

ORDINANCE NO. 8122

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: ADOPTING STANDARDS OF CARE FOR THE CITY OF AMARILLO'S PARKS AND RECREATION DEPARTMENT AS REQUIRED BY THE TEXAS HUMAN RESOURCES CODE SECTION 42.041(b)(14); PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Amarillo recognizes that many children of school age need an organized program for recreational activities after school, during the summer, and on other non-school days; and

WHEREAS, the City of Amarillo, through its Parks and Recreation Department, proposes to operate after school programs and camps for children to be operated at City facilities and parks; and

WHEREAS, state law requires the City of Amarillo to adopt Standards of Care for these recreational programs to be exempt from licensing requirements for day care facilities; and

WHEREAS, the City of Amarillo has formulated Standards of Care that include, at a minimum, staffing ratios, minimum staffing qualifications, minimum facility, health and safety standards, and mechanisms for monitoring and enforcing the adopted local standards, and further providing for parental notification that the program is not licensed by the state and that the program may not be advertised as a day care; and

WHEREAS, the City Council held a public hearing on March 12, 2024 in accordance with Section 42.041(b)(14) of the Texas Human and Resources Code.

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

SECTION 1. The City of Amarillo adopts the "City of Amarillo Parks and Recreation Youth Programs Standards of Care" attached as "Exhibit A" and incorporated herein by reference as required by Section 42.041 (b)(14) of the Texas Human Resources Code.

SECTION 2. Effective Date. This ordinance shall become effective according to law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 12th day of March, 2024; and PASSED on Second and Final Reading the 26th day of March, 2024.



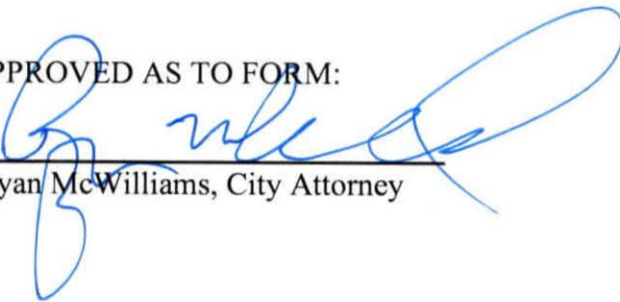
Cole Stanley, Mayor

ATTEST:



Stephanie Coggins, City Secretary

APPROVED AS TO FORM:



Bryan McWilliams, City Attorney

**City of Amarillo Parks and Recreation
Youth Programs
Standards of Care**

Ordinance Number: 8022

Date Approved 04/09/2024

Approved by City of Amarillo City Council:

The following Standards of Care have been adopted by the City Council of the City of Amarillo, pursuant to Texas Human Resources Code Section 42.041 (B)(14) as amended, in order to exempt City Youth Programs from state child-care licensing requirements. The Standards of Care are intended to be the minimum standards by which the City of Amarillo Parks and Recreation Department will operate the City's Youth Programs. The programs operated by the City are recreational in nature and are not child-care facilities.

GENERAL ADMINISTRATION

1. Definitions

- A. City: City of Amarillo
- B. City Council: City Council of the City of Amarillo
- C. Department: Parks and Recreation Department of the City of Amarillo
- D. Director: City of Amarillo Director of Parks and Recreation or his/her designee.
- E. Employee(s) or Staff: Term used to describe people who have been hired to work for the City of Amarillo and have been assigned responsibility for managing, administering, or implementing some portion of the City of Amarillo Youth Programs.
- F. Parent(s): A parent or guardian who has legal custody and authority to enroll a child(s) in the City of Amarillo Youth Programs.
- G. Participant: A youth whose parent(s) have completed all required registration procedures and determined to be eligible for City of Amarillo Youth Programs.
- H. Supervisor(s): The City of Amarillo Parks and Recreation full-time employee(s) who has been assigned administrative responsibility to implement City of Amarillo Youth Programs.
- I. Program Manual: Notebook of policies, procedures, required forms and organizational and programming information relevant to each City of Amarillo Youth Program(s).
- J. Program Site: Any area or facility where the City of Amarillo Youth Programs are held.

- K. Program Coordinator(s): Any City of Amarillo Parks and Recreation Department employee(s) who have been assigned the responsibility to supervise and implement City of Amarillo Youth Programs.
- L. Attendant/Leader/Specialist: Any City of Amarillo Parks and Recreation Department employee who has been assigned the responsibility to implement City of Amarillo Youth Programs.
- M. Youth: A person who is not less than five years or more than 13 years of age.
- N. Youth Programs: City of Amarillo Youth Programs held at the City's Charles E. Warford Activity Center, Amarillo Zoo, Amarillo National Tennis Center or designated City of Amarillo Park sites. Other programs may be subsequently designated by the City of Amarillo. These programs are not licensed child-care facilities.

2. Organization

- A. The governing body of the City of Amarillo Parks and Recreation Programs is the City of Amarillo City Council.
- B. Implementation of the Parks and Recreation Youth Programs Standards of Care is the responsibility of the Director of Parks and Recreation and Departmental Employees.
- C. Youth Programs ("Program") to which these Standards of Care apply are programs operated by the City of Amarillo and held at the Charles E. Warford Activity Center, Amarillo National Tennis Center, Amarillo Zoo and designated City Park sites. Other programs may be subsequently designated by the City of Amarillo.
- D. The Director shall implement, administer, and enforce the Youth Program Standards of Care. The Director may establish rules, regulations, policies and procedures, consistent with the Standards of Care as the Director determines are necessary to discharge any duty under or to affect the policy of the Standards of Care.
- E. No City Youth Program may be advertised as a child-care facility.
- F. The Standards of Care apply to all Youth Programs sponsored by the City whether offered afterschool, during the summer, or during holidays.
- G. Each Program Site will be provided the website address of where a current copy of the Standards of Care is located. A current copy of the Standards of Care will be available for viewing in the Parks Administration Office, 509 S. Johnson St., Amarillo, Texas, 79101 and the Charles E. Warford Activity Center, 1330 NW 18th Avenue, Amarillo, Texas, 79107 or online at www.amarilloparks.org.
- H. Parents of participants will be provided the website address of www.amarilloparks.org where the current copy of the Standards of Care can be accessed. Parents of participants will be informed that the City of Amarillo Youth Programs are not licensed by the State of Texas as a child care facility.
- I. Criminal background checks will be conducted on prospective Youth Program employees. If results of the criminal checks indicate an applicant has been arrested for any of the following offenses, he or she may not be considered for employment:

- a. A felony or misdemeanor classified as an offense against a person;
- b. A felony or misdemeanor classified as public indecency;
- c. A felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance or any violation of City Policy;
- d. Any offense involving moral turpitude;
- e. Any offense that would potentially put the City of Amarillo or participants of the Program at risk.
- f. No person with conviction of or who is under indictment for, or is subject of an official criminal complaint alleging any crimes listed in the Texas Department of Protective and Regulatory Service's Day Care Center Minimum Standards and Guidelines Appendix II or a felony violation of the Texas Controlled Substance Act.

3. Inspections/Monitoring/Enforcement

- A. An annual Program Site inspection report will be initiated by the Program Coordinator(s) of each Program to confirm the Standards of Care are being met. The annual report will be submitted no later than April 1 each year. Each inspection report will be sent to the Director for review and kept on record for two years. The Director shall review each report and establish deadlines and criteria for program compliance with the Standards of Care.
- B. The Program Coordinator(s) will make visual inspections of the Program based on the following schedule. Each visual inspection report will be filed in program files and kept on record for two years.
 - (1) Program sites will be inspected monthly.
- C. Complaints regarding enforcement of the Standards of Care will be directed to the Supervisor(s). The Supervisor(s) will be responsible to take the necessary steps to resolve the problems. Complaints regarding enforcement of the Standards of Care and their resolution will be documented by the Supervisor(s). Serious complaints regarding the Standards of Care will be addressed by the Director and the complaint resolution will be noted. Each complaint report will be sent to the Director for review and kept on record for two years.
- D. The Director will provide an annual report to the City Council regarding the overall status of the Youth Program and its operation relative to compliance with the adopted Standards of Care as a part of the City Council's annual review and adoption of Standards of Care.

4. Enrollment

- A. Before a child can be enrolled, a parent must sign registration forms that contain the child's:

- (1) Name, address, home telephone number, email address;
- (2) Name and address of parents and telephone number during program hours;
- (3) Names and telephone numbers of the people to whom the child can be released;
- (4) Statement of the child's special problems or needs;
- (5) Emergency medical authorization;
- (6) Proof of residency when appropriate;
- (7) Liability waiver; and
- (8) An acknowledgement that the parent has been informed and understands the program is not licensed by the State of Texas.

5. Suspected Abuse

Program Employees will report suspected child abuse or neglect in accordance with the Texas Family Code. In an Employee involved situation in an incident with a child that could be considered child abuse, the incident shall immediately be reported to the appropriate Program Coordinator(s). The Program Coordinator will immediately notify the Texas Department of Protective and Regulatory Services and/or the Amarillo Police Department, and the Director.

Texas State Law requires staff 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 of 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

1. Supervisor(s)

Qualifications:

- A. Supervisor(s) will be full-time, professional employees of the City of Amarillo Parks and Recreation Department and will be required to have all Program Attendant and Attendant/Leader/Specialist qualifications as outlined the document.
- B. Supervisor(s) must have a bachelor's degree from an accredited college or university or at least two (2) years of developing, implementing and supervising recreational, wellness or community based programming for children and youth.
- C. Supervisor(s) must pass a background investigation including testing for illegal substances.
- D. Supervisor(s) must have successfully completed a course in first aid and Cardio Pulmonary Resuscitation (CPR) based on either the American Heart Association or American Red Cross standards.

- E. Supervisor(s) must possess a valid Class C Texas Driver's License.

Responsibilities:

- A. Supervisor(s) are responsible for the planning, development, administration, implementation, and evaluation of the Programs' daily operations in compliance with the adopted Standards of Care.
- B. Supervisors(s) are responsible for hiring, supervising, and evaluating Program Coordinators and Attendants/Leaders/Specialists.
- C. Supervisor(s) are responsible for complex recordkeeping and retention.

2. Program Coordinator(s)

Qualifications:

- A. Program Coordinator(s) will be full-time employees of the City of Amarillo Parks and Recreation Department and will be required to have all Attendants/Leaders/Specialists qualifications as outlined in the document.
- B. Program Coordinator(s) working with children must be age 16 or older.
- C. Program Coordinator(s) must have at least two (2) years experience working with children and youth.
- D. Program Coordinator(s) must complete 8 hours of child care training per calendar year. Training must be completed prior to Program start dates and completed on an annual basis.
- E. Program Coordinator(s) must have successfully completed a course in first aid and Cardio Pulmonary Resuscitation (CPR) based on either the American Heart Association or American Red Cross standards.
- F. Program Coordinator(s) must possess a valid Class C Texas Driver's License.

Responsibilities:

- A. Program Coordinator(s) assist in the administration, implementation and daily supervision of the Programs' daily operations in compliance with the adopted Standards of Care.
- B. Program Coordinator(s) assist in the evaluation of Attendants/Specialists/Leaders.
- C. Program Coordinator(s) assist in the planning, implementing, and evaluating of programs.
- D. Program Coordinator(s) are responsible for moderately complex reporting and recordkeeping.

- E. Program Coordinator(s) must pass a background investigation including testing for illegal substances.
- F. Program Coordinator(s) will be required to provide all Attendants/Specialists/Leaders responsibilities as outlined in the document.

3. Attendant(s)/ Leader(s)/Specialist(s)

Qualifications:

- A. Attendant(s)/Leader(s)/Specialist(s) will be part-time or seasonal employees of the City of Amarillo Parks and Recreation Department.
- B. Attendant(s)/Leader(s)/Specialist(s) working with children must be age 15 or older.
- C. Attendant(s)/Leader(s)/Specialist(s) should be able to consistently exhibit competency, good judgment, and self-control when working with children.
- D. Attendant(s)/Leader(s)/Specialist(s) must relate to children with courtesy, respect, tolerance, and patience.
- E. Attendant(s)/Leader(s)/Specialist(s) must have successfully completed a course in first aid, CPR, and AED training based on with American Heart Association or American Red Cross Standards. An exception can be made for no more than one staff person at each site, and that person shall successfully complete a first aid and CPR course within four weeks of starting work.
- F. Attendant(s)/Leader(s)/Specialist(s) must pass a background investigation including testing for illegal substances.
- G. Attendant(s)/Leader(s)/Specialist(s) must complete 8 hours of child care training per calendar year. Training must be completed prior to Program start dates and completed on an annual basis.

Responsibilities:

- A. Attendant(s)/Leader(s)/Specialist(s) assist with planning preparation and delivery of recreation programs, education programs, special events, camps, and public programs.
- B. Attendant(s)/Leader(s)/Specialist(s) engage in creative, age-appropriate, and responsibly managed activities with youth/program participants.
- C. Attendant(s)/Leader(s)/Specialist(s) provide assistance in educational presentations.
- D. Attendant(s)/Leader(s)/Specialist(s) are responsible for moderately complex reporting and recordkeeping.

4. Training/Orientation

- A. The Department is responsible for providing training and orientation to Program Employees working with children and for specific job responsibilities. Supervisors will provide each

Program Coordinator and Attendant/Leader/Specialist with a Program Manual specific to each Youth Program.

- B. Program Employees must be familiar with the Standards of Care as adopted by the City Council.
- C. Program Employees must be familiar with the Program's policies including discipline, guidance, and release of participants as outlined in the Program Manual.
- D. Program Employees will be trained in appropriate procedures to handle emergencies.
- E. Program Employees will be trained in City, Departmental, and Program policies and procedures, provision of recreation activities, safety issues, child care training, and organization.
- F. Program Employees must have successfully completed a course in first aid, CPR, and AED training based on with American Heart Association or American Red Cross Standards. An exception can be made for no more than one staff person at each site, and that person shall successfully complete a first aid and CPR course within four weeks of starting work.
- G. Program Employees will be required to sign an acknowledgement that they received the required training.

OPERATIONS

1. Staff-Participant Ratio

- A. The standard ratio of Participants to Attendant(s)/Leader(s)/Specialist(s) in programs will be no more than 20:1. In the event an Attendant/Leader/Specialist is unable to report to work, a replacement will be assigned.
- B. Each Participant shall have a Program Employee who is responsible for the Participant and who is aware of the Participants habits, interests, and any special problems as identified by the Participant's Parent(s) during the registration process.

2. Notification

- A. Parents must be notified immediately when Program Employees are aware of a Participant injury or a Participant has a sign or symptom requiring exclusion from the site (i.e. communicable disease, fever, and/or illness).
- B. The disease will be reported to City of Amarillo Department of Public Health/Amarillo Bi-City-County Health District. All parents must be notified if there is an outbreak of any communicable disease or a single case of one of the notifiable conditions.
- C. Attendant(s)/Leader(s)/Specialist(s) must complete an injury report and submit the report to the Supervisor and/or Program Coordinator.

3. Discipline

- A. Program Employees will implement discipline and guidance in a consistent manner based on the best interests of the Program Participants.
- B. There must be no cruel or harsh punishment or treatment.
- C. Program Employees may use brief, supervised separation from the group, if necessary.
- D. As necessary, Program Employees will initiate discipline reports to Parent(s) of Participants. Parents will 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 detailed in the Program Manual may result in a Participant being suspended from the Program.
- F. In instances where there is a danger to Participants or Program Employees, offending Participant(s) will be removed from the Program Site as soon as possible.

4. Programming

- A. Program Employees will attempt to provide activities for each group according to the Participant's 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 Employees will attempt to provide indoor (Warford Center/Zoo) 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 Employees will be attentive and considerate of the Participants' safety including access to emergency medical forms, emergency contact information for each Participant, first aid supplies and a Guide to First Aid and Emergency Care.
- D. Program Employees must have a written list of the Participants in the group and must check roll frequently.

5. Communication

- A. Each Program Site will have access to a telephone for use in contacting Supervisor, Program Coordinator, Director or for emergency calls.
- B. The Supervisor and/or Program Coordinator(s) will make available the following phone numbers to all Program Employees:
 - (1) Amarillo Medical Services – Ambulance
 - (2) Amarillo Police Department

- (3) Amarillo Fire Department
- (4) Poison Control
- (5) Program Site Phone Number
- (6) Numbers at which Parents may be reached
- (7) Director/ Parks Administration Office

6. Transportation

- A. The City of Amarillo does not provide transportation services related to Youth Programs except for field trips in which City Transit is used to transport Youth to field trip sites.

FACILITY STANDARDS

1. Safety

- A. Program Employees will inspect Program areas daily to detect sanitation and safety concerns that might affect the health and safety of 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 equipment and supplies must be safe for Participants use.
- D. Program Employees must have first aid supplies readily available at each Program Site.
- E. Air conditioners, electric fans, and heaters at the Program Site must be mounted out of Participants' reach or have safeguards that keep Participants from being injured.
- F. Porches and platforms more than 30 inches above ground at the Program site must be equipped with railings Participants can reach.
- G. All swing seats at Program Sites must be constructed of durable, lightweight, relatively pliable material.
- H. Program Employees must have first aid supplies readily available to Program Staff in a designated location. Program Employees must have an immediately accessible Guide to First Aid and Emergency Care.

2. Fire

- A. In case of fire, danger of fire, explosion, or other emergency, Program Employees first priority is to evacuate the Participants to a safe area.
- B. The Program Site will have an annual fire inspection by the City's Fire Marshal as appropriate (Warford Center, Zoo) and the resulting report will detail any safety concerns observed. The report will be forwarded to the Director who will review and establish deadlines and criteria for compliance. Information from this report will be included in the Director's annual report to the City Council.

- C. All Program Employees will be trained in the proper use of fire extinguishers as well as to the locations of fire extinguishers at Program Sites.
- D. Fire drills will be initiated at Program Sites based on the following schedule:
 - (1) Warford Center Programs – A fire drill will be conducted once every three months.
 - (2) Amarillo Zoo – A fire drill will be conducted once per session.

3. Health

A. Illness or Injury

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

B. Medication Administration

- (1) Program Employees will not administer medication.
- (2) Medications needed for immediate use for life-threatening conditions (e.g. bee-sting medication, inhaler) and limited medications approved for use in first-aid kits may be carried and self administered by Participant.
- (3) Program shall have on file a written statement for Participant to carry medication and related paraphernalia or devices.

C. Toilet Facilities

- (1) The Program Site 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.

D. Sanitation

- (1) Each Program Site must have adequate light, ventilation and heat.
- (2) Each Program Site 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 sanitary manner.
- (3) Program Employees must see that garbage is removed daily.