



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY	
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	
Council Meeting Date:	4/11/16
Department:	Parks and Recreation
Department Head	Amy Fortenberry
Agenda Coordinator (include phone #): Susan Berger (7255)	

CAPTION

Public Hearing and consideration of an Ordinance of the City of Plano, Texas, adopting Youth Program Standards of Care for the City of Plano; and providing a repealer clause, a severability clause, a savings clause, and an effective date.

FINANCIAL SUMMARY

NOT APPLICABLE
 OPERATING EXPENSE
 REVENUE
 CIP

FISCAL YEAR: 2015-16	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0

FUND(S): N/A

COMMENTS: This item has no immediate financial impact.

STRATEGIC PLAN GOAL: Adopting an Ordinance outlining the standards of care for youth participating in Plano recreation programs and summer camps relates to the City's goal of a Financially Strong City with Service Excellence.

SUMMARY OF ITEM

A portion of the Parks and Recreation Department's (PARD) classes and most of its summer camps meet Chapter 42 of the Human Resources Code's definition of "Day Care" as stated in § 42.002(7). These classes and camps operated by PARD are, however, exempt from state licensing requirements as a Municipal Recreation Program. In order to file for this exemption with the Department of Family and Protective Services Child Care Licensing program, the Human Resources Code requires the City to annually adopt Standards of Care for these programs by Ordinance. These standards will ensure a minimum child/caregiver ratios, minimum employee qualifications, minimum building, health, and safety standards, and a mechanism for monitoring and enforcing the adopted local standards.

City Council in this instance must find the following:

The City Council of the City of Plano adopts the Plano Parks and Recreation Youth Program Standards of Care for providing basic child care regulations for day camp activities operated by the City of Plano Parks and Recreation Department, which include staffing ratios, minimum qualifications, minimum facility, health and safety standards, and mechanisms for monitoring and enforcing the adopted local standards.



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List of Supporting Documents: Ordinance	Other Departments, Boards, Commissions or Agencies

An Ordinance of the City of Plano, Texas, adopting Youth Program Standards of Care for the City of Plano; and providing a repealer clause, a severability clause, a savings clause, and an effective date.

WHEREAS, Texas Human Resources Code § 42.041(b)(14) establishes requirements for exempting recreational programs operated by municipalities for elementary age (5-13) children from childcare licensing requirements; and

WHEREAS, in order to receive exempt status for a youth recreation program, a municipality must adopt standards of care by ordinance after a public hearing for the program; and

WHEREAS, a public hearing for the Plano Parks and Recreation Youth Programs was held on April 11, 2016; and

WHEREAS, the Plano Parks and Recreation Youth Program Standards of Care will provide basic child care regulations for day camp activities operated by the City of Plano Parks and Recreation Department in accordance with Texas Human Resources Code § 42.041(b)(14).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The City Council of the City of Plano adopts the Plano Parks and Recreation Youth Program Standards of Care for providing basic child care regulations for day camp activities operated by the City of Plano Parks and Recreation Department, which include staffing ratios, minimum qualifications, minimum facility, health and safety standards, and mechanisms for monitoring and enforcing the adopted local standards.

Section II. A copy of the Plano Parks and Recreation Youth Program Standards of Care, herein adopted, are attached hereto as Exhibit A and incorporated as if set forth in full.

Section III. All provisions of the Code of Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section IV. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section V. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

Section VI. This Ordinance shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 11th day of April, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY



PLANO PARKS AND RECREATION YOUTH PROGRAM STANDARDS OF CARE

The Standards of Care are intended to be minimum standards by which the City of Plano Parks and Recreation Department will operate its Youth Programs. The programs operated by the City of Plano Parks and Recreation Department are recreational in nature and are not licensed by the state of Texas as certified day care programs.

GENERAL ADMINISTRATION

1. Definitions

- A. City Council: City Council of the City of Plano, Texas
- B. City: City of Plano
- C. Department: City of Plano Parks and Recreation Department
- D. Director: Plano Parks and Recreation Department Director or his/her designee.
- E. Parent(s): One or both Parent(s) or Guardian(s) who have legal custody and authority to enroll their child(ren) in a Plano Parks and Recreation Youth Program.
- F. Participant: A youth whose Parent(s) or Guardian(s) have completed all required registration procedures and has been deemed eligible to participate in a Plano Parks and Recreation Youth Program.
- G. Program Leader or Leader: Plano Parks and Recreation Department full-time, part-time, seasonal, temporary staff, or contract instructor who has been assigned responsibility to implement the Department's Youth Program.
- H. Program Manual: Notebook of policies, procedures, required forms, and organizational and programming information relevant to Plano Parks and Recreation Youth Programs.
- I. Program Site: Area or facility where Plano Parks and Recreation Youth Programs are held.
- J. Program Staff: Plano Parks and Recreation Department full-time, part-time, seasonal, and temporary staff, contract instructor or volunteer assigned responsibility for managing, administering, or implementing some or all portions of one or more Plano Parks and Recreation Department Youth Programs. This definition also includes Program Coordinator and Program Leader.

- K. Recreation Center: One type of facility used to host any program as listed in 1.D.
- L. Recreation Coordinator or Coordinator: Plano Parks and Recreation Department staff who has been assigned administrative responsibility for a Plano Parks and Recreation Department Youth Program.
- M. Superintendent: Plano Parks and Recreation employee with administrative responsibility over one or more facilities in which the Youth Programs are held.
- N. Youth Program or Program: Plano Parks and Recreation Department programs for elementary age (5-13 years) children lasting two (2) or more hours, three (3) days or more per week.

2. Organization

- A. The governing body of the Youth Program is the Plano City Council.
- B. Implementation of Plano Parks and Recreation Department Youth Programs Standards of Care is the responsibility of the Director and Program Staff.
- C. Youth Programs to which these Standards of Care will apply are Plano Parks and Recreation Department programs for elementary age (5-13 years) children lasting two (2) or more hours, three (3) days or more per week.
- D. Each Program Site will have a current copy of the Standards of Care available for the public and Program Staff.
- E. Parents/Guardians of Participants will be given access to the Standards of Care prior to the start of the Youth Program.
- F. Criminal background checks will be conducted on prospective Program Staff. If results of that criminal check indicate that an applicant has been convicted of any of the following offenses, he or she will not be considered for employment or contract:
 - a. A felony or a misdemeanor classified as an offense against a person or family,
 - b. A felony or a misdemeanor classified as public indecency,
 - c. Any offense that would potentially put the City of Plano at risk.
- G. In addition, checks of the Texas Department of Public Safety database for the Texas Sex Offender Registration Program will be conducted on prospective Program Staff. If results of that check indicate that an applicant is a registered sex offender, he or she will not be considered for employment or contract.

3. Inspection/Monitoring/Enforcement

- A. A Pre-summer inspection in May of each year of each Youth Program and site will be initiated by the Recreation Superintendent.
- B. Complaints regarding enforcement of the Standards of Care will be directed to the Recreation Coordinator. The Coordinator will be responsible for taking the necessary steps to resolve the problem. The Coordinator will record complaints regarding enforcement of the Standards of Care and their resolution. The Director will address serious complaints regarding enforcement of the Standards of Care and the complaints and the resolutions will be noted.
- C. The Director will make an annual report to the City Council on the overall status of the Youth Programs and their operation relative to compliance with the adopted Standards of Care.

4. Enrollment

Before a child can attend a Youth Program, Parents/Guardians must register their child and provide the following information:

- a. Child's name, address, phone number
- b. Parents'/Guardians' name, address, and telephone number during program hours
- c. Proof of residency when appropriate
- d. Signed liability waiver (Camp Cimarron, Camp Connections only)

5. Suspected Abuse

- A. Program Staff will report suspected child abuse to the Texas Department of Family and Protective Services, in accordance with the Texas Family Code, telephone number, 1-800-252-5400.
- B. Program Staff will receive information related to child abuse identification and prevention, and how to report suspected abuse.

STAFFING — RESPONSIBILITIES AND TRAINING

6. Recreation Coordinator (Coordinator) Qualifications

- A. Recreation Coordinators will be professional staff of the Department and will be required to have all Program Leader qualifications as outlined in Section 8 of this document.

- B. Coordinators should possess the following combination of experience and training.
 - a. Working knowledge of recreation programming and facilities planning.
 - b. Bachelor's degree in Recreation, Recreation Administration or related field.
 - c. One year experience in developing and implementing recreation programs.
 - d. Any work related experience resulting in acceptable proficiency levels in the above minimum qualifications is an acceptable substitute for the above specified education and experience requirements.
 - e. Current certification in First Aid, Cardio Pulmonary Resuscitation (CPR) Adult and Child, and Automated External Defibrillator (AED).

7. Recreation Coordinator Responsibilities

- A. Coordinators are responsible for administrating the Youth Program's operations in compliance with the adopted Standards of Care.
- B. Coordinators are responsible for recommending for hiring, supervising and evaluating Program Leaders.
- C. Coordinators are responsible for planning, overseeing and evaluating Youth Programs.

8. Program Leader (Leader) Qualifications

- A. Program Leaders will be full-time, part-time, seasonal, temporary staff, or contract instructor, who has been assigned responsibility to implement the Department's Youth Programs.
- B. Leaders should be able to consistently exhibit competency, good judgment and self-control when working with Participants.
- C. Leaders must relate to Participants with courtesy, respect, tolerance and patience.
- D. Leaders must pass a background investigation.

9. Program Leader (Leader) Responsibilities

- A. Leaders will be responsible for providing Participants with an environment in which they can feel safe, enjoy wholesome recreation activities and participate in appropriate social opportunities with their peers.
- B. Leaders will be responsible to know and adhere to all City, Departmental, and Youth Program standards, policies and procedures that apply to the Youth Programs.

- C. Leaders must ensure Participants are released only to a Parent/Guardian or an individual designated by the Parent/Guardian. Release of Participants 7 years of age and older into the recreation center requires prior approval by the Parent/Guardian.

10. Training/Orientation

- A. The Department is responsible for ensuring Youth Program Staff has the training and information necessary to conduct the Youth Programs in accordance with the Standards of Care adopted by the City Council.
- B. Program Staff must be familiar with the Standards of Care for Youth Programs.
- C. Program Staff must be knowledgeable of appropriate procedures to handle emergencies.
- D. Program Staff will be trained in relevant areas including City, Department and Youth Program policies and procedures, recreation activities organization, safety issues, program organization, and other areas as required by assigned Youth Program.

OPERATIONS

11. Staff-Participant Ratio

In a Youth Program, the standard ratio of Participants to Staff is a maximum of 20 to 1, based on age of Participants and average daily attendance.

12. Discipline

- A. Program Staff will execute discipline and guidance in a consistent manner based on the best interests of Participants.
- B. There will be no cruel treatment or harsh punishment (physical or verbal abuse). Examples include, but are not limited to, striking a child, belittling, or screaming at a child.
- C. Program Staff will use brief, supervised, separation (time out) from the group if necessary.
- D. A sufficient number and/or severe nature of discipline incidents, as detailed in the Program Manual, may result in a Participant being suspended from the Youth Program immediately.
- E. Participants will be removed from the Program Site as soon as possible in instances of danger to other Participants or Staff, i.e., hitting or biting other Participants or Staff and damage to any City property.

13. Programming

- A. Program Staff will provide cultural, educational and recreational programs for each group of Participants according to their ages, interests and abilities. The activities will be appropriate to Participant's health, safety and well-being. The activities also will be flexible and promote the Participant's emotional, social and mental growth.
- B. Program Staff will be attentive and considerate of the Participant's safety on field trips and during any transportation provided by the Youth Program.
 - a. During field trips, Program Staff will have authorization for emergency medical care and emergency contact information for each Participant.
 - b. Program Staff will have a written list of the Participants in the group and will check the roll frequently, specifically before departure to and from destination.
 - c. Program Staff will have first aid supplies and a guide to first aid and emergency care available on field trips.

14. Communication

- A. Each remote Program Site will have a cell phone available to allow the Site to be contacted by Program Staff. Each Program Site will have access to a cell phone for use in contacting Program Staff or making emergency telephone calls. At each Program Site the Coordinator will make the following telephone numbers accessible to all Program Staff:
 - a. City of Plano ambulance or emergency medical services
 - b. City of Plano Police Department
 - c. City of Plano Fire Department
 - d. Plano Parks and Recreation Department Administrative Office
 - e. Numbers at which Parents/Guardians may be reached
 - f. Telephone numbers and address for the Program Site itself
 - g. Telephone number of Coordinator's office
 - h. Poison Control

15. Transportation

- A. First aid supplies and a first aid and emergency guide will be available in all Youth Program vehicles that transport Participants.

- B. Seatbelts will be worn if provided.
- C. Participants will be oriented to expected behavior and safety rules.

FACILITY STANDARDS

16. Safety

- A. Program Staff will inspect Program Sites weekly checking for sanitation and safety concerns that might affect the health and safety of the Participants.
- B. Buildings, grounds and equipment on the Program Site will be inspected, cleaned, repaired and maintained to protect the health of the Participants.
- C. Program Site equipment and supplies will be safe for the Participants use.
- D. Program Staff will have first aid supplies available at each Program Site in a designated location, during transportation, and for the duration of any off-Site activity. Program Staff will have an immediate access to a guide for first aid and emergency care.

17. Fire

- A. In case of fire, danger of fire, explosion or other emergency, Program Staff's first priority is to evacuate the Participants to a pre-designated safe area.
- B. Each indoor Program Site will have an annual fire inspection by the Plano Fire Department, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Director who will review it and establish the deadline and criteria for compliance.
- C. Each indoor Program Site will have at least one fire extinguisher approved by the Fire Marshall readily available to all Program Staff.

18. Health

- A. Illness or Injury
 - a. A Participant who is considered to be a health or safety concern to other Participants or Program Staff will not be admitted to the Youth Program.
 - b. Illnesses and injuries will be handled in a manner to protect the health of all Participants and Program Staff. Participants having a fever over 100 degrees will not be allowed back into the Program for 24 hours.

- c. Program Staff will follow emergency procedures for injured Participants or for Participants with symptoms of an acute illness as specified in the Program Manual.
- d. Program Staff will follow the recommendations of the Texas Department of State Health Services concerning the admission or readmission of any Participant after a communicable disease and a doctor's note may be required allowing Participant's re-admission to the Program.
- e. Should Program Staff suspect that a Participant may have a communicable disease (pink eye, lice, ring worm, strep throat, etc.), the Parent will be asked to pick up the child immediately. A doctor's note may be required before the Participant may return to the Program.

B. Toilet Facilities

- a. Each Program Site will have toilets located and equipped so Participants can use them independently and Program Staff can monitor as needed.
- b. There will be one toilet for every 30 Participants. Urinals may be counted in the ratio of toilets to Participants, but will not exceed 50% of the total number of toilets.
- c. An adequate number of lavatories will be provided.

C. Sanitation

- a. Each indoor Program Sites will have adequate light, ventilation, air conditioning and heat.
- b. Each Program Site will have an adequate supply of water meeting the Texas Department of State Health standards for drinking water. Water will be supplied to the Participants in a safe and sanitary manner.
- c. Garbage will be removed from Program Sites daily.
- d. All waste matters will be kept in a leak-proof, covered container.

D. Special Needs

- a. Every reasonable accommodation will be made to address special needs Participants.
- b. For health and safety reasons, special needs Participants must provide a personal attendant for assistance in feeding, changing of clothes, and using the restroom.