

Request for Suspension Appeal/Hearing Panel Procedure and Form

Any patron suspended for one to 31 days has a right to appeal their suspension from the Santa Cruz Public Libraries. To appeal a suspension:

1. Complete the *Request for Suspension Appeal/Hearing Panel Form*.
2. Return the completed form to Library Headquarters. Staff will sign the form to acknowledge its receipt and will provide you with a copy for your records.
3. The completed form must be received by staff at Library Headquarters within seven days from the date of the suspension. Postmarks will not apply.

Suspension Appeal Procedure (One to Thirty Day Suspension)

Upon receipt of your *Request for Suspension Appeal/Hearing Panel Form*:

1. A Suspension Appeal decision meeting comprising authorized library staff will take place. Library staff or patrons who witnessed the incidents(s) may also be asked to attend.
2. The Suspension Appeal meeting will convene privately to discuss the evidence and make a final suspension determination.
3. The suspension will be withdrawn if the authorized Suspension Appeal meeting members determine, by a preponderance of evidence, that the behavior(s) cited on the *Notice of Suspension from Library Form* did not occur and that the suspension is unwarranted.
4. Within seven days from the date the library receives your *Request for Suspension Appeal/Hearing Panel Form*, a *Suspension Appeal/Hearing Panel Determination Notice* will be mailed to the address provided by you on the *Request for Suspension Appeal/Hearing Panel Form*.
5. If you do not have a mailing address, you must return to Library Headquarters seven days from the date the library receives your *Request for Suspension Appeal/Hearing Panel Form* to pick up your *Suspension Appeal/Hearing Panel Determination Notice*.
6. The Suspension Appeal Determination decision is final.

Suspension Hearing Panel Procedure (31 Days to One Year Suspension)

Any patron suspended for 31 days to one year has the right to a hearing with the Suspension Hearing Panel. To request a hearing:

1. Complete the *Request for Suspension Appeal/Hearing Panel Form*.
2. Return the completed form to Library Headquarters. Staff will sign the form to acknowledge its receipt and will provide you with a copy for your records.
3. The completed form must be received by staff at Library Headquarters within seven days from the date of the suspension. Postmarks will not apply.

Upon receipt of your *Request for Suspension Appeal/Hearing Panel Form*:

1. Within seven days from the date the library receives your *Request for Suspension Appeal/Hearing Panel Form*, the library will mail you a notice providing you with the date, time, and location of the Suspension Hearing Panel.
2. If you do not have a mailing address, you must return to Library Headquarters seven days from the date the library receives your *Request for Suspension Appeal/Hearing Panel Form* to pick up your notice of date, time, and location of the Suspension Hearing Panel.
3. The Suspension Hearing Panel will comprise authorized library staff and a Library Joint Powers Authority Board jurisdictional designee. Library staff, a library security guard, or patrons who were witnesses to the event(s) may also be asked to appear.
4. When you arrive for your hearing you will be provided the opportunity to present evidence or reasons why the suspension should be withdrawn.
5. A parent or guardian must accompany a minor (under the age of 18 unless emancipated) to the hearing.
6. After all the evidence has been presented, the Suspension Hearing Panel may convene privately to discuss the determination.
7. The suspension will be withdrawn if the Suspension Hearing Panel determines, by a preponderance of evidence, that the behavior(s) cited on the *Notice of Suspension from Library Form* did not occur and that the suspension is unwarranted.
8. Within seven days of the date of your hearing, a *Suspension Appeal/Hearing Panel Determination Notice* will be mailed to you that will include the findings in support of the decision.
9. If you do not have a mailing address, you may return to Library Headquarters after seven days to pick up a copy of the *Suspension Appeal/Hearing Panel Determination Notice*.
10. The Suspension Hearing Panel Determination decision is final.

Request for Suspension Appeal/Hearing Panel Form

I want to appeal the library suspension that was issued to me. I am requesting that Library Administration review this suspension.

Date: _____

Name: _____

Address: _____

Telephone: _____

Reason for the request (optional): _____

This form must be returned to Library Headquarters within seven days of the suspension issue date.

Staff will acknowledge receipt of your request and will issue a copy of this form as a receipt.

Within five days after you submit this form, you may contact Library Headquarters to determine the status of the Suspension Appeal/Hearing Panel (see *Suspension Policy* and *Request for Suspension Appeal/Hearing Panel Procedure*).

If, by a preponderance of the evidence, it is determined that your suspension is unwarranted, your suspension will be withdrawn. The Library's Suspension Appeal/Hearing Panel decision is final.

Signature of Appellant: _____

Date: _____

Staff Signature: _____

Staff Job title: _____

Date: _____

FOR LIBRARY USE ONLY: Suspension is _____ is not _____ withdrawn.

Related Documents: *Library Code of Conduct Policy / Notice of Suspension from Library Form / Request for Suspension Appeal_Hearing Panel Procedure / Suspension Appeal_Hearing Panel Determination Notice*