

ORDINANCE NO. O-2021-006-10

AN ORDINANCE ESTABLISHING STANDARDS OF CARE FOR THE RECREATION PROGRAMS FOR ELEMENTARY SCHOOL AGE CHILDREN OPERATED BY THE CITY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Haltom City, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article IX, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, Section 42.041 of the Texas Human Resources Code provides that an elementary-age recreation program operated by a municipality is not required to obtain a license from the state provided that the governing body of the municipality annually adopts standards of care for such programs by ordinance after a public hearing; and

WHEREAS, the City Council has conducted a public hearing and desires to adopt the standards set forth in this ordinance.

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

SECTION 1.

The Standards of Care attached hereto as Exhibit "A" and incorporated by reference herein are hereby adopted for recreation programs for elementary-age children.

SECTION 2.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences,

paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 3.

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED ON FIRST READING ON THIS 26th DAY OF APRIL, 2021.


MAYOR

ATTEST:


CITY SECRETARY

PASSED AND APPROVED ON SECOND READING ON THIS 10th DAY OF MAY, 2021.


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:


CITY ATTORNEY



Haltom City Parks & Recreation Department



Standards of Care For Youth Programs

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CITY OF HALTOM CITY YOUTH PROGRAMS

STANDARDS OF CARE

The following Standards of Care have been adopted by the City Council of Haltom City, Texas, to comply with Chapter 42 of the Texas Human Resources Code, specifically Section 42.041(b)(14) regarding an exemption for the City of Haltom City's Youth Programs, as defined herein. These Standards of Care are intended to be minimum standards by which the City of Haltom City Parks & Recreation Department will operate the City's Youth Programs. The Youth Programs are recreational in nature and are not child-care facilities or day care programs, and are not licensed by the State of Texas.

General Administration

1. Organization
 - A. The governing body of the City of Haltom City Youth Programs is the Haltom City Council.
 - B. Implementation of the Youth Programs Standards of Care ("Standards of Care") is the responsibility of the Recreation Supervisor and departmental employees.
 - C. These Standards of Care apply to all Youth Programs operated by the Department, including but not limited to: the Summer Day Camp Programs, Holiday Day Camp Programs, and Spring Break Day Camp Programs.
 - D. Each Program Site will have available for public and staff review a current copy of the Standards of Care.
 - E. Parents of participants may obtain a copy of the Standards of Care from the City during the program registration process. In addition, the Standards of Care can be accessed on the City's website at: www.haltomcitytx.com.
 - F. Criminal background checks shall be conducted on prospective staff. No person shall be employed as an Employee in a Youth Program if the person would be permanently barred from being present at a child care operation while children are in care under Texas Administrative Code Title 40, Part 19, Chapter 745 (Licensing).

2. Definitions

- A. Camp Director: A Department employee who is assigned responsibility to implement and direct a Youth Program and oversee the Program Employees assigned to the corresponding Youth Program.
- B. Department: Parks & Recreation Department of the City of Haltom City.
- C. Employee(s): Individuals who have been hired to work for the City of Haltom City and have been assigned responsibility for managing, administering, or implementing some portions of the Youth Programs.
- D. Parent(s): One or both parent(s) or legal guardian(s) who have legal custody and authority to enroll the child(ren) in the Youth Programs.
- E. Participant: A Youth whose parent(s) or legal guardian(s) have completed all required registration procedures and determined to be eligible for the Youth Programs.
- F. Program Employee: A Department employee who is assigned to work with participants of a Youth Program at a Program Site.
- G. Program Manual: Notebook of policies, procedures, required forms, and organizational and programming information relevant to Youth Programs.
- H. Program Site: The facilities and surrounding property where Youth Programs are held.
- I. Recreation Supervisor: A Department employee who oversees the Program Director and operations of all Youth Programs.
- J. City: City of Haltom City, Texas.
- K. City Council: City Council of the City of Haltom City, Texas.
- L. Youth: A school aged person between the ages of 5 and 13, as of the enrollment date of the Youth Program.
- M. Youth Programs: The City of Haltom City Youth Programs consisting of programs such as: Summer Day Camp, Holiday Day Camp, Spring Break Day Camp, and Sports Day Camp programs . A single camp may be referred to as a Youth Program.

3. Objectives of Youth Programs

- A. To provide Youth with the opportunity of recreational activities which may include sports, games, arts and crafts, education, dance, drama, special events, field trips, tournaments, etc.
- B. To provide an encouraging atmosphere by emphasizing the positive development of physical skills, emotional development and growth of self-confidence.
- C. To provide a safe environment by promoting good health and welfare for all participants.
- D. To teach Youth how to spend their leisure time wisely in an effort to meet the emotional, physical and social needs of the Youth.

4. Inspections/Monitoring/Enforcement

- A. The City has established these Standards of Care in order to obtain an exemption from the State regarding the Youth Programs. Once the exemption is established, the State will not monitor the Youth Programs. These Standards of Care will be reviewed annually and brought before the City Council for consideration and approval after a public hearing pursuant to Texas Human Resources Code § 42.041(b)(14). Any recommended amendments to these Standards of Care will be presented to the City Council for consideration and approval after a public hearing.
- B. The Camp Director of each Youth Program will perform a monthly inspection of the facility to maintain compliance with the Standards of Care.
 - (1) Monthly inspection reports shall be sent to the Recreation Supervisor for review and maintained by the City in accordance with applicable record retention policies.
 - (2) The Recreation Supervisor shall review the monthly inspection report and shall establish deadlines and criteria for compliance with the Standards of Care where failure to comply is noted.
- C. The Recreation Supervisor shall make visual inspections of the Youth Programs based on the following schedule.
 - 1. Youth Programs operating during the summer shall be inspected no less than twice during the Youth Program's summer schedule.

2. Youth Programs which operate during the regular Birdville Independent School District school year, for two (2) weeks or less, shall be inspected at least once during the Youth Program's schedule.
- D. Complaints regarding enforcement of the Standards of Care shall be directed to the Camp Director. The Camp Director shall be responsible to take the necessary steps to address the complaint and resolve the problem, if any. Complaints regarding enforcement of the Standards of Care and resolution of complaints arising under the Standards of Care shall be recorded by the Camp Director. All complaints regarding enforcement of the Standards of Care where a deficiency is noted will be forwarded to the Recreation Supervisor with the complaint and the resolution noted.

5. Enrollment

Before a child may enroll in a Youth Program, the parents shall sign registration forms that contain the following information about the child:

- (1) Name, home address, home telephone number, parent's email address;
- (2) Name and address of parent(s) and contact telephone number(s) during Youth 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, needs or medical conditions;
- (5) Emergency medical authorization;
- (6) A signed liability waiver and acknowledgement of program code of conduct.

6. Suspected Abuse

Program Employees shall report suspected child abuse or neglect in accordance with the Texas Family Code. In a situation where an Employee is involved in an incident with a child that could be considered to be child abuse, the incident shall be immediately reported to the Recreation Supervisor. The Recreation Supervisor will immediately notify the Police Department and any other agency, as may be appropriate.

Texas State law requires the Employees of the Youth Programs to report any suspected abuse or neglect of a child to the Texas Department of Family and Protective Services or

a law enforcement agency. Failure to report suspected abuse is punishable by fines up to \$1,000 and/or confinement up to one hundred eighty (180) days. Confidential reports may be made by calling 1.800.252.5400.

A complete copy of the Texas Family Code regulations regarding child abuse can be found at <http://www.statutes.legis.state.tx.us>

Staffing - Responsibilities and Training

1. Camp Director

A. Qualifications. The Camp Director shall:

- (1) Consistently exhibit competency, good judgment, and self-control when working with Youth.
- (2) Interact with Youth with courtesy, respect, tolerance, and patience.
- (3) Successfully complete a course in first aid, CPR, and AED, in compliance with American Heart Association standards.
- (4) Pass a background investigation and testing for illegal substances.
- (5) Be mature, responsible, and able to complete duties with minimal supervision.
- (6) Communicate effectively with the public.
- (7) Possess a valid Texas driver's license.
- (8) Have previous experience in supervising Youth of varying age levels in a group setting and possess knowledge of recreational games, crafts, and activities.
- (9) Complete City-mandated training.
- (10) Be at least eighteen (18) years of age.

B. Job Functions. The Camp Director shall endeavor to:

- (1) Direct and supervise Program Employees. Hiring and training shall be the responsibility of the Camp Director with assistance from the Recreation Supervisor.

- (2) Complete and submit proper records, including Youth Program schedules, Program Employee schedules, accident/incident reports, and participant attendance.
- (3) Schedule appropriate activities in accordance with the philosophy of the Youth Program and coordinate with the Recreation Supervisor to ensure appropriate reservations and transportation are secured in order to complete activities.
- (4) Maintain an orderly, clean and safe environment for the Youth while promoting a non-competitive program directed toward accentuating positive behaviors, physical development, and emotional growth.
- (5) Maintain supplies, equipment and all necessary documentation for the operation of the Youth Program.
- (6) Communicate with Parent(s) as necessary.
- (7) Conduct on-going evaluations regarding the Youth Program and implement approved recommendations, as needed.
- (8) Provide reports to Recreation Supervisor on a weekly basis regarding Youth Program activities.
- (9) Know and follow all City, Department, and Program Manual standards, policies, and procedures that apply to Youth Programs.
- (10) Ensure that participants are released only to a Parent or an adult designated by the Parent in accordance with Department procedures. All Program Sites will have a copy of the approved Department procedure to verify the identity of a person authorized to pick-up a participant.

2. Program Employees

A. Qualifications. A Program Employee must:

- (1) Consistently exhibit competency, good judgment, and self-control when working with Youth.
- (2) Interact with Youth with courtesy, respect, tolerance, and patience.
- (3) Successfully complete a course in first aid, CPR, and AED, in compliance with American Red Cross standards.

- (4) Pass a background investigation and testing for illegal substances.
- (5) Be mature, responsible, and able to complete duties with minimal supervision.
- (6) Possess a valid Texas driver's license.
- (7) Have previous experience in working with Youth of varying age levels in a group setting and possess knowledge of recreational games, crafts, and activities.
- (8) Complete City-mandated training.
- (9) Be at least sixteen (18) years of age.

B. Essential Job Functions. A Program Employee shall endeavor to:

- (1) Promote a non-competitive, positive, image-enhancing environment for each participant through the direction of fun, varied, and well-organized activities.
- (2) Directly lead activities using a method that will provide opportunities for the involvement of all participants on an equal basis.
- (3) Exhibit enthusiasm for the activity to impart a feeling of excitement in the participants.
- (4) Follow procedures for Youth Programs drop off and pick-up and preparation of accident/incident reports.
- (5) Follow guidelines for safety and storage of equipment and notify Camp Director regarding supplies inventories.
- (6) Ensure safety of Youth at Program Site and on field trips.
- (7) Adhere to these Standards of Care for Youth Programs.

3. Personnel Restriction

A person shall not be employed as an Employee in a Youth Program if:

- (1) The person would be permanently barred from being present at a child care operation while children are in care under the Texas Administrative Code Title 40, Part 19, Chapter 745 (Licensing).

4. Training/Orientation

- A. The Department is responsible to provide training and orientation to all Youth Programs employees who work with children regarding their specific job responsibilities.
- B. Employees must be familiar with these Standards of Care for Youth Programs.
- C. Employees shall be trained in appropriate procedures to handle emergencies.
- D. Employees shall be trained in City, Department, and Program Manual policies and procedures applicable to Youth Programs.
- E. Employees shall be required to sign an acknowledgment that they received the required training.

Service Standards

1. Appearance

- A. Appropriate attire and footwear is required daily. Youth Program shirts must be worn by participants and staff on field trip days.
- B. The City's dress code policy shall be adhered to at all time. Failure to comply with the dress code will result in an Employee being sent home.

2. Interaction with Parents and Participants

- A. Participants and Parents will be treated with respect at all times.
- B. Program Employees and Camp Directors shall keep parents continuously informed of activities and schedules. A weekly schedule shall be distributed and copies shall be kept with the daily sign in sheets.
- C. Staff shall note details of behavior of participants (accomplishments, discipline problems, general activities, etc.) and update Parents as much as possible.

- D. The Camp Director will review and document complaints and forward complaints to the Recreation Supervisor, and shall respond as appropriate. All complaints shall be addressed within one (1) business day, if they are not resolved on site. All complaints must be recorded, including resolution, and forwarded to Recreation Supervisor.

3. Additional Staff Responsibilities

- A. Program Employees shall monitor the sign in/out log at all times.
- B. Program Employees shall spend 100% of their time while on duty actively involved with Participants and/or Parents.
- C. Program Employees shall pick-up the area used by their group after each activity.
- D. Prior to beginning work each day, all staff shall report to the appointed location for any messages, instructions, or information.

Operations

1. Staff/Participant Ratio

- A. The maximum ratio of Participants to Program Employees shall be 15:1 based on average daily attendance. Ratios may be adjusted to provide adequate supervision during higher risk activities, such as field trips, outdoor events, etc. In the event an employee is unable to report to the Program Site, a replacement shall be assigned.
- B. Each Participant shall have a Program Employee who is assigned to him/her and who shall be aware of the Participant's habits, interests, and any special needs, as identified by the Participant's parent(s) during the registration process.

2. Discipline

- A. Program Employees shall implement discipline policy and provide guidance in a consistent manner based on the best interests of program participants.
- B. There shall be no cruel, harsh or corporal punishment used as a method of discipline.
- C. Program Employees may use brief, supervised separation from the group if necessary. Participants shall be informed of Youth Program rules.

- D. As necessary, Program Employees shall initiate discipline reports to the Parent(s) of Participants. Parents shall be asked to sign discipline reports to indicate they have been advised about specific problems or incidents.
- E. A sufficient number and/or severe nature of discipline reports as detailed in the program manual may result in a Participant being suspended or removed from the Youth Programs. Parents shall be contacted to pick up their Youth immediately in the event of such suspension or removal.
- F. In instances where there is a danger to Participants or Employees, offending Participants shall be removed from the Program Site immediately.
- G. Any person(s) creating a nuisance, causing a disturbance, or creating an unsafe environment at any Program Site shall be subject to ejection from the Site and possible arrest and legal action.
- H. In the event any Employee believes that criminal conduct has occurred, or is reasonably likely to occur, the Employee shall immediately notify the Camp Director or other supervisory employee and/or contact the Police directly if time does not permit indirect reporting.

3. Programming

- A. The Program will provide a safe, healthy, and age appropriate environment for all participants. The program provides a well-rounded variety of activities and opportunities that support the physical, social, emotional, and cognitive growth and development of all participants.
- B. Program Employees will attempt to provide indoor and outdoor time periods, weather permitting, that include:
 - (1) Alternating active and passive activities; and
 - (2) Opportunity for individual and group activities.
- C. Program Employees shall be attentive and considerate of the Participants' safety on field trips and during any transportation provided by the Youth Programs. Participants shall be counted before leaving the Program Site and before boarding the transportation to return to the Program Site, and at other times as deemed to be reasonably necessary to preserve the Participants' safety.

- (1) During trips, Program Employees supervising Participants must have immediate access to Participant forms and emergency contact information for each Participant; and
- (2) Program Employees shall have a written list of the Participants in the group and must check the attendance frequently; and
- (3) Program Employees shall have First Aid supplies, a guide to First Aid and emergency care available on field trips.

4. Communication

The Program Site shall have a telephone to allow the Program Site to be contacted by Parks and Recreation personnel or for making emergency calls.

5. Transportation

- A. First Aid supplies and a First Aid and emergency care guide will be available in all Youth Program vehicles that transport Youth.
- B. All Program vehicles used for transporting Participants shall have available a 6-BC portable fire extinguisher in the vehicle which shall be accessible to the adult occupants.

6. Participant Pick up and Drop off

- A. A completed and signed Pick-Up Authorization Form must be on file for each participant.
- B. The original signer of the Pick-Up Authorization Form may contact the Camp Director to add a new Authorized person.
- C. Participants may only be picked up and signed out by an Authorized Person. Photo ID must be presented to pick up a Participant.
- D. Participants must be picked up by the end of the assigned Youth Program. If a child is picked up after the end of the program, a late fee will be assessed. If a child has not been picked up within (30) thirty minutes after the program has ended and Camp Staff has not had contact with a parent/guardian, the Police will be contacted.
- E. If any unauthorized person attempts to pick up a child, staff should:
 - a. Call the Camp Director.

- b. Politely inform the person that they do not have permission to release the child to them.
- c. Ask the person to leave.
- d. Move the participant at risk to another room or area.
- e. Have another staff member in the pick-up area.
- f. The Camp Director should call the original Authorized Person to inform them of the unauthorized pick up attempt.
- g. If necessary, program staff should call 911.

Facility Standards

1. Safety

- A. Program Employees shall inspect the Program Site daily to detect sanitation and safety concerns that might affect the health and safety of the Participants. Program employees will also complete a daily inspection report and submit it to the Camp Director, who shall maintain it in the City's files.
- B. The Camp Director shall inspect the buildings, grounds, and equipment on the Program Site to insure that they are clean, in good repair, and maintained so as to protect the health of the Participants.
- C. Program equipment and supplies shall be safe for Participants use.
- D. Program Employees shall have First Aid supplies available at the Program Site, during transportation, and for the duration of any off-site activity.
- E. Program Employees shall have First Aid supplies and a guide to First Aid and emergency care readily available in a designated location.

2. Fire

- A. In case of fire, danger of fire, explosion, or other emergency, a Program Employee's first priority is to evacuate the Participants to a designated safe area. Emergency evacuation and relocation plans shall be posted within the Program Site.
- B. The Program Site shall have an annual fire inspection by the local Fire Marshal, and the resulting report shall detail any safety concerns observed. The report shall be forwarded to the Supervisor who shall review and establish deadlines and criteria for compliance.

- C. Each Program Site must have at least one (1) operable, charged fire extinguisher approved by the Fire Marshal or designee readily available to all Program Employees. The fire extinguisher is to be inspected monthly by the Camp Director to verify that it is sufficiently charged and operable. All Employees will be trained in the proper use of a fire extinguisher.
- D. Fire drills shall be conducted monthly.

3. Tornos

- A. Tornado warning procedures will be reviewed with all program staff during training. Tornado drills will be initiated twice a year: one in the spring and one in the fall.

4. Health

A. Illness or Injury

- (1) Illnesses and injuries shall be handled in a manner to protect the health of all participants and employees. Parents shall be notified in cases of illness or injury. Paramedics shall be notified in the event of an injury that cannot be remedied through basic first aid. An accident report shall be completed for all injuries and forwarded to the Camp Director.
- (2) An ill Youth shall not be allowed to attend or participate in Youth Programs if the Youth is suspected of having a temperature and/or accompanied by behavior changes or other signs or symptoms until a medical evaluation indicating that the Youth can return to the Youth Program.
- (3) Employees shall follow the recommendations of the Texas Department of Health concerning the admission or readmission of any Participant after a communicable disease.

B. Program Employees shall administer medication only if:

- (1) Parent(s) complete and sign a "Consent to Administer Medication" Form that authorizes for Employees to administer medication and provide details as to time(s) and dosage(s) consistent with the medications label.
- (2) Prescription medications are in the original containers labeled with the Youth's name, a date, directions, and the prescribing physician's name. Employees shall administer the medication only as stated on the label. Employees shall not administer medication after the expiration date.

- (3) Non-prescription medications are labeled with the Youth's name and the date the medication was brought to the Youth Program. Non-prescription medication must be in the original container. The Employees shall administer non-prescription medications only according to label direction.
- (4) Medications dispensed shall be limited to routine oral ingestion not requiring special knowledge or skills on the part of Program Employees.
- (5) Program Employees shall ensure medications are inaccessible to Participants.

C. Toilet Facilities

- (1) The Program Site shall have adequate indoor toilets and lavatories located and equipped so Youth can use them independently and Program Employees can supervise as needed.
- (2) There must be one (1) flush toilet for every thirty (30) participants. Urinals may be counted in the ratio of toilets to participants, but shall not exceed fifty percent (50%) of the total number of toilets.

D. Sanitation

- (1) The Program Site shall have adequate light, ventilation, and heat.
- (2) The Program Site shall have an adequate supply of drinking water meeting the standards of the Texas Department of Health for drinking water and ensure that it shall be supplied to the Participants in a safe and sanitary manner.
- (3) Program Employees shall ensure that garbage is removed from the Program Site daily.

COVID ADDENDUM

Please understand we are striving to do the best to protect everyone who wishes to participate in our programs. Be aware that the COVID-19 situation is still very fluid and we are consistently assessing and following the rules/guidelines set forth by the county, state, and CDC.

After careful consideration, the Haltom City Parks & Recreation Department is establishing the following policies/rules to maintain a general standard to be followed by all participants in our programs.

GENERAL RULES

1. Haltom City Parks & Recreation Department will follow all local and state guidelines for facilities, events, and youth programs.
2. Haltom City Parks & Recreation Department will take proactive steps in creating social distancing environments where possible. Designated/assigned seating for participants will be established and utilized throughout the duration of the program.
3. We will minimize participant contact by eliminating or adjusting program activities.
4. All participants must bring their own water bottle each day with their name on it.
5. All program staff will be required to wear masks during programs. Participants will be encouraged to wear masks.
6. Program staff will provide each participant their own supplies not to be shared with others based on availability for each activity.
7. Proper disinfecting and sanitizing practices will be followed each day.
8. It is expected that if a participant is not feeling well or exhibiting symptoms, they will be kept home until they are no longer showing signs of illness (fever of 99.8 degrees or higher, cough, sore throat, chills/sweating, loss of sense of taste/smell).

QUARANTINE POLICY

If any member of the household is awaiting results for a COVID test, the participants must be kept home. Once a negative result is received, participant may return to the program as long as they are not exhibiting any symptoms. If a **positive** test for COVID (by anyone in the household) is received:

1. The participant's household must quarantine from all activities with Haltom City Parks & Recreation for a period of 10 days. Activities may resume after 10 days or with a negative COVID test result after 7 days. Test must not be administered until 5-day incubation period has passed after positive result received to enable true test results.
2. Close contact program participants will be quarantined for a period of 7 days. Close contact is defined as less than 3 feet to infected participant for more than 15 minutes unmasked. Close contact participants may return to activities after 7 days or with a negative COVID test result after 5 days.

Violation of any COVID policy or rule will result in suspension and/or permanent removal from program(s) with the Haltom City Parks & Recreation Department. We take the safety of all participants and our staff very seriously and all policies/rules are in place to ensure a safe, successful program.