

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, ADOPTING THE PARKS AND RECREATION STANDARDS OF CARE FOR THE CITY OF CARROLLTON SUMMER YOUTH PROGRAM; PROVIDING SAVINGS, SEVERABILITY AND REPEALING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION.**

**WHEREAS**, the City of Carrollton, Texas (the “City”) is a Home Rule municipality possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter;

**WHEREAS**, the Human Resources Code, Section 42.041(b)(14) establishes requirements for exempting recreational programs operated by municipalities for elementary age (5-12) children from childcare licensing requirements;

**WHEREAS**, in order to receive exempt status for a youth program, a municipality must adopt standards of care by ordinance after a public hearing for the program on an annual basis;

**WHEREAS**, the City of Carrollton Youth Program Standards of Care will provide basic regulations for day camp activities operated by the Carrollton Parks and Recreation Department in compliance with Chapter 42 of the Human Resource Code and Title 40 Rule 745.115 of the Texas Administrative Code;

**WHEREAS**, adopting Standards of Care and a youth program for children ages five to twelve (5-12) in the City of Carrollton is in the best interest of the citizens of Carrollton; and

**WHEREAS**, the City Council has conducted a public hearing on this 2nd day of March, 2021, and desires to adopt the standards set forth in this Ordinance.

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

**SECTION 1.**

All the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2.**

The City of Carrollton Youth Program Standards of Care are hereby adopted in their entirety, to read in accordance with the attached Exhibit A.

**SECTION 3.**

Save and except as amended by this Ordinance, all other ordinances of the City of Carrollton, Texas, shall remain in full force and effect.

**SECTION 4.**

The Terms and provisions of this Ordinance are severable in accordance with Section 10.07 of the Carrollton Code of Ordinances.

**SECTION 5.**

To the extent of any prior ordinance of the City of Carrollton (or any provision, clause, phrase, sentence or paragraph contained therein) conflicts with this ordinance, said conflicting ordinance, provision, clause, phrase, sentence or paragraph is hereby repealed.

**SECTION 6.**

This Ordinance shall become effective on and after its adoption.

**DULY PASSED AND APPROVED THIS 2ND DAY OF MARCH 2021.**

By: \_\_\_\_\_  
Kevin W. Falconer, Mayor

**ATTEST:**

\_\_\_\_\_  
Laurie Wilson, City Secretary

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Susan Keller, Assistant City Attorney

\_\_\_\_\_  
Scott Whitaker, Director of Parks & Recreation

## **EXHIBIT A**

### **YOUTH PROGRAM STANDARDS OF CARE**

#### **Sec. 15-34. Definitions.**

The following definitions apply to this article, in addition to the definitions outlined in the document.

*Department:* The Carrollton Parks & Recreation Department.

*Parent(s):* One or both Parents or other adult with legal custody and authority to enroll a child or children in the Youth Program.

*Participant:* A youth whose parent(s) have completed all required registration procedures and who is eligible for the Youth Program.

*Recreation Supervisor:* The full-time Department employee or his/her designated representative, who is responsible for the management, administration, and implementation of the Youth Program.

*Program Site:* Crosby Recreation Center, 1610 East Crosby Road, Carrollton, TX 75006

*Camp Coordinator:* A part-time or seasonal employee of the City of Carrollton Parks and Recreation Department who is responsible for day to day operations of the Youth Program.

*Program Staff:* City of Carrollton 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 Carrollton Parks and Recreation Department Youth Programs. This definition also includes Recreation Supervisor, and Camp Coordinator.

*Youth:* A child aged five (5) to twelve (12) years;  
child with special needs with a cognitive age of five (5) to twelve (12) years.

*Youth Program or Program:* The City of Carrollton's youth day camp program.

*Youth Program Manual:* The notebook of policies, procedures, required forms, and organizational and programming information relevant to the Youth Program.

**Purpose.**

1. This article shall define the standard of care for the Youth Program.
2. Pursuant to Rule §745.115 of Title 40 of the Texas Administrative Code, this article allows the City to operate the Youth Program without adopting the state-prescribed daycare standards of care and licensing requirements.
3. **THE CITY DECLARES ITS YOUTH PROGRAM IS NOT REQUIRED TO BE AND IS NOT LICENSED BY THE STATE OF TEXAS, AND THE YOUTH PROGRAM IS NOT A CHILD-CARE OPERATION AND WILL NOT BE ADVERTISED AS A CHILD-CARE FACILITY OR PROGRAM IN ACCORDANCE WITH STATE LAW.**

**Administration.**

1. The governing body of the Youth Program is the City Council. Implementation of the Youth Program Standards of Care is the responsibility of the Department Director and the Program Staff. These standards of care will apply to the Youth Program. The Program Site will have available, for public and staff review, a current copy of the Youth Program Standards of Care. Parents will be provided a current copy of the Youth Program Standards of Care during the Youth Program registration process. Criminal background checks and drug and alcohol screens will be conducted on prospective Program Staff in the same way the City conducts screens of potential City employees. No person may be hired as Program Staff for the Youth Program if the individual fails to satisfy all City screening standards.
2. Before a Participant may be enrolled, a Parent must sign registration forms that contain:
  - a. Name, photograph, address, and home telephone number of the Participant;
  - b. Name, address, and telephone number of all Parents who may need to be contacted during Youth Program hours;
  - c. Alternate emergency contact information;
  - d. The names and telephone numbers of people to whom the Participant may be released.
  - e. A statement of the Participant's special needs or accommodations, including allergies;
  - f. Emergency medical authorization; and
  - g. A liability release that encompasses all personal injury, including death, and property damage resulting from participation in the Youth Program.
3. A monthly inspection report will be initiated by the Recreation Supervisor of the Youth Program to confirm adherence to the Youth Program Standards of Care. Inspection reports will be sent to the Recreation Supervisor for review and kept on record for at least five years. The Recreation Supervisor will review the report and establish deadlines and criteria for compliance with the Youth Program Standards of Care. The Recreation Supervisor will make visual inspections of the Youth Program no less than twice during each Youth Program session.
4. Complaints regarding enforcement of the Youth Program Standards of Care will be directed to the Camp Coordinator. The Camp Coordinator will be responsible for taking the necessary steps to resolve the problems. Complaints not involving threats to life safety, regarding enforcement of the Youth Program Standards of Care and their

resolution, will be recorded by the Recreation Supervisor. Complaints involving life safety as related to enforcement of the Youth Program Standards of Care will be addressed by the Recreation Supervisor and the complaint and resolution will be noted.

5. The Recreation Manager or designee will make an annual report to the Park Board on the overall status of the Youth Program and their compliance with the Youth Program Standards of Care.

#### **Standards of care.**

1. Staff-Participant ratio.
  - a. The standard ratio of Participants to Program Staff will be no more than twenty (20) to one (1). In the event Program Staff is unable to report to the Site, a replacement will be assigned; and
  - b. Each Participant shall have a Program Staff who is responsible for him or her and who is aware of the Participant's habits, interests, and any special needs as identified by the Participant's Parent during the registration process.
2. Discipline.
  - a. Program Staff will be based on the best interests of Participants;
  - b. There shall be no cruel, harsh, or physically administered punishment or treatment;
  - c. Program Staff may use brief, supervised separation from the group if necessary;
  - d. As necessary, Program Staff will initiate discipline reports to the Parent(s). Parents will be asked to sign discipline reports to indicate they have been advised of specific problems or incidents;
  - e. Multiple and/or severe in nature discipline reports as detailed in the Youth Program Manual may result in Participant being suspended from the Youth Program; and
  - f. In instances where there is a danger to Participants or Program Staff, the offending Participant will be removed from the Site as soon as possible.
3. Programming.
  - a. Program Staff will attempt to provide activities for each group according to the Participants' ages and appropriate to Participants' health, safety, and well-being. The activities will be flexible and attempt to promote the Participants' emotional, social, and mental growth;
  - b. Program Staff will provide Youth Programs that include, but not limited to:
    - i. Alternating active and passive activities;
    - ii. Opportunity for individual and group activities; and
    - iii. Outdoor time at frequent intervals when weather permits.
  - c. Program Staff will be attentive and considerate of the safety of Participants on field trips and during any transportation provided by the Youth Program;
  - d. During trips, Program Staff must have immediate access to emergency medical forms and emergency contact information for each Participant;
  - e. Program Staff must have a list of the Participants in the group and must check the roll frequently; and
  - f. Program Staff must have first aid supplies and a guide to first aid and emergency care available on field trips.
4. Communication.

- a. The Program Site will have a telephone to allow contact by Department personnel and for use in contacting the City or making emergency calls; and
  - b. The Recreation Supervisor will post the following telephone numbers adjacent to a telephone accessible to all Youth Program employees at the Program Site:
    - i. City ambulance or emergency medical services;
    - ii. Recreation Supervisor;
    - iii. Recreation Superintendent;
    - iv. City police department;
    - v. City fire department;
    - vi. City Hall;
    - vii. Department staff; and
    - viii. The telephone number for the Program Site itself.
5. Transportation.
  - a. Before a Participant may be transported to and from Youth Program activities, an authorization form, completed by the Parent(s), must be filed with the Camp Coordinator
  - b. First aid supplies and a first aid and emergency care guide will be available in all Youth Program vehicles that transport children; and
  - c. All Youth Program vehicles used for transporting Participants for field trips and other activities offered as part of the Youth Program during normal program hours must have available a 6-BC portable fire extinguisher which will be accessible to the Program Staff.
6. 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 of and on the Program Site will be inspected, cleaned, repaired, and maintained as needed to protect the health and safety of the Participants;
  - c. Program Staff must have first aid supplies and a guide to first aid and emergency care readily available at the Program Site, during transportation to an off-site activity, and for the duration of any off-site activity; and
  - d. Youth Program air conditioners, electric fans, and heaters must be mounted out of the reach of Participants or have safeguards that keep Participants from being injured.
7. Fire.
  - a. In case of fire, danger of fire, explosion, or another emergency, the priority of Program Staff is to evacuate the Participants to a designated safe area;
  - b. The Program Site will have an annual fire inspection by the local fire department, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Recreation Supervisor who will review and establish deadlines and criteria for compliance.
  - c. The Program Site must have at least one fire extinguisher approved by the fire marshal readily available to all Program Staff. The fire extinguisher is to be inspected quarterly, and a quarterly report will be forwarded to the Recreation Supervisor who will keep the report on file for a minimum of five years. All Program Staff will be trained in the proper use of fire extinguishers; and

- d. Fire drills will be initiated at the Program Site during each month of the Youth Program.
- 8. Illness or injury.
  - a. A Participant who is 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;
  - c. Program Staff will follow plans to provide emergency care for injured Participants with symptoms of acute illness as specified in the Youth Program Manual; and
  - d. Program Staff will follow the recommendation of the Texas Department of Health concerning the admission or re-admission of any Participant after a communicable disease.
- 9. Medication.
  - a. No medications will be allowed at the Youth Program other than the following exceptions:
    - i. Staff will administer an epinephrine pen for life threatening situation if provided for the Participant. Program Staff will be trained to administer the medication.
    - b. Participants are not allowed to bring medication to camp. or administer any medication to themselves other than the following exceptions:
      - i. an insulin pump
      - ii, inhaler
    - c. Program Staff will not administer or assist in administering any medication other than an epinephrine pen.
    - c. All medications must have the original prescription label with the child's name on the label.
    - d. All medications must be provided to Program Staff when the child is dropped off at camp.  
A parent or legal guardian must complete the medication form and release prior to the start of the Program.
- 10. Toilet facilities.
  - a. The Program Site will have toilets located and equipped so Participants can use them independently and Program Staff can supervise as needed;
  - b. An appropriate and adequate number of toilets and lavatories will be provided.
- 11. Sanitation.
  - a. The Program Site must have adequate light, ventilation, and heat;
  - b. The Youth 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; and
  - c. Program Staff must properly dispose of garbage and debris from the program area daily.

### **Program Staff.**

Program Staff qualifications and responsibilities:

- 1. Recreation Supervisor qualifications

- a. Will be a full-time, professional employee of the Department with a bachelor's degree in Recreation, Recreation Administration, or related field.
  - b. Responsible for supervising recreation programs, special events, facility activities, memberships, and maintenance.
  - c. Recommends for hire, supervises, and evaluates Counselors and Camp Coordinator;
  - d. Must pass a background investigation including testing for illegal substances and alcohol in accordance with City hiring standards;
  - e. Must be CPR / AED certified; and
  - f. Must be certified in First Aid
2. Camp Coordinator qualifications and responsibilities:
  - a. Part-time or seasonal employees of the Department
  - b. Will be 18 or older;
  - c. Must pass a background investigation including testing for alcohol and illegal substances in accordance with City hiring standards;
  - d. Must be CPR / AED certified;
  - e. Must be First Aid certified
  - f. Administers the daily operations of the Youth Program in compliance with the Youth Program Standards of Care;
  - g. Implements, monitors, and evaluates the daily activities and field trips of Youth Program; and
  - h. Serves as an immediate authority figure to Counselors and Participants in the absence of the Recreation Supervisor.
  - i. Must be CPR /AED certified; and
  - j. Must be certified in First Aid
3. Counselor qualifications and responsibilities:
  - a. Part-time or seasonal employees of the Department;
  - b. Will be age 17 or older; however, each site will have at least one Counselor 18 years or older present at all times;
  - c. Must pass a background investigation including testing for alcohol and illegal substances in accordance with City hiring standards;
  - d. Must be CPR / AED certified;
  - e. Must be First Aid certified
  - f. Be able to consistently exhibit competence, good judgment, and self-control when working with Participants;
  - g. Relate to Participants with courtesy, respect, tolerance, and patience;
  - h. Provide Participants with an environment in which they can feel safe, enjoy wholesome recreation activities, and participate in appropriate social opportunities with their peers;
  - i. Be responsible for knowing and follow all City standards, policies, and procedures that apply to the Youth Program; and
  - j. Ensure that Participants are released only to a Parent or Person on record as being authorized by the Parent(s) for pickup. Program Site will have a copy of the Department approved plan to verify the identity of a person authorized to pick up a Participant.
4. Training and orientation:



- a. The City will provide training orientation to Program Staff in working with Participants and for specific job responsibilities. All Program Staff will be provided with a Youth Program Manual specific to the Youth Program;
- b. Program Staff will be trained in appropriate procedures to handle emergencies;
- c. Program Staff will receive training in pertinent City, Department, and Youth Program policies and procedures; and
- d. Program Staff will be required to sign an acknowledgment that they received the required training and are expected to conduct activities in accordance with training and the Youth Program Standards of Care.
- e. 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