



City of Marshall Parks and Recreation Guidelines for Applying Aquatic Center Appropriate Attire Policy

Introduction:

The City of Marshall Aquatic Center's policy is to require acceptable attire within the Aquatic Center to ensure that modesty is upheld in a family-friendly environment (the "Acceptable Attire Policy"). The City has a legitimate interest in promoting public decency and proscribing public nudity to protect public order, health, and safety.

This document defines general guidelines to assist Aquatic Center Management in interpreting the Acceptable Attire Policy. These guidelines also define the procedures for reporting any suspected violations of the Acceptable Attire Policy, as well as what general guidelines are to be followed if a guest is found to be in inappropriate attire.

These guidelines address the appeal process available to guests who disagree with the decision of Management regarding attire within the Aquatic Center as well as the process to request an individual accommodation to the attire policy and the general guidelines for management to determine whether a requested individual accommodation is appropriate.

Definitions:

Appropriate attire – Attire (and the skin) must be free of vulgar and obscene words and/or images. Attire must provide and maintain appropriate body coverage at all times.

Appropriate body coverage – fully opaque coverage of the human genitals, pubic area, vulva, anus, anal cleft, and the nipple or areola of the female breast

Biological sex – the biological indication of male or female in the context of reproductive potential or capacity, such as sex chromosomes, naturally occurring sex hormones, gonads, and no ambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen, or subjective experience of gender

Gender – the psychological, behavioral, social, and cultural aspects of being male or female



Gender transition – the process in which an individual transitions from identifying with and living as a gender that corresponds to his or her biological sex to identifying with and living as a gender different from his or her biological sex, and may involve social, legal, or physical changes

Gender transition surgery – a surgical procedure performed for the purpose of assisting an individual with a gender transition, including but not limited to:

- (a) Surgical procedures that sterilize, including, but not limited to, castration, vasectomy, hysterectomy, oophorectomy, orchiectomy, or penectomy;
- (b) Surgical procedures that artificially construct tissue with the appearance of genitalia that differs from the individual's biological sex, including but not limited to, metoidioplasty, phalloplasty, or vaginoplasty; or
- (c) Augmentation mammoplasty or subcutaneous mastectomy

Inappropriate attire – is any swimwear, articles of clothing, or shoes deemed inappropriate by Aquatic Center Management. Examples of inappropriate attire include, but are not limited to:

1. Swimwear that does not provide appropriate body coverage to prevent nudity.
2. Street clothing including, but not limited to, jeans, pants, cut-offs, sweatpants, athletic or street shorts, sports bras, leggings, and leotards.
3. Provocative, revealing, thong-style and/or translucent swimwear.
4. Swimwear or clothing items that contain vulgar or offensive language and/or images.
5. Shoes are not allowed in the pool. Street shoes are not allowed on the pool deck.

Nudity – The showing of the human genitals, pubic area, vulva, anus, anal cleft, or the female breast with less than a fully opaque covering of any part of the nipple or areola

Policy:

All guests, swimming and non-swimming, must wear appropriate attire at all times within the Aquatic Center.

For purposes of applying the Acceptable Attire Policy, Aquatic Center Management will be guided by the "biological sex" of the guest, as defined above. The Aquatic Center Director is authorized to make final determinations regarding appropriate attire for guests under this policy.

Reporting of Inappropriate Attire:

Aquatic Center Management shall be responsible for determining whether a guest is wearing appropriate attire. Lifeguards and employees shall not confront the alleged guest in violation of this attire policy. When an incident of inappropriate attire is observed by lifeguards and other employees, the incident should be reported directly to the Manager on duty. Lifeguards and staff are responsible for communicating all reports received from guests of inappropriate attire to the Manager on duty.

The Manager on duty has the responsibility to report to their supervisor. The Manager on duty can always request assistance from the Aquatic Center Director.

Enforcement:



In determining whether an alleged violation of the Acceptable Attire Policy has occurred, the Aquatic Center Supervisor shall consider whether the guest's attire provides appropriate body coverage for the guest's biological sex, contains vulgar and/or offensive language and/or images, or is otherwise considered inappropriate for the Aquatic Center taking into account the purpose and intent of the Acceptable Attire Policy's to ensure a family friendly environment.

If the Aquatic Center Supervisor determines that a violation of the attire policy has occurred, the Manager shall consult with the guest regarding the proper attire within the Aquatic Center and provide the guest with an opportunity to comply with the proper attire guidelines. Guests who refuse to comply with the proper attire guidelines will be asked to leave the Aquatic Center. Refunds will not be provided for improper attire.

The decision of the Aquatic Center Supervisor may be appealed to the Park Director. The Park Director shall issue a written determination to the guest within five (5) business days.

Accommodations:

Any person with disabilities and eligible under Title II of the Americans with Disabilities Act or a religious belief that inhibits following the Acceptable Attire Policy may request a reasonable accommodation or religious exemption with respect to the Aquatic Center rules, policies, practices and/or procedures as provided by Title II of the Americans with Disabilities Act (the "ADA"), the Missouri Religious Freedom Restoration Act, and the Missouri Human Rights Act.

The City shall display a notice at the counter in the Aquatic Center or at another prominent and appropriate place advising those with religious beliefs or disabilities or their representatives that they may request a reasonable accommodation or religious exemption in accordance with the procedures established by the Aquatic Center.

Religious Exemption:

A request for religious exemption relating to park/public space rules, policies, practices and/or procedures shall be made in writing on a religious exemption request form provided by the City. The form shall contain:

1. The specific Aquatic Center rules, policies, practices or other use restriction at issue;
2. The name, address, and phone number of the individual seeking religious exemption;
3. The specific nature of the exemption requested by the applicant; and
4. Whether the religious exemption requested may be necessary to afford one (1) or more persons with full and equal use and enjoyment of the Aquatic Center.

The Director of Parks and Recreation, or his/her designee ("Park Director"), shall have the authority to consider and act on requests for religious exemption. When a request for religious exemption is filed with the Aquatic Center Supervisor, it will be referred to the Park Director for review and consideration. The Park Director shall issue a written determination within seven (7) days of the date



of receipt of a completed application and may: (1) grant the exemption request, or (2) deny the request, in accordance with Missouri and Federal law. Any such denial shall be in writing and shall state the grounds therefor. The notice of determination shall be sent to the applicant by certified mail, return receipt requested, and by regular mail.

While not exhaustive of all considerations and findings that may be relevant, the Park Director shall determine whether the religious exemption requested is necessary to afford the person requesting the exemption with full and equal use and enjoyment of the Aquatic Center. This determination must be made before any action is taken to approve or deny a request for religious exemption and must be incorporated into the record relating to such approval or denial.

A request for a religious exemption shall not be denied for reasons which violate the provisions of the Religious Freedom Restoration Act, and the Missouri Human Rights Act. This Policy does not obligate the City to grant any religious exemption request unless required by the provisions of the Religious Freedom Restoration Act, the Missouri Human Rights Act, or applicable Missouri State law.

Reasonable Accommodation for a Person with Disabilities:

A request by a person with disabilities under the ADA for reasonable accommodation relating to Aquatic Center rules, policies, practices and/or procedures shall be made orally or in writing on a reasonable accommodation request form provided by the City. The form shall contain:

1. The specific Aquatic Center rules, policies, practices, or other use restriction at issue;
2. The name, address, and phone number of the individual seeking accommodation;
3. The nature of the disability that requires the reasonable accommodation;
4. The specific type of accommodation requested by the applicant. To the extent practicable, this portion should include information concerning the impact of the reasonable accommodation on other guests of the Aquatic Center, the number of people who are expected to be availing themselves of the reasonable accommodation, the estimated number of people in an average week who will be necessary to provide services to the person(s) with disabilities at the Aquatic Center on an on-going basis, and any other information the applicant thinks would assist in determining the reasonableness of the accommodation; and
5. Whether the accommodation requested may be necessary to afford one (1) or more disabled persons equal opportunity to use and enjoy the Aquatic Center.

The Aquatic Center Management will assist the applicant with furnishing all information necessary to the Park Director for processing the reasonable accommodation request, including that information which the Park Director deems necessary to complete a reasonable accommodation request form. Upon the Park Director's receipt of the necessary information to process the applicant's request for reasonable accommodation, the Park Director shall use the information to complete a reasonable accommodation request form.



The City will provide the assistance necessary to any applicant wishing to appeal a denial of a request for reasonable accommodation to ensure the process is accessible to the applicant. The applicant is entitled to be represented at all stages of the proceedings identified in this Policy by a person designated by the applicant.

Should the information provided by the applicant to the City include medical information or records of the applicant, including records indicating the medical condition, diagnosis or medical history of the applicant, the applicant may, at the time of submitting such medical information, request that the City to the extent allowed by law, treat such medical information as confidential information of the applicant.

The City shall provide written notice to the applicant, and any person designated by the applicant to represent the applicant in the application proceeding, of any request received by the City for disclosure of the medical information or documentation which the applicant has previously requested be treated as confidential by the City. The City will cooperate with the applicant, to the extent allowed by law, in actions initiated by the applicant to oppose the disclosure of such medical information or documentation.

The Park Director, or his/her designee, shall have the authority to consider and act on requests for reasonable accommodation. When a request for reasonable accommodation is filed with the Aquatic Center Supervisor, it will be referred to the Park Director for review and consideration. The Park Director shall issue a written determination within seven (7) days of the date of receipt of a completed application and may: (1) grant the accommodation request, or (2) deny the request, in accordance with Federal law. Any such denial shall be in writing and shall state the grounds therefor. All written determinations shall give notice of the right to appeal and the right to request reasonable accommodation in the appeals process. The notice of determination shall be sent to the applicant by certified mail, return receipt requested, and by regular mail.

If reasonably necessary to reach a determination on the request for reasonable accommodation, the Park Director may, prior to the end of said seven-day period, request additional information from the applicant, specifying in detail what information is required. The applicant shall have fifteen (15) days after the date of the request for additional information to provide the requested information. In the event a request for additional information is made, the seven-day period to issue a written determination shall be stayed. The Park Director shall issue a written determination within seven (7) days after receipt of the additional information. If the applicant fails to provide the requested additional information within said fifteen-day period, the Park Director shall issue a written determination within seven (7) days after expiration of said fifteen-day period.

The following findings, while not exhaustive of all considerations and findings that may be relevant, must be made before any action is taken to approve or deny a request for reasonable accommodation and must be incorporated into the record relating to such approval or denial:

1. Whether the accommodation requested may be necessary to afford one (1) or more persons with disabilities equal opportunity to use and enjoy a specific dwelling;



2. Whether the requested accommodation would require a fundamental alteration to the Aquatic Center or City policies regarding access and use of public property; and
3. Whether the requested accommodation would impose undue financial or administrative burdens on the Parks Department or the City.

A request for reasonable accommodation shall not be denied for reasons which violate the provisions of the Acts. This Policy does not obligate the City to grant any accommodation request unless required by the provisions of the Acts or applicable Missouri State law.

Appeals:

In the event a guest disagrees with the decision of the Aquatic Center Supervisor regarding inappropriate attire or a request for individual accommodation or religious exemption, the following appeal procedures shall apply:

Within twenty (20) days after the date the Park Director mails or otherwise delivers a written adverse determination, the applicant may appeal the adverse determination. All appeals shall contain a statement of the grounds for the appeal.

Appeals shall be to the Parks Board who shall hear the matter and render a determination as soon as reasonably practicable, but in no event later than thirty (30) days after an appeal has been filed. All determinations on appeal shall address and be based upon the findings of the Parks Director.

Unless a hearing or the requirements herein are waived by the applicant, each hearing shall provide a record of the proceedings (by audio, video, stenographic, or other reliable means of recording capable of transcription) and shall permit the parties to introduce evidence under oath, and shall provide for cross-examination, when requested. The formal hearing requirements herein shall be deemed waived if not affirmatively requested by applicant in their appeal.

If an individual applicant needs assistance in appealing a determination, the City will provide the assistance necessary to ensure that the appeal process is accessible to the applicant. All applicants are entitled to be represented at all stages of the appeal proceeding by a person designated by the applicant.

An applicant may request reasonable accommodation in the procedure by which an appeal will be conducted.



City of Marshall Parks and Recreation Aquatic Center Acceptable Attire Policy

The City of Marshall Aquatic Center requires that all guests wear appropriate attire within the Aquatic Center. Please note the following attire requirements:

Appropriate attire – must be free of vulgar and obscene words and images and must maintain appropriate body coverage at all times.

Inappropriate attire – is any swimwear, articles of clothing, or shoes deemed inappropriate by Aquatic Center Management. Examples of inappropriate attire include, but are not limited to:

- Swimwear that does not provide appropriate body coverage to prevent nudity
- Provocative, revealing, thong-style, and/or translucent swimwear
- Vulgar or offensive language and/or images portrayed on clothing or directly on the skin
- Street clothing
- Jeans (including cut-off jeans), pants, or sweatpants
- Athletic or street shorts
- Skirts
- Sports bras
- Leggings
- Leotards
- Dri-Fit wear
- Compression shorts and shirts
- Disposable diapers. Swim diapers may be approved and fitted for children using them.



Non-swimming guests – may wear clothing on the pool deck so long as appropriate body coverage is maintained and such attire is free of vulgar or offensive language and/or images. Please note that guests must have on proper swimming attire to enter the pool.

Why do I have to wear proper swimwear? Absorbent materials (such as cotton) can transport contaminants into the pool, break down in the water, and clog filters. Cotton and similar materials can absorb the chemicals in the water, causing the water to become less effective at maintaining the proper chemical balance. Any “colored” material, aside from those specifically made for swimming, can bleed into the pool, affecting water chemistry and balance. Lycra and Nylon are the best non-absorbent material for swimming and are the best fabrics for proper swim attire.

Questions about appropriate attire may be directed to the Manager on duty.



Steps for Reasonable Accommodation Process

1. Requests for reasonable or reasonable religious accommodation shall be directed to the Aquatic Center Supervisor.
2. The Supervisor shall provide the guest with the applicable Request Form and refer the completed Request Form to the Park Director for consideration.
 - a. **NOTE:** if the applicant cannot or will not fill out the Form, the Supervisor shall assist the guest in furnishing all information necessary for processing the accommodation request and providing such information to the Park Director. The Director will complete the form utilizing the information provided to the Supervisor.
3. The Park Director shall issue a written Notice of Determination within 7 days of receipt of the completed Form.
 - a. If the accommodation is denied, the Notice of Determination must include a statement of the grounds for denial.
 - b. The Notice of Determination must include notice of the requestor's right to appeal and the right to request reasonable accommodation in the appeal process.
4. If the Park Director needs additional information, the Director may request such information from the applicant before the end of the 7-day determination period. Requests for additional information must specify in detail the information being requested.
 - a. The applicant shall have 15 days to provide the additional information.
 - b. The Director must issue a written Notice of Determination within 7-days of receipt of the additional information – or, If the applicant fails to provide the additional information, within 7-days of the end of the 15-day period.

Appeal Procedures

1. An applicant, or their representative, has 20 days to appeal the decision of the Park Director to the Parks Board.
2. The appeal must include a statement of the grounds for the appeal.
3. If the applicant does not affirmatively request a formal hearing, such requirement is waived.
4. If not waived by the applicant, the hearing shall:
 - a. Provide a record of the proceedings (by audio, video, stenographic, or other reliable means of recording capable of transcription) and
 - b. Permit the parties to introduce evidence under oath, and
 - c. Provide for cross-examination, when requested.
5. The Parks Board shall hear the matter and issue a written determination as soon as reasonably practicable, but no later than 30 days after the appeal has been filed. Determinations on appeal shall address and be based upon the findings of the Parks Director.

NOTE: Applicants may request assistance or reasonable accommodation in appealing an adverse determination. The City will provide the assistance necessary to ensure that the appeal process is accessible to the applicant.



Notice of Right to Reasonable Accommodation

(Confidential Information. This information will not be disclosed or released, except as permitted by law.)

The requirement to provide reasonable accommodation is intended to provide, for persons with disabilities, equal opportunity to use the Marshall Aquatic Center through modification of policies, procedures, or structures. This policy is not intended to provide greater benefits to persons with disabilities than to non-disabled Aquatic Center patrons.

If you have a disability and you need:

1. a change in the rules, policies, or procedures that would make it easier for you to use the Aquatic Center or take part in programs there;
2. a repair or change to some other part of the Aquatic Center site that would make it easier for you to use the facilities or take part in programs on site; or
3. a change in the way we communicate with you or give you information including but not limited to, appropriate auxiliary aids, Telecommunications Devices for the Deaf-TDD, qualified sign language interpreters, or other alternate communication formats.

You can ask for this change, which is called a "REASONABLE ACCOMMODATION."

If you can show that you have a disability and if your request is reasonable, and does not create an undue financial burden, does not create an undue administrative burden or fundamentally alter the nature of the Aquatic Center and its programs, we will consider the changes you request.

We will provide you with a written decision as soon as possible, but not later than seven (7) days after your request, unless we determine that additional time is necessary to verify your request. We will let you know if we need more information or verification from you or if we would like to discuss other ways of meeting your needs.

If we turn down your request, we will provide you with a written explanation of the reasons and information regarding your options to appeal the decision.

Please feel free to provide us with any additional information if you think that will help our determination.

We will verify that the need for your accommodation is based on a qualifying disability. We will request verification from a qualified professional. "Qualified professional" includes, but is not limited to, medical providers, psychiatric care providers, licensed social workers, or other care providers who are licensed and practicing and are familiar with your disability related needs. The qualified professional must be a person who does not reside with the family, and is not related to the family by blood, marriage, adoption, or other manner. The Parks Department reserves the right to determine whether the person making the certification meets the definition of qualified professional.

***If you need assistance in filling out a Reasonable Accommodation Request Form, or if you want to give us your request in some other form, please let us know. We will be happy to assist you.*

There is a **Request for Reasonable Accommodation Form** attached to this notice. You may request a Request for Reasonable Accommodation Form any time you wish to request a reasonable accommodation.

Request for Reasonable Accommodation

(Confidential Information. This information will not be disclosed or released, except as permitted by law.)

Printed Name:	Telephone:
Address:	

1. The following person has a disability: _____
2. Please provide the following change or changes so that the person listed above can have **equal opportunity** to use the Aquatic Center as easily or successfully as the other patrons. **From the options below, check (✓) the kind of change(s) you need.**

I need a change in how I get into or out of, the Aquatic Center. Please tell us what you need. Use another sheet of paper, if necessary.

A change in the following rule or way the Aquatic Center does things. What rule or policy is preventing you from using the Aquatic Center? What are you asking us to change? Describe the accommodation you are requesting. Please tell us what you need. Use another sheet of paper, if necessary.

3. I need this reasonable accommodation because: Describe how this accommodation will assist you in having equal opportunity to use the Aquatic Center. (Please attach additional sheets as necessary).

4. What qualified professional may we contact to verify that you have a disability and that your requested accommodation is directly related to your disability? [The following may provide verification of your or another person's disability and the need for the requested accommodation(s): (a) Physician; (b) Licensed healthcare professional; (c) Professional representing a social service agency; or (d) Disability agency or clinic] see definition on page 1.

Professional's Name: _____ Title: _____

Address: _____ Phone: _____

AUTHORIZATION TO DISCLOSE MEDICAL AND PERSONAL INFORMATION

By signing below, I hereby authorize City of Marshall Department of Parks and Recreation and its staff to contact the individual or agency listed above to obtain any information or materials which are deemed necessary to make a determination regarding my request for Reasonable Accommodation. I hereby authorize the individual or agency listed above to release and to disclose to the Department of Parks and Recreation any records and/or information relating to the disability for which I am requesting reasonable accommodations. The information will be used for the purpose of evaluating my request for reasonable accommodation under the Americans with Disabilities Act (ADA). I understand that I have no obligation to disclose any information from my medical or personal records, and all information disclosed pursuant to this release shall be treated as confidential. I also understand that I may revoke this consent at any time by notifying the individual or agency listed above in writing of my decision, unless they have disclosed the information in reliance on this statement of consent.

I HAVE READ THIS FORM OR HAVE HAD IT READ AND EXPLAINED TO ME AND I FULLY UNDERSTAND ITS CONTENTS.

Signed: _____ Date: _____

Notice of Determination

[To be completed by Marshall Parks and Recreation]

Reasonable Accommodation: Approved
 Approved alternate accommodation
 Denied

Identify the accommodation provided:

If the approved accommodation is different than the one originally requested, explain the basis for denial of the original request:

If an alternative accommodation was offered, indicate whether it was:

- accepted
- rejected

If rejected, state the basis for rejection:

If the accommodation is denied and no alternative accommodation was proposed, explain the basis for denying the request without an alternative accommodation.

Signed: _____ Date: _____

APPEAL OF ADVERSE DETERMINATION

If you disagree with the resolution of the request, you may appeal the decision to the Board of Parks and Recreation within twenty (20) days of receiving this written determination. The Board of Parks and Recreation shall hear the matter and render a determination no later than thirty (30) days after an appeal has been filed.

All appeals shall contain a statement of the grounds for the appeal. Unless a hearing or the requirements herein are waived by the applicant, each hearing shall provide a record of the proceedings (by audio, video, stenographic, or other reliable means of recording capable of transcription) and shall permit the parties to introduce evidence under oath, and shall provide for cross-examination, when requested. The formal hearing requirements herein shall be deemed waived if not affirmatively requested by the applicant in their appeal.

You are entitled to be represented at all stages of the appeal proceedings by a designee of your choosing. You may request reasonable accommodation in the procedure by which an appeal will be conducted.



Notice of Right to Reasonable Religious Accommodation

(Confidential Information. This information will not be disclosed or released, except as permitted by law.)

The requirement to provide reasonable accommodation is intended to provide, for persons with a religious belief that inhibits following the Acceptable Attire Policy, full and equal use and enjoyment of the Marshall Aquatic Center through modification of rules, policies, or procedures. This policy is intended to provide full and equal use and enjoyment of places of public accommodation.

If, due to a religious belief, you need a change in the rules, policies, or procedures that would allow you to use the Aquatic Center or take part in programs there, you may request a "REASONABLE RELIGIOUS ACCOMMODATION"

If you have a sincerely held religious belief, practice, or observance that conflicts with an Aquatic Center rule or policy, and if your request is reasonable, and does not create an undue financial burden, does not create an undue administrative burden or fundamentally alter the nature of the Aquatic Center and its programs, we will consider the changes you request.

We will provide you with a written decision as soon as possible, but not later than seven (7) days after your request, unless we determine that additional time is necessary to verify your request. We will let you know if we need more information or verification from you or if we would like to discuss other ways of meeting your needs.

If we turn down your request, we will provide you with a written explanation of the reasons and information regarding your options to appeal the decision.

Please feel free to provide us with any additional information if you think that will help our determination.

***If you need assistance in filling out a Reasonable Religious Accommodation Request Form, or if you want to give us your request in some other form, please let us know. We will be happy to assist you.*

There is a **Request for Reasonable Religious Accommodation Form** attached to this notice. You may request a Request for Reasonable Religious Accommodation Form any time you wish to request a reasonable religious accommodation.

Request for Reasonable Religious Accommodation

(Confidential Information. This information will not be disclosed or released, except as permitted by law.)

Printed Name:	Telephone:
Address:	

1. The following person requests a religious exemption: _____ in order to have **full and equal use and enjoyment** of the Aquatic Center.
2. Please identify the Aquatic Center rule or policy that conflicts with your sincerely held religious observance, practice, or belief. Use another sheet of paper, if necessary.

3. Please describe the nature of your sincerely held religious observance, practice, or belief that conflicts with the Aquatic Center rule or policy identified above. Use another sheet of paper, if necessary.

4. Please describe the accommodation or modification that you are requesting. Use another sheet of paper, if necessary.

5. Please describe any alternative accommodations that would also eliminate the conflict between the Aquatic Center rule or policy and your sincerely held religious beliefs. Use another sheet of paper, if necessary.

I have read and understand the Aquatic Center's policy on religious accommodation. My religious beliefs and practices, which result in this request for a religious accommodation, are sincerely held. I understand that the accommodation requested above may not be granted, but that the Aquatic Center will attempt to provide a reasonable accommodation that does not create an undue hardship on the Aquatic Center and its programs. I understand that additional information may be required to assist in the processing of this request and agree to provide reasonable information or documentation, as may be requested.

I HAVE READ THIS FORM OR HAVE HAD IT READ AND EXPLAINED TO ME AND I FULLY UNDERSTAND ITS CONTENTS.

Signed: _____ Date: _____



Notice of Determination

[To be completed by Marshall Parks and Recreation]

Religious Accommodation: Approved
 Approved alternate accommodation
 Denied

Identify the accommodation provided:

If the approved accommodation is different than the one originally requested, explain the basis for denial of the original request:

If an alternative accommodation was offered, indicate whether it was:

- accepted
- rejected

If rejected, state the basis for rejection:

If the accommodation is denied and no alternative accommodation was proposed, explain the basis for denying the request without an alternative accommodation.

Signed: _____ Date: _____

APPEAL OF ADVERSE DETERMINATION

If you disagree with the resolution of the request, you may appeal the decision to the Board of Parks and Recreation within twenty (20) days of receiving this written determination. The Board of Parks and Recreation shall hear the matter and render a determination no later than thirty (30) days after an appeal has been filed.

All appeals shall contain a statement of the grounds for the appeal. Unless a hearing or the requirements herein are waived by the applicant, each hearing shall provide a record of the proceedings (by audio, video, stenographic, or other reliable means of recording capable of transcription) and shall permit the parties to introduce evidence under oath, and shall provide for cross-examination, when requested. The formal hearing requirements herein shall be deemed waived if not affirmatively requested by the applicant in their appeal.

You are entitled to be represented at all stages of the appeal proceedings by a designee of your choosing. You may request reasonable accommodation in the procedure by which an appeal will be conducted.



Proposed additions and modifications to Aquatic Center Rules:

"Aquatic Center Rules for Your Safety and Enjoyment"

All guests, swimming and non-swimming, are required to wear proper attire. Appropriate body coverage must be maintained at all times.

NO Street clothes, cutoff jeans, sports bras, shorts, leotards, and anything else deemed not appropriate by Management will be allowed. Please see the Acceptable Attire Policy and diagrams if you have any questions.

Vulgar or offensive language and/or images portrayed on clothing or directly on the skin are not permitted in the Aquatic Center.

Non-swimming guests may wear clothing that provides appropriate body coverage and is free of vulgar or offensive language and/or images on the pool deck; however, guests must have on proper swimming attire to enter the pool.

Guests with improper swim attire will be asked to leave at the discretion of the Aquatic Center Management and/or Director. Refunds will NOT be given for improper swim attire.

Management reserves the right to modify these rules when deemed necessary to ensure order and safety.

If you feel you need an individual accommodation to the Aquatic Center Rules, we invite you to speak with Aquatic Center Management.