

**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 December 14, 2020; 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, is 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Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance shall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 14<sup>th</sup> day of December, 2020.

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Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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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**

#### **I. 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. Recreation Supervisor: Recreation Coordinator's supervisor who handles administrative responsibility for Youth Programs if the Recreation Coordinator is absent.
- H. Recreation Coordinator: Plano Parks and Recreation Department programmer who has been assigned responsibility for one or more Youth Programs.
- I. 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.
- J. Program Manual: Notebook of policies, procedures, required forms, and organizational and programming information relevant to Plano Parks and Recreation Youth Programs.
- K. Program Site: Area or facility where Plano Parks and Recreation Youth Programs are held.

- L. 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 Recreation Supervisor, Recreation Coordinator and Program Leader.
- M. Recreation Center: One type of facility used to host one or more Programs.
- N. Superintendent: Plano Parks and Recreation employee with administrative responsibility over one or more facilities in which the Youth Programs are held.
- O. 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.

## **II. 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. A current copy of the Standards of Care is available for view on the City's website for parents of participants to view at any time.
- 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.

### **III. Inspection/Monitoring/Enforcement**

- A. The Recreation Supervisor will initiate a Pre-summer inspection in May of each year of each Youth Program and site.
- 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.

### **IV. 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, email and phone number during program hours
- c. Proof of residency when appropriate
- d. Signed liability waiver and release forms needed for program

### **V. 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**

### **VI. 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).

## **VII. 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.

## **VIII. 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.

## **IX. 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 for knowing and adhering to all City, Departmental, and Youth Program standards, policies and procedures that apply to the Youth Programs.
- C. Leaders will ensure Participants are released only to a Parent/Guardian or an individual designated by the Parent/Guardian. Release of Participants 10 years of age and older into the recreation center requires prior approval by the Parent/Guardian.

**X. 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.
- E. All Program Staff will have First Aid, Cardio Pulmonary Resuscitation (CPR) Adult and Child, and Automated External Defibrillator (AED) certifications.

**OPERATIONS**

**XI. Staff-Participant Ratio**

- A. 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.

**XII. 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 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.

### **XIII. Programming**

- A. Program Staff will provide cultural, educational and recreational programs for each group of Participants according to their ages, interests and abilities.
- B. Activities will be appropriate to Participant's health, safety and well-being.
- C. Activities will be flexible and promote the Participant's emotional, social and mental growth.

### **XIV. 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

### **XV. Transportation**

- A. Program staff will be attentive and considerate of the Participants' safety during any transportation provided by the Program.
- B. During field trips, Program Staff will have authorization for emergency medical care and emergency contact information for each Participant.



- C. 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.
- D. First aid supplies and a first aid and emergency guide will be available in all Youth Program vehicles that transport Participants.
- E. Seatbelts will be worn if provided.
- F. Participants will be oriented to expected behavior and safety rules.

## **FACILITY STANDARDS**

### **XVI. 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.

### **XVII. 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.

### **XVIII. Health**

- A. Illness or Injury
  - a. A Participant who is considered 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 of 100 degrees or more will not be allowed back into the Program for a minimum of 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, ringworm, 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. Medications

- a. Medications are considered to be any pills, liquids, inhalers, sprays, eye drops, ear drops, cough drops or topically applied creams or ointments that are expected to relieve symptoms.
- b. Any medication, prescription or over the counter, must be accompanied by a completed Medication Administration Request and Authorization Form and turned in to the Parks and Recreation staff member overseeing the program. Staff may require renewal of the form at any point in time.
- c. Written permission from parents and physician is required for participants to carry and self-administer medications. Staff may require renewal of the written permission at any time. Only insulin, asthma reliever inhalers or emergency epinephrine, will be allowed as self-carry medications. All other medications must be turned in and administered by Parks and Recreation staff.
- d. Only medications that cannot be given at home will be given during program hours.
- e. Only a one day supply of medication will be accepted each day.
- f. It is recommended that the first dose of any medication be given at home where the parent can monitor the effects.
- g. Intramuscular injections (IM) will only be administered by Parks and Recreation staff in life-threatening situations per physician emergency action plans. Injections, intravenous (IV) medications, rectal medications and medications that require special knowledge, skills or training to administer will not be administered by Parks

and Recreation staff. Should these be necessary, a parent must contact Plano Parks and Recreation at least 2 weeks prior to the start of the program so arrangements for proper medication administration can be made.

- h. Prescription and OTC medication must be in the original labeled pharmacy container and will be administered in compliance with the prescription instructions printed on the label.
- i. Expired medications will not be administered.

#### C. 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.

#### D. 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.

#### E. 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.