

ORDINANCE NO. 4348

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, ADOPTING STANDARDS OF CARE FOR EARLY CHILD DEVELOPMENT PROGRAMS OFFERED BY THE RICHARDSON PARKS AND RECREATION DEPARTMENT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Administrative Code 40 TAC 745.115(3) establishes requirements to exempt recreational programs operated by municipalities for elementary age (5-13) children from State child care licensing; and

WHEREAS, 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, then submit a copy of program standards, a notice of the public hearing for the program and a copy of the ordinance adopting the standards to the State; and

WHEREAS, the City Council, after conducting a public hearing and affording a full and fair hearing to all citizens, and in the exercise of legislative discretion, has concluded that the attached standards of care should be approved.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:

SECTION 1. That the standards of care for early child development programs offered by the Parks and Recreation Department of the City of Richardson, Texas, attached hereto as Exhibit "A", are hereby adopted. As required by Texas Administrative Code, Section 40.745.115(3), the Standards adopted by this Ordinance include staffing ratios; minimum staff qualifications; minimum facility, health, and safety standards; and mechanisms for monitoring and enforcing the adopted local standards.

SECTION 2. That all provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

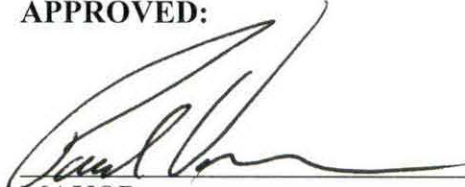
SECTION 3. That if any section, paragraph, clause or provision of this Ordinance shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 4. That this Ordinance shall take effect upon its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 20th day of April 2020.



APPROVED:


MAYOR

CORRECTLY ENROLLED:


CITY SECRETARY

APPROVED AS TO FORM:


CITY ATTORNEY
(PGS:02-17-20:TM 113895)

STANDARDS OF CARE

The City of Richardson is not regulated by any licensing agency because it is a municipality program.

CITY OF RICHARDSON EARLY CHILD DEVELOPMENT PROGRAMS STANDARDS OF CARE

I. GENERAL INFORMATION/ADMINISTRATION

- A. Purpose: To provide basic childcare regulations for recreation activities operated by the Richardson Parks and Recreation Department. This will allow the department to qualify as exempt from requirements of the Texas Human Resources Code.
 - B. Implementation: Program will be the responsibility of the Parks & Recreation Department, with a Heights and Huffhines Recreation Manager supervising the overall program and Recreation Instructors – Early Child Development to administer the program on-site.
 - C. Programs: Regulations apply to one on-going program:
Early Child Development Programs 5 to 6 yr olds
 - D. Other: Each site will make available for the public and staff a current copy of the Standards of Care. Parents of participants will be provided a copy of Standards of Care during the registration process or can find it on our website at www.cor.net/parks.
 - E. Program Sites and hours:
 - Heights Recreation Center: 711 W. Arapaho Rd., Monday through Friday 9am to 3pm
 - Huffhines Recreation Center: 200 N. Plano Rd., Monday through Friday 9am to 3pm
- Program follows Richardson Independent School District holiday schedule and limits summer offerings. Program times vary during the weekdays.
- F. Early Child Development Objectives
 - 1. To offer a program wide in scope and varied in activities of different recreational activities including socializing and preparation for the school setting.
 - 2. To provide a pleasant and memorable experience in a loving atmosphere.
 - 3. To provide a safe environment always promoting good health and welfare for all.
 - 4. To teach children how to interact with others and in a classroom setting while also engaging in leisure time, in an effort to meet several needs: emotional, physical and social.

- G. Exemption Status: Once an exempt status is established, the Licensing Division will not monitor the recreational program. The Licensing Division will be responsible for investigating complaints of unlicensed childcare and for referring other complaints to the municipal authorities or, in the case of abuse/neglect allegation, to the local police authorities.

EXHIBIT "A"

- H. Standards of Care Review: Standards will be reviewed annually and approved by the City Council after a public hearing is held to pass an ordinance regarding section 42.041(b)(14) of the Human Resources Code.
- I. Child Care Licensing will not regulate these programs nor be involved in any complaint investigation related to the program.
- J. Any parent, visitor or staff may register a complaint by calling Heights Recreation Center at 972-744-7850 or calling Huffhines Recreation Center at 972-744-7881 during the hours of 8 a.m. to 5 p.m. Monday through Friday.

II. STAFFING

- A. **Recreation Instructor – Early Child Development:** Job Descriptions and Essential Job Functions

Essential Job Functions:

- 1. Develop a careful and creative program suitable for preschool children.
- 2. Employ a variety of educational techniques (storytelling, educational play, physical activity, etc.) to teach children.
- 3. Supervise large groups of children both visually and audibly, to ensure health/safety standards are maintained.
- 4. Track children's progress and report to parents or guardians.
- 5. Communicate courteously and effectively with other city employees, citizens, and parents/guardians.
- 6. Maintain a clean and tidy classroom consistent with health safety standards and to ensure a safe environment for participants.
- 7. Prepare materials and classrooms for class activities.
- 8. Select, store, order, issue, and inventory classroom equipment materials and supplies following City purchasing procedures and department budget procedures.
- 9. Perform other job duties as assigned.

- B. Criminal Background Checks: Criminal background checks will be conducted on prospective Recreational Instructors and Recreational employees.
- C. A prospective employee will be subject to a drug test prior to hiring.
- D. Staffing Ratios: The staff ratio will be 1 staff member per 10 children, ages 5-6 while on site.

III. FACILITY STANDARDS

- A. Emergency evacuation and relocation plans are posted at each facility.
- B. Facility Managers and Recreation Instructors are responsible for inspecting the classrooms frequently for any sanitation or safety concerns. Those concerns should be passed on to the Facility Manager.
- C. Each recreation center will have a first aid kit. It will be checked and stocked on a bi-monthly basis by the Recreation Instructors. First aid kits to include at the minimum: bandages, first aid cream, rubber gloves, Neosporin, alcohol wipes, hot/cold packs, gauze, tweezers, ace bandages and scissors.

EXHIBIT "A"

- D. In a situation where evacuation is necessary, the first priority of staff is to make sure all participants are in a safe location.
- E. Program sites are inspected annually by the Fire Marshall. Each Facility Manager is responsible for compliance with Fire Marshall's directives.
- F. The recommended number of fire extinguishers is inspected annually and indicate that they are properly charged.
- G. Medication, prescription or over the counter, can only be administered by parents. Parents must make arrangements for the participant to be given any medications necessary during the program time.
- H. Each indoor site shall have adequate indoor toilets and lavatories located such that children can use them independently and program staff can supervise as needed. Ratio of toilet to children will be 1:15.

IV. SERVICE STANDARDS-Recreation Instructors

The following information will be provided to each member of the City staff as a part of the guidelines:

- A. Professional casual dress attire and tennis shoes or closed toed shoes are to be worn at all times.
- B. City issued employee identification card or badge. should be worn and clearly visible at all times.
- C. Program participants and parents will be treated with respect at all times.
- D. The Recreational Instructor shall resolve complaints or to relay a complaint to the Facility Manager, personally, if you are unable to resolve the issue. Do not refer a customer to another staff person. Make sure to take the customer's name and phone number, investigate complaint resolution and then follow up with the customer.
- E. Recreation Instructor shall keep parents informed of program activities. A monthly schedule shall be distributed during the first class, posted in the classroom and extra copies shall be kept with the daily sign in log.
- F. Recreation Instructors shall note details of behavior of participants (accomplishments, discipline problems, general activities, etc.) and shall provide verbal update parents on a daily basis if there is a problem.
- G. Recreation Instructor shall monitor the sign in/out log at all times.
- H. Recreation Instructor shall clean the classroom after each activity. Floors will be swept/vacuumed, tables and chairs wiped clean, supplies put away. This is extremely important for sanitary reasons.
- I. Recreation Instructors shall spend 100% of the instructor's time actively involved with the participants and/or parents.

V. OPERATIONAL ISSUES

- A. **Emergency phone numbers** shall be kept with the Front Desk City Staff at each Recreation Center. Those numbers shall include fire, police, and ambulance services.

EXHIBIT "A"

- B. **A Standards of Care and handbook** shall be provided to each Recreation Instructor – Early Childhood Development and Facility Manager involved with the Early Childhood Development program. An additional manual shall be located at each site where all City staff may have access to the manual, which outlines the following:
1. Discipline Issues
 2. City Rules and Regulations
 3. Forms that must be completed
 4. Service Standards
 5. Ways to interact with children
- C. **Sign-in and Sign-out** sheets shall be used every day. Only adults listed on the sign-in/out release sheet shall be allowed to pick up children. An authorized person must enter the building, present appropriate identification and sign the sheet in order for City staff to release the child.
- D. **Emergency evacuation** and relocation plans shall be posted at each facility.
- E. **Enrollment** information shall be kept and maintained for each child and include:
1. Child's name, birth date, home address and phone numbers where parents may be reached during the day.
 2. Names and telephone numbers of persons to whom the child can be released.
 3. Liability waiver
- F. **City Staff shall immediately** notify the parent or other person authorized by the parent when the child is injured or has been involved in any situation that has placed the child at risk.
- G. **City Staff shall immediately notify** parents of children in the facility when there is an outbreak of a communicable disease in the facility that is required to be reported to the County Department of Health or other agency. City Staff shall notify parents of children in a group when there is an outbreak of lice or other infestation in the group.
- H. **Discipline**
1. Discipline and guidance of children shall be implemented in a consistent manner based on the Richardson Parks and Recreation Behavior Modification and Re-Enforcement Policy:
 - A. All disciplinary actions shall begin with verbal warning and then followed up with a parent.
 - B. **First Offense** – child is redirected and reminded of behavior guidelines and program rules, given time out away from scheduled activities, and provided an opportunity to correct behavior.
 - C. **Second Offense** – the parent shall be contacted for child to be picked up to go home for the day.
 - D. **Third Offense** – child shall be removed from the program.
 - E. **City reserves the right at any time to remove or expel a child from the program based on the severity of incident.**
 2. Under no circumstances shall there be cruel or harsh punishment or treatment.
 3. Incident reports will be completed for any disciplinary cases, and the relevant information shall be shared with parents when picking up the child or sooner, when extreme cases occur.
 4. A deliberate action of harm to any participant or counselor, vandalism, possession of a concealed weapon or controlled substance, emotional outbursts or tantrums,

EXHIBIT "A"

uncooperative attitude or any severe discipline problem disruptive to the program will result in immediate measure to remove the child from the program.

I. Illness & Injury

1. Parents shall be notified in cases of child illness or injury.
2. An ill child, or a child suspected of having a temperature accompanied by behavior changes, or other symptoms shall not be allowed to participate in the program until a medical evaluation indicates that child may participate in program activities. Children with temperatures higher than 99.9 degrees, shall not be allowed to participate in the program until the child has been fever free for 24 hours.
3. In the event an injury that cannot be administered through basic first aid, the City staff shall dial 911 and contact emergency responders.
4. When an injury occurs, an incident report shall be completed. The original of the completed report shall be provided to the Recreation Center Manager's office and a copy maintained in the files of the Recreation Center.

VI. GENERAL GUIDELINES FOR CHILDREN

As a part of the Guidelines, City staff shall be provided the following instruction and information:

- A. Children shall stay off of tables, counter tops, etc.
- B. Children should walk in the building. Running is permitted only in designated areas.
- C. Bouncing and throwing balls is permitted only in the gym.
- D. Active games using equipment that can cause damage to window, shades, lights, and ceilings shall only be played in the gym.
- E. Children shall show respect for City staff and other participants.
- F. Children shall wear shoes at all times.
- G. Children shall be contained and shall not be allowed to mingle with the general public. City staff is required to know where each child is located AT ALL TIMES.

VII. CHILD ABUSE AND NEGLECT

Texas law requires all child care professionals to report any suspected forms of child abuse or neglect. City staff shall document and report to the applicable agencies and authorities of any suspected child abuse or neglect after conducting an investigation if applicable.

VIII. ACTIVITIES

- A. Activities for each program should be planned based on the program theme and age. Each activity should relate and be appropriate.
- B. A monthly calendar of activities shall be posted at the Recreation Center and provided to the parents the first day of the program.
- C. This program does not include any field trips or participation in outdoor water activities.

EXHIBIT "A"

IX. MONITORING AND ENFORCEMENT

These Standards of care shall be monitored and enforced by applicable responsible City Department responsible for their respective areas as identified:

- A. Health and safety standards shall be monitored and enforced by the City's Police, Fire, Health and Code Enforcement Departments and Divisions.
- B. City Staff and program issues shall be monitored and enforced by the Parks and Recreation Department. The Recreation Facility Manager shall visit the program on a regular basis. Recreation Instructors are responsible for visually checking the program activities on a daily basis. When this staff is not available, another full-time staff person is responsible for the daily checks.