *Code of Conduct* policy shall be vested with the sole discretion, within the guidelines established by the library, to impose such discipline as deemed necessary and appropriate under the circumstances at the time of the infraction.
2. A customer may appeal the discipline imposed by the staff member in charge to the library director. The appeal must be in writing and received within 30 days of the imposition of penalty.
3. A meeting with the library director shall be scheduled within 30 days from receipt of the request for such meeting. The person who is the subject of the discipline and, in the case of a minor, one of the minor's parents or a legal guardian must personally attend the meeting.
4. The library director shall review the facts as found by the staff member in charge at the time of the incident, any statements or reports from the police or any other agency conducting an investigation regarding the incident as well as the oral and written statements provided by the person subject to the discipline.
5. The library director shall issue a written statement including findings of fact and a statement that upholds, rescinds or modifies the discipline imposed by the staff member in charge at the time of the incident within 30 days of the meeting.
6. The findings of fact by the library director shall be conclusive for the purpose of any further review.
7. Following receipt of the library director's written statement, the subject of discipline and, in the case of a minor, one of the minor's parents or a legal guardian may appeal to the library board of trustees by requesting a hearing as follows:
 - A. The appeal must be in writing, state the grounds upon which the appeal is based and be received within 30 days of the mailing date of the director's decision.
 - B. The board of trustees shall consider the request at the next regularly scheduled board meeting immediately following receipt of the request.

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- C. The person who is the subject of discipline and, in the case of a minor, one of the minor's parents or a legal guardian must personally attend any hearing so scheduled and may make a statement in support of their position.
 - D. The library board may affirm, modify or reject the library director's decision but may not disturb the findings of fact made by the director.
 - E. The decision of the library board of trustees is final.
8. In no case shall the filing of an appeal pursuant to these rules act as a stay of the discipline imposed by the senior staff in charge at the time of the incident unless the director, at the hearing scheduled before the subject of discipline, makes a specific finding that the imposition of discipline would result in manifest injustice under the total circumstances.

Approved: September 20, 2006
Clinton-Macomb Public Library Board of Trustees