



CITY COUNCIL

AGENDA REQUEST

AGENDA OF:	05-15-12	AGENDA REQUEST NO:	V-A
INITIATED BY:	HEATHER BLUEJACKET RECREATION MANAGER <i>HB</i>	RESPONSIBLE DEPARTMENT:	PARKS & RECREATION
PRESENTED BY:	HEATHER BLUEJACKET RECREATION MANAGER	DIRECTOR:	JIM BROWNE, DIRECTOR OF PARKS & RECREATION <i>JB</i>
	JIM BROWNE DIRECTOR OF PARKS & RECREATION	ADDITIONAL DIRECTOR (S):	N/A

SUBJECT / PROCEEDING: ANNUAL RENEWAL OF STANDARDS OF CARE ORDINANCE FOR RECREATIONAL YOUTH PROGRAMS.

EXHIBITS: ORDINANCE NO.1858

CLEARANCES		APPROVAL	
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LEGAL:	KYLE THOMAS <i>KGT</i> ASSISTANT CITY ATTORNEY	ASSISTANT CITY MANAGER:	KAREN DALY <i>Kd</i>
PURCHASING:	N/A	ASSISTANT CITY MANAGER:	N/A
BUDGET:	N/A	CITY MANAGER:	ALLEN BOGARD <i>Allen Bogard</i>

BUDGET	
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EXPENDITURE REQUIRED: \$	N/A
CURRENT BUDGET: \$	N/A
ADDITIONAL FUNDING: \$	N/A

RECOMMENDED ACTION

Hold public hearing and adopt in accordance with Chapter 42.04 1(b) (14) of the Texas Human Resources Code, Ordinance No. 1858 establishing Standards of Care for City of Sugar Land Youth Programs.

EXECUTIVE SUMMARY

Chapter 42.04 1(b) (14) of the Texas Human Resources Code stipulates the following: an elementary-age (ages 5-13) recreation program operated by a municipality annually adopts standards of care by ordinance after a public hearing for such programs by the governing body of the municipality, that such standards are provided to the parents of each program participant, and that the ordinances shall include, at a minimum, staffing ratios, minimum staff qualifications, minimum facility, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and further provides that parents be informed that the program is not licensed by the state and the program may not be advertised as a child-care facility. The purpose is to clearly delineate that the City is providing a youth “program” with a recreational purpose and not providing a “day care” facility or program. As a youth program, the City will be required to apply for an exemption from the Texas Department of Family and Protective Services which regulates child-care facilities.

The “Standards of Care” being submitted for City Council approval are consistent with past practices and policies. Every parent of the Summer Day Camp Program will be provided with a copy of the document.

The Parks and Recreation Department is requesting that the City Council hold a public hearing and consider adoption of Ordinance No. 1858 by first and final reading, establishing Standards of Care for the City of Sugar Land Youth Programs. There is no notice required for the Public Hearing associated with this item. Pending approval, the City will apply for an exemption from the Texas Department of Family and Protective Services.

EXHIBITS

ORDINANCE NO. 1858

AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, ADOPTING THE STANDARDS OF CARE FOR RECREATIONAL YOUTH PROGRAMS PUT ON BY THE CITY OF SUGAR LAND'S PARKS AND RECREATION DEPARTMENT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS:

Section 1. That the following standards of care for recreational programs and activities operated by the City of Sugar Land Parks and Recreation Department are adopted:

SUGAR LAND RECREATIONAL YOUTH PROGRAMS STANDARDS OF CARE

Pursuant to Section 42.041(b)(14) of the Texas Human Resources Code, the following standards of care have been adopted by the City Council of the City of Sugar Land, Texas, for recreational programs and activities.

The Standards of Care are intended to be minimum standards by which the City of Sugar Land Parks and Recreation Department will operate all recreational programs and activities. The program operated by the City is recreational in nature and is not licensed by the State of Texas as a certified day care program.

GENERAL ADMINISTRATION

1. Organization
 - A. The governing body of the City of Sugar Land's Recreational Youth Programs is the City of Sugar Land City Council.
 - B. Implementation of the Recreational Youth Programs Standards of Care is the responsibility of the Parks and Recreation Department Director and Departmental employees.
 - C. The program site will have a current copy of the Standards of Care available for public and staff review.
 - D. Parents of participants will be provided a Parent Handbook outlining the general details of the Standards of Care during the registration process. Additionally, a current complete copy will always be available to parents.
 - E. Criminal background checks and drug screens will be conducted on prospective employees whether full time, part time, seasonal, or temporary. 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:
 - (1) a felony or a misdemeanor classified as an offense against a person or family;
 - (2) a felony or misdemeanor classified as public indecency;

- (3) a felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance;
- (4) any offense involving moral turpitude;
- (5) any offense that would potentially put children and youth participants or the City of Sugar Land at risk.

2. Definitions

- A. City: City of Sugar Land
- B. City Council: City Council of the City of Sugar Land
- C. Department: Parks and Recreation Department of the City of Sugar Land
- D. Children and Youth Program: All Recreational Youth Programs hosted by the City
- E. Parent Handbook: Handbook of policies, procedures, required forms, and organizational and programming information relevant to Program.
- F. Director: City of Sugar Land Parks and Recreation Department Director or his or her designee.
- G. Recreation Manager: City of Sugar Land Parks and Recreation Department full-time manager over the Imperial Park Recreation Center including all recreational youth programming.
- H. Recreation Program Coordinator: City of Sugar Land Parks and Recreation Department full-time Coordinators who have been assigned direct responsibility for a Program.
- I. Program Site: Facility where program is being held; Imperial Park Recreation Center, City of Sugar Land Community Center and various parks within the City.
 - Program Site:
 - Imperial Park Recreation Center: 234 Matlage Way in the City of Sugar Land
 - Sugar Land Community Center: 226 Matlage Way in the City of Sugar Land
 - Various parks within the City of Sugar Land
- J. Participant: A youth whose parent(s) have completed all required registration procedures and determined to be eligible for a Program
- K. Parent(s): This term will be used to represent one or both parent(s) or adults who have legal custody and authority to enroll their child(ren) in Programs.
- L. Employee(s), Recreation Coordinators, or Staff: Terms used to describe people who have been hired to work for the City of Sugar Land and have been assigned direct responsibility for managing, administering, or implementing day to day operation of the program.

3. Monitoring/Enforcement

- A. The Program Supervisor will make visual inspections of the program on daily basis.
- B. Complaints regarding enforcement of the Standards of Care will be directed to the Recreation Program Coordinator. The Recreation Program Coordinator will be responsible for taking the necessary steps to resolve the problems. Complaints regarding enforcement of the Standards of Care and their resolution will be recorded by the Recreation Program Coordinator. Serious complaints regarding enforcement of the Standards of Care will be addressed by the Recreation Manager and the complaint and the resolution will be noted.
- C. The Recreation Program Coordinator and Recreation Manager will make an annual report to the Director on the overall status of the Recreational Programs and their operation relative to compliance with the adopted Standards of Care.

4. Enrollment

- A. Before a child can be enrolled, a parent must sign registration forms that contain:
 - (1) the child's name, address, home telephone number;
 - (2) the child's parents' name(s) and address(es) and telephone number(s) during Program hours;
 - (3) the names and telephone numbers of people to whom the child can be released;
 - (4) a statement of the child's special problems or needs;
 - (5) emergency medical authorization; and
 - (6) proof of residency when appropriate.

5. Suspected Abuse

Program staff will report suspected child abuse or neglect in accordance with the Texas Family Code. In the case where a City employee is involved in an incident with a child that could be construed as child abuse, the incident must be reported immediately to the Recreation Program Coordinator, Recreation Manager, Assistant Director and Director. The Police Department and any other agency as may be appropriate will be notified immediately.

Texas state law requires the staff of these youth programs to report any suspected abuse or neglect of a child to the Texas Department of Protective and Regulatory Services or a law enforcement agency. Failure to report suspected abuse is punishable by fines up to \$1,000 and/or confinement up to 180 days. Confidential reports may be made by calling 1-800-252-5400.

STAFFING - RESPONSIBILITIES AND TRAINING

5. Recreation Manager Qualifications

- A. Recreation Manager will be full-time, professional employee of the City of Sugar Land Parks and Recreation Department and will be required to have all Recreation Manager qualifications as outlined in the Job Description on file at the City of Sugar Land Personnel Department.
- B. Bachelor's Degree in Parks and Recreation, Public Administration, or a related field from an accredited school or university.
- C. Minimum of five years of progressively responsible experience in a parks, recreation, or related discipline. Including two years of supervisory experience.
- D. Recreation Manager must pass a background investigation including testing for illegal substances.

6. Recreation Manager Responsibilities

- A. Manages the planning, development, implementation, evaluation, and promotion of comprehensive recreational programs and services.
- B. Supervises operation and maintenance of recreation and related facilities.
- C. Supervises program and facility staff members, including scheduling, training, evaluations, and hiring.

7. Recreation Coordinators Qualifications

- A. Recreation Coordinators will be full-time, professional employees of the City of Sugar Land Parks and Recreation Department and will be required to have all Recreation Coordinator qualifications as outlined in the Job Description on file at the City of Sugar Land Personnel Department.
- B. Recreation Coordinators must have a bachelor's degree from an accredited college or university. Acceptable degrees include:
 - (1) Recreation Administration or General Recreation
 - (2) Physical Education
 - (3) any other comparable degree plan that would lend itself to working in a public recreation environment
- C. Recreation Coordinators must have two years experience planning and implementing recreational activities.
- D. Recreation Coordinators must pass a background investigation including testing for illegal substances.

8. Recreation Coordinator's Responsibilities

- A. Recreation Coordinators are directly responsible for administering the Program operations in compliance with the adopted Standards of Care.
- B. Recreation Coordinators are responsible for hiring, supervising, and evaluating staff; part –time, seasonal, and temporary.
- C. Recreation Coordinators are responsible for planning, implementing, and evaluating programs.

9. Seasonal/Temporary Staff Qualifications

- A. Seasonal staff will be part-time or temporary employees of the Parks and Recreation Department.
- B. Seasonal staff working with children must be age 16 or older.
- C. Seasonal staff should be able to consistently exhibit competency, good judgment, and self-control when working with children.
- D. Seasonal staff must relate to children with courtesy, respect, tolerance, and patience.
- E. Seasonal staff must pass a background investigation including testing for illegal substances.

10. Seasonal Staff Responsibilities

- A. Seasonal Staff will be responsible for providing participants with an environment in which they can feel safe, can enjoy wholesome recreation and education activities, and can participate in appropriate social opportunities with their peers.
- B. Seasonal Staff will be responsible for knowing and following all City, Departmental, and Program standards, policies and procedures that apply to City of Sugar Land’s youth programs.
- C. Seasonal Staff must ensure that participants are released only to a parent or an adult designated by the parent in writing. All Program sites will have a copy of the Department approved plan to verify the identity of a person authorized to pick up a participant.

11. Training/Orientation

- A. The Department is responsible for providing training and orientation to employees in working with children and for specific job responsibilities. Recreation Coordinators will provide each Seasonal Staff with an employee manual. There will be a formal training session discussing all areas of the employee manual.
- B. Seasonal Staff must be familiar with the Standards of Care for the Recreational Youth Programs

- C. Seasonal Staff must be familiar with the Department's policies including discipline, guidance, and release of participants as outlined in the counselor manual.
- D. Seasonal Staff will be trained in appropriate procedures to handle emergencies

12. Part-Time Staff Qualifications

- A. High School Diploma
- B. Valid Class "C" Texas Drivers License
- C. One year experience working in municipal recreation preferred
- D. Knowledge of administrative skills

13. Part-Time Staff Responsibilities

- A. Assist with program registration, reservations, administrative work, and maintenance of facility
- B. Assist in facilitation of programs and activities
- D. Maintain good public relations and address citizen complaints in a courteous and professional manner

14. Part-Time Staff Training/Orientation

- A. The Imperial Park Recreation Center full-time staff is responsible for providing training and orientation to part-time employees in working with community members and for specific job responsibilities. Recreation Coordinators will provide each Part-time Staff with an employee manual. There will be a formal training session discussing all areas of the employee manual.
- B. Part-time Staff must be familiar with the Department's policies including discipline, guidance, and release of participants as outlined in the employee manual.
- C. Part-time staff must be familiar with Imperial Park Recreation Center Policies and Procedures including but not limited to dress code, code of conduct, and customer service expectations

OPERATIONS

13. Staff-Participant Ratio

- A. In Youth Programs, the standard ratio of participants to Staff will be 7 to 1. In the event an employee is unable to report to the program site, a replacement will be assigned.
- B. Each participant shall have a staff member who is responsible for him or her and who is aware of the participant's habits, interests, and any special problems as identified by the participant's parent(s) during the registration process.

14. Discipline

- A. Program Staff will implement discipline and guidance in a consistent manner based on the best interests of the participants.
- B. There must be no cruel or harsh punishment or treatment.
- C. Corporal punishment is prohibited.
- D. Program Staff may use brief, supervised separation from the group if necessary.
- E. As necessary, Program Staff will initiate discipline reports to the parent(s) of participants. Parents will be asked to sign discipline reports to indicate they have been advised about specific problems or incidents.
- F. A sufficient number and/or severe nature of discipline reports as detailed in the Parent Handbook may result in a participant being suspended from the Program.
- G. In instances where there is a danger to participants or staff, offending participants will be removed from the Program site as soon as possible.

13. Programming

- A. Program Staff will attempt to provide activities for each group according to the participants' ages, interests, and abilities. The activities must be appropriate to the participants' health, safety, and well-being. The activities also must be flexible and promote the participants' emotional, social, and mental growth.
- B. Program Staff will attempt to provide indoor and outdoor time periods that include:
 - (1) alternating active and passive activities;
 - (2) opportunity for individual and group activities, and
 - (3) outdoor time each day weather permits.
- C. Program Staff will be attentive and considerate of the participants' safety on field trips and during any transportation provided by the program.
 - (1) During trips, staff supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant.
 - (2) Staff must have a written list of the participants in the group and must check the roll frequently.
 - (3) Staff must have access to first aid supplies.

14. Communication

- A. The Recreation Program Coordinator will post the following telephone numbers, as necessary at the Program site:
 - (1) 911 for emergency medical, City of Sugar Land Police and Fire departments
 - (2) City of Sugar Land Parks and Recreation Department.

15. Transportation

- A. First aid supplies and a first aid and emergency care guide will be available in all vehicles that transport children.
- B. All vehicles used for transporting participants must have available a portable fire extinguisher which will be installed in the passenger compartment of the vehicle and must be accessible to the adult occupants.

FACILITY STANDARDS

16. Safety

- A. Program Staff will inspect the program site daily to detect 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. All equipment and supplies must be safe for the participants' use.
- D. First aid supplies must be readily available at the Program site during transportation to an off-site activity, and for the duration of any off-site activity.
- E. Air conditioners, electric fans, and heaters must be mounted out of participants' reach or have safeguards that keep participants from being injured.
- F. Program Staff must have first aid supplies readily available to staff in a designated location.

17. Fire

- A. In case of fire, danger of fire, explosion, or other emergency, staffs' first priority is to evacuate the participants to a designated safe area.
- B. The Imperial Park Recreation Center will have an annual fire inspection by the Fire Marshal, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Assistant Director who will review and establish deadlines and criteria for compliance.

- C. The Imperial Park Recreation Center must have an appropriate number of fire extinguishers approved by the Fire Marshal readily available to all employees. All employees will be trained in the proper use of fire extinguishers.

18. Health

A. Illness or Injury

- (1) A participant who is considered to be a health or safety concern to other participants or employees will not be admitted to the recreational program.
- (2) Illnesses and injuries will be handled in a manner to protect the health of all participants and employees.
- (3) Program Staff will follow plans to provide emergency care for injured participants with symptoms of an acute illness as specified in the Parent Handbook.
- (4) Program Staff will follow the recommendation of the Texas Department of Health concerning the admission or readmission of any participant after a communicable disease.

B. Program Staff will administer medication only if:

- (1) Parent(s) complete and sign a medication form that provides authorization for staff to dispense medication with details as to time and dosages. The form will include a hold harmless clause to protect the City of Sugar Land and employees.
- (2) Prescription medications are in the original containers labeled with the child's name, a date, directions, and the physician's name. Program employees will administer the medication only as stated on the label. Program employees will not administer medication after the expiration date.
- (3) Nonprescription medications are labeled with the child's name and the date the medication was brought to the program. Nonprescription medication must be in the original container. Program employees will administer it only according to label direction.
- (4) Program Staff must ensure medications are inaccessible to participants or, if it is necessary to keep medications in the refrigerator (when available); medications will be kept separate from food.

C. Toilet Facilities

- (1) The Imperial Park Recreation Center will have inside toilets located and equipped so children can use them independently and Program staff can supervise as needed.

- (2) There must be one flush toilet for every 30 children. Urinals may be counted in the ratio of toilets to children, but they must not exceed 50% of the total number of toilets.
- (3) An appropriate and adequate number of lavatories will be provided.
- (4) Toilet facilities may be provided in a building adjacent to the program site.

D. Sanitation

- (1) The Imperial Park Recreation Center must have adequate light, ventilation, and heat.
- (2) The program must have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and ensure that it will be supplied to the participants in a safe and sanitary manner.

19. Complaints

A. Parental or participant complaints will be reviewed by the Recreation Program Coordinator for assessment, and the Recreation Program Coordinator will initiate a corrective action concerning the complaint.

B. Parental or participant complaints of a serious nature.

- (1) The Recreation Program Coordinator will immediately contact the Assistant Director.
- (2) Recreation Program Coordinator will commence a dialog with the complaining person(s) to establish an appropriate response.
- (3) Recreation Program Coordinator will initiate a corrective action concerning the complaint.
- (4) There will be immediate notification to the Assistant Director by the Recreation Program Coordinator concerning the nature and disposition of the complaint.
- (5) Complaints of serious nature will be included in the quarterly report to the Assistant Director.

Section 2. That the provisions of this ordinance are severable and the invalidity of any part of this ordinance will not affect the validity of the remainder of the ordinance.

Section 3. That this ordinance is effective upon first consideration, five or more members of the Council having voted to dispense with the requirement that this ordinance be considered on two separate days after determining an emergency exists because there is an immediate need to preserve and protect the peace, health, safety, or welfare of the community.

APPROVED AND ADOPTED on _____, 2012.

James A. Thompson, Mayor

ATTEST:

Glenda Gundermann, City Secretary

Reviewed for Legal Compliance:

A handwritten signature in black ink, appearing to be initials or a stylized name, located below the 'Reviewed for Legal Compliance:' text.