

ORDINANCE NO. 25216-11-2021

AN ORDINANCE ADOPTING THE STANDARDS OF CARE FOR 2022 FOR YOUTH PROGRAMS OFFERED BY THE CITY OF FORT WORTH; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to section 42.041(b)(14) of the Texas Human Resources Code, the City of Fort Worth is not required to obtain a license from the Department of Family and Protective Services to operate an elementary-age (ages 5-13) recreation program provided that the governing body of the City of Fort Worth annually adopts standards of care by ordinance after a public hearing; and

WHEREAS, section 42.041(b)(14) of the Texas Human Resources Code requires that the standards of care adopted by the City of Fort Worth are provided to the parents of each program participant and that the standards of care include: staffing ratios, minimum staff qualifications, minimum facility, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and further provided that parents be informed that the program is not licensed by the state and the program may not be advertised as a child-care facility; and

WHEREAS, the City of Fort Worth finds that a public hearing was held prior to the adoption of this ordinance.

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

SECTION 1.

In accordance with section 42.041(b)(14) of the Texas Human Resources Code, the Fort Worth City Council hereby adopts the Standards of Care for 2022 for the elementary-age recreation programs operated by the City of Fort Worth that are attached hereto as Exhibit "A" and incorporated by reference as if fully set out herein.

SECTION 2.

The ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 3.

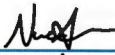
It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree 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 4.

This ordinance shall take effect upon adoption.

APPROVED AS TO FORM AND LEGALITY:

CITY SECRETARY:


Nico Arias (Dec 8, 2021 13:06 CST)
Assistant City Attorney


Jannette S. Goodall (Dec 8, 2021 13:47 CST)
Jannette Goodall

ADOPTED AND EFFECTIVE: November 30, 2021

M&C: 21-0930



EXHIBIT A

CITY OF FORT WORTH YOUTH PROGRAM STANDARDS OF CARE

The following Standards of Care have been adopted by the City Council of the City of Fort Worth, Texas to comply with the amendment to Section 42.041 (b) (14), Human Resources Code as approved by the Texas Legislature during the 74th legislative session.

An elementary-age (ages 5-13) recreation program operated by municipality provided the governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs, that such standards are provided to the parents of each program participant, and that the ordinances shall include, at a minimum, staffing ratios, minimum staff qualifications, minimum facility, health and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and further provided that parents be informed that the program is not licensed by the state and the program may not be advertised as a child-care facility.

The Standards of Care are intended to be minimum standards by which the City of Fort Worth will operate the City's Youth Programs. The programs operated by the City are recreational in nature and are not licensed by the state of Texas as certified day care programs. The Texas Department of Family and Protective Services has issued an exemption determination certificate to the City of Fort Worth.

Administration

I. Definitions

- A. **City** - City of Fort Worth
- B. **City Council** - City Council of the City of Fort Worth, Texas
- C. **Department** - Department of the City of Fort Worth
- D. **Youth Program(s)** - City of Fort Worth Youth Programs that last one consecutive week (five days) or longer.
- E. **Operations Manual** - Notebook of policies, procedures, required forms, organizational and programming information relevant to City of Fort Worth Youth Programs.
- F. **Program Manual** - Notebook of information given to Program Leaders which includes rosters, attendance sheets, lesson plans, disciplinary action forms, etc.
- G. **Director** - City of Fort Worth Department Director or his/her designee.
- H. **Program Coordinator or Coordinator** - City of Fort Worth staff who has been assigned administrative responsibility for a City of Fort Worth Youth Program.
- I. **Program Leader** - City of Fort Worth full-time, part-time, seasonal staff, temporary staff, contract instructor or volunteer who has been assigned responsibility to implement the City's Youth Programs.
- J. **Program Site** - Area or facilities where City of Fort Worth Youth Programs are held.

EXHIBIT A

- K. **Participant** - A youth whose parent(s) or guardian(s) have completed all required registration procedures and are determined to be eligible for a City of Fort Worth Youth Program.
- L. **Parent(s)** - This term will be used to represent one or both parent(s) or guardian(s) who have legal custody and authority to enroll their child(ren) in the City of Fort Worth Youth Program.
- M. **Program Staff** - Term used to describe the person or persons who have been hired or have volunteered to work for the City of Fort Worth and have been assigned responsibility for managing, administering, or implementing some or all portions of the Fort Worth Youth Programs. This definition also includes Program Coordinator and Program Leader.
- N. **Facility** - A facility used to host any youth program that lasts five days or longer.

II. Organization

- A. The governing body of the Youth Program is the City Council.
- B. Implementation of the Fort Worth Youth Programs Standards of Care is the responsibility of the Director and Program Staff.
- C. Youth Programs to which these Standards of Care apply are those that last one consecutive week (five days) or longer.
- D. Each Program Site will have a current copy of the Standards of Care available for the public and Program Staff.
- E. Parents of Participants will be given access to a current copy of the Standards of Care prior to the start of the Youth Program, preferably during the registration process.
- F. Criminal background checks will be conducted on prospective Program Staff. Depending on the background check results, candidates will be placed at the discretion of the Human Resources Department policies and procedures.

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 the check indicate that an applicant is a registered sex offender, he or she will not be considered for employment.

III. Fiscal Management

- A. The program will follow the written policies and procedures of fiscal management set forth by the City of Fort Worth.
- B. The program will have sound fiscal management and operational oversight.
- C. The program will have a written budget.
- D. Financial statements of the program will be reviewed regularly by the Director and adjustments will be made as needed.

EXHIBIT A

Staffing

I. Program Coordinator (Coordinator) Qualifications

- A. Coordinators are considered professional staff members of the Department and must have all Program Leader qualifications as outlined in Section III of this document.
- B. Coordinators should possess the following combination of experience and training:
 - 1. Two years of responsible community center service or recreational programming experience.
 - 2. Equivalent to a Bachelor's degree from an accredited college or university with major course work in Sports Management, Physical Education, Recreation, or a related field.
- C. Coordinators must pass a background investigation, including a test for illegal substances.
- D. Coordinators must have a current certification in First Aid, Cardio Pulmonary Resuscitation (CPR), and AED (Automated External Defibrillator) – Adult and Child. These certifications must be from a nationally recognized certifying organization, i.e., American Heart Association or American Red Cross.
- E. Coordinators must furnish proof of a clear tuberculosis test taken within 12 months prior to their employment date.
- F. Coordinators must take a tuberculosis test every year and provide proof of a clear tuberculosis test.

II. Coordinator Responsibilities

- A. Coordinators are responsible for administrating the Youth Program's daily operations in compliance with the adopted Standards of Care.
- B. Coordinators are responsible for recommending the hiring, supervising, and evaluating of Program Leaders.
- C. Coordinators are responsible for planning, implementing, and evaluating Youth Programs.

III. Program Leader (Leader) Qualifications

- A. Program Leaders will be full-time, part-time, seasonal, or temporary employees of the Department or volunteers.
- B. Volunteers working with participants must be age 16 or older; however, each Program Site will have at least one Leader present at all times, and all Leaders must be at least four years older than the participants they are working with.
- C. Leaders must have a current certification in First Aid, Cardio Pulmonary Resuscitation (CPR), and AED (Automated External Defibrillator) – Adult and Child. These certifications must be

EXHIBIT A

from a nationally recognized certifying organization, i.e., American Heart Association or American Red Cross.

- D. Leaders must pass a background investigation, and are subject to reasonable cause drug and alcohol testing.
- E. Leader applicants must furnish proof of a clear tuberculosis test that was completed within the 12 months prior to their employment date.
- F. Leaders must take a tuberculosis test every year and provide proof of a clear tuberculosis test.
- G. Leaders must have a minimum of 6 months' experience in recreation, education, or youth programs.
- H. Leaders must possess an accredited High School diploma or GED certificate from the state in which it was acquired.

IV. **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 to know and adhere to all City, Departmental, and Youth Program standards, policies and procedures that apply to Youth Programs.
- C. Leaders must ensure that Participants are released only to a Parent or an Authorized Person designated by the Parent. If a Parent wishes that their child sign himself in or out, the Parent must sign a release giving said authorization. Any child signing themselves out cannot stay at the facility or on the premises.
- D. Leaders will be responsible for supervised access to the restrooms for Participants.
- E. Program Staff will:
 - 1. Consistently exhibit competency, good judgment and self-control when working with participants.
 - 2. Relate to youth with courtesy, respect, tolerance, and patience.
 - 3. Intentionally develop individual relationships with youth, focusing on their developmental needs and building on their unique strengths.
 - 4. Create a supportive, caring environment and build self-esteem in every participant.
 - 5. Be engaged in activities with the participants.
 - 6. Recognize participants for their achievements and participation.
 - 7. Clearly communicate behavior expectations.

EXHIBIT A

8. Apply rewards and consequences appropriately and consistently for participant behavior.
9. Model and reinforce positive behavior and use positive techniques to address negative behavior by participants.

V. Training/Orientation

- A. The Department is responsible to provide training and orientation to Youth Program staff in working with Participants and for specific job responsibilities. Coordinators will provide each Leader with a Program Manual specific to each Youth Program.
- B. Program Staff must be familiar with the Standards of Care for Youth Programs as adopted by the City Council.
- C. Program Staff must be familiar with the Youth Program's policies, including discipline, guidance, and release of Participants as outlined in the Program Manual.
- D. Program Staff will be trained in appropriate procedures to handle emergencies.
- E. Program Staff will be trained in 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. The training will include Child Abuse Detection and Prevention
- F. Program Staff will be required to sign an acknowledgment that they received the required training.

Program Operations

I. Enrollment

- A. Before a child can become a Youth Program Participant, a parent or guardian must register their child and provide the required information to include name, address, phone number, emergency contact and child release information, statement child's special problems or needs, emergency medical authorization, signed liability waiver, release to participate in water activities, designation of need for reasonable accommodations, sign acknowledgement of code of conduct, and proof of birth date.

II. Staff-Participant Ratio

- A. In a Youth Program, the standard ratio of Participants to Program Staff is 15 to 1, based on average daily attendance. In the event a Leader is unable to report to the Program Site, the Coordinator will assign a replacement.
- B. Ratios may be adjusted to provide adequate supervision during higher risk activities, such as field trips, swimming, or upon recommendation of public health officials.

EXHIBIT A

- C. Each Participant will have a Program Staff who is responsible for him or her and who is aware of details of the Participant's habits, interests and any special needs as identified by the Participant's Parents during the registration process.

III. Special Needs

- A. The parent should inform Program Staff in writing of any Participant needs that would affect their ability to participate in organized, group activities.
- B. The City is committed to providing children with an equal opportunity to participate in the City's programs and services in accordance with the Americans with Disabilities Act (ADA). Any requests for accommodations will be individually assessed to determine the reasonableness of the request and if the City can meet the particular needs of the Participant without fundamentally altering the program or services involved. Every reasonable accommodation will be made to address Participants with special needs.
- C. Participants with special needs requiring personal assistance, i.e., feeding, changing of clothes, certain behavioral needs and using the restroom, must provide an attendant (18 years of age or older) for the duration of the program. Program Staff will not provide personal assistance. The attendant will be admitted to the program free of charge. Any additional fees must be paid by the personal attendant. With 48 hours written notice, accessible vehicles will be made available for transportation to authorized field trips.

Activities

- I. The program provides 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.

II. Schedule

- A. The program establishes and follows a schedule that is known to Program Staff, Participants, and Parents.
- B. The daily schedule will be available for Program Staff, Participants, and Parents.
- C. The daily schedule will be flexible enough to provide adaptability, but structured enough to provide predictability for the Participants.
- D. Transitions will be programmed into the schedule and will be orderly, efficient, and minimal in duration.
- E. Recreational screen time (movies, video games, TV, computers) will not exceed two (2) hours daily. If Program Staff is providing more formal instruction, or providing program access via an external educational provider, screen time may exceed this limit.
- F. The program schedule will provide intentional opportunities for Participants to be meaningfully involved in program planning, implementation, data collection, and evaluation. Participant feedback will be incorporated into the program when possible.

EXHIBIT A

- G. Program Staff will attempt to provide indoor and outdoor time periods to include:
1. Alternating active and passive activities, including planned rest times.
 2. An appropriate amount of time for all activities;
 3. Opportunity for individual, small and large group activities, and
 4. Outdoor time each day as weather permits based upon space availability and weather conditions. Outdoor time will be limited to morning hours during red and purple ozone action days.
- H. Participants are provided with a variety of engagement strategies, such as:
1. Self-directed projects;
 2. Individual, small group, and large group activities;
 3. Short and long term projects;
 4. Discovery learning;
 5. Literacy Enhancements
 6. Hands-on projects;
 7. Experiential activities that promote creativity and self-expression;
 8. Peer mentoring opportunities;
 9. Participant-led activities; and
 10. Opportunities for participants to make formal presentations.

III. Field Trips & Transportation

- A. Program Staff will be attentive and considerate of the Participant's safety on field trips and during any transportation provided by the Youth Program.
1. During field trips, Program Staff will have authorization for emergency medical care and emergency contact information for each Participant.
 2. Program Staff will have a written, printed, or electronic list of the Participants in their group and must check the roll frequently, specifically before departure to and from destination.
 3. Program Staff will have first aid supplies.
- B. Before a Participant can be transported to and from City sponsored activities, the parent must give their permission. Parents may be asked to volunteer to attend field trips to assist with

EXHIBIT A

the supervision of Participants. Those parents who wish to volunteer must submit volunteer paperwork two weeks prior to the date of the field trip for background screening.

- C. First aid supplies will be available in all Youth Program vehicles that transport Participants.
- D. There will be at least one staff member in the vehicle that is certified in CPR, First Aid, and AED.
- E. All vehicles used for transporting Participants will have a 6-BC portable fire extinguisher installed in the passenger compartment of the vehicle, accessible to the adult occupants.
- F. Seatbelts will be worn if provided.
- G. Participants will be oriented to expected behavior and safety rules.
- H. Participants will be given stickers or wristbands with the location's name and phone number to be worn at all times while on a field trip.
- I. According to the Texas Occupant Restraint Law, every child younger than 8 years of age, unless the child is taller than four feet, nine inches, must be properly secured in a federally approved safety seat, in accordance with the instructions of the manufacturer of the safety seat system, when riding in vehicles that carry 15 or fewer passengers. Safety seats will be provided.
- J. Where available, and subject to 48 hours written notice, transportation will be provided for Participants with special needs. See page 6, III. Special Needs.

IV. Participant Pick Up & Drop Off

- A. A completed and signed Pick-Up Authorization Form must be on file for each Participant.
- B. These forms must be updated each year.
- C. The original signer of the Pick-Up Authorization Form may contact the center in person to add a new Authorized Person, with written notification. The original signer may also contact the center via telephone and make changes verbally using the safety word on the Pick-Up Authorization Form.
- D. Participants must only be signed out by an Authorized Person listed on the Pick-Up Authorization Form. One staff person must monitor the sign in/out duties each day.
- E. Authorized Persons must present picture ID to pick up a Participant.
- F. Authorized persons must be 18 or older unless the person is 16 or older and a sibling of the Participant.
- G. Sign in/sign out will be completed electronically and records will be retained for the life of the software application.
- H. Participants may be signed out by a custodial parent, unless court paperwork is given to Program Staff.

EXHIBIT A

- I. Parents may electronically sign a form allowing their child to walk home at the end of the program.
- J. 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.
- K. If an Authorized Person attempts to pick up a Participant while appearing intoxicated, staff will ask if there is another person who can pick up the Participant. Program staff will notify the Program Coordinator, and if necessary, staff will call 911.
- L. If any unauthorized person attempts to pick up a child, staff should:
 - 1. Call the Program Coordinator.
 - 2. Politely inform the person that they do not have permission to release the child to them.
 - 3. Ask the person to leave.
 - 4. Move the Participant at risk to another room or area.
 - 5. Have another Program Staff in the pick-up area.
 - 6. The Coordinator should call the original Authorized Person to inform them of the unauthorized pick up attempt.
 - 7. If necessary, Program Staff should call 911.

V. 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:
 - 1. Using physical punishment or any action administered to the body such as, but not limited to rough handling, or forcing child(ren) to assume an uncomfortable position.
 - 2. Restraining movement by tying, enclosing in a confined space, shaking, or using exercise as punishment.
 - 3. Being verbally abusive, including, but not limited to, threats, belittling remarks, humiliation, embarrassment, or frightening a child.
 - 4. Giving any child the authority to punish another child.
 - 5. Placing a child out of visual/hearing range, in the dark, or in an unventilated area.
 - 6. Punishing a child for a toileting accident.

EXHIBIT A

7. Taunting a child by or any other form of jeering.
 8. Giving preferential attention to any child over another child.
- C. To protect a child from injuring themselves, other participants, or Program staff, the child may be removed and/or isolated if deemed necessary.
- D. Program Staff will use brief, supervised, separation (time out) from the group, if necessary.
- E. As necessary, Program Staff will initiate discipline reports to the Parents of Participants. Parents will be asked to sign Participant discipline reports to indicate they have been advised about specific problems or incidents.
1. A sufficient number and/or severe nature of discipline report(s), as detailed by the Disciplinary Action Policy in the Program and Operations Manuals, may result in a Participant being suspended from the Youth Program immediately. If a Participant is suspended from the program, an Authorized Person must pick up the Participant within one hour.
 2. Participants will be removed from the Program Site as soon as possible in instances of danger to themselves, other Participants, or Program Staff. This includes, but is not limited to, continuous disruption of the Youth Program, inappropriate sexual behavior, bullying, hitting or biting other Participants or Program Staff and damage to any City property. Depending upon severity of the infraction, Program Staff will have the sole discretion to determine if or when the child may return to the program.
- F. Participants are expected to abide by program rules that include, but are not limited to:
1. Show respect to all Participants and Program Staff.
 2. Bullying of any form is not allowed (cyber, physical, verbal, etc.).
 3. Refrain from using abusive or foul language.
 4. Refrain from causing bodily harm to self, other Participants, or Program Staff.
 5. Refrain from any inappropriate touching.
 6. Bringing any toys, electronics, etc. to the Youth Program is not allowed. Cell phones must be put away during program time.
 7. Refrain from roughhousing in any manner.
 8. Use of social media sites during camp hours is not allowed.
 9. Refrain from taking photographs of any kind.
 10. Respect all equipment, supplies, and facilities.
 11. Responsible for cleaning up after themselves at all times.

EXHIBIT A

12. Respect the property of other Participants.
13. Listening to and taking direction from all Program Staff.
14. Staying within the physical boundaries of the Program Site at all times, unless with a Program Staff or Parent.

Facility Operations

I. Inspection/Monitoring/Enforcement

- A. The Coordinator of each Youth Program will perform a monthly inspection of the facility to maintain compliance with the Standards of Care.
 1. Each Out of School Time program site will be inspected by Program Staff bi-monthly during the school year and twice during the summer. Inspections may be scheduled or unscheduled.
 2. Facility Inspection checklist reports will be kept on file for at least two years.
 3. The Program Coordinator will review the report and establish deadlines and criteria for compliance with the Standards of Care.
- B. Complaints regarding enforcement of the Standards of Care will be directed to the Coordinator. The Coordinator will be responsible for taking the necessary steps to resolve the problems. 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 resolutions will be noted.
- C. The Director will make an annual report on the overall status of the Youth Programs and their operation relative to compliance with the adopted Standards of Care.

II. Program Area

- A. The Youth Program's indoor space (when applicable) meets the physical, social, emotional, and cognitive needs of Participants.
- B. The Youth Program's outdoor space (when applicable) is large enough, appropriately equipped, and safe to allow Participants to be active and independent.
- C. The Youth Program's space meets the needs related to planning, activities, and storage.
- D. Buildings, grounds, and equipment on the Program Site are regularly inspected, cleaned, repaired, and maintained to protect Participants' health.

EXHIBIT A

Health & Safety

I. Health

A. Illness or Injury

1. A Participant who is considered to be a health or safety concern to other Participants or Program Staff will not be admitted to the Youth Program.
2. Illnesses and injuries will be handled in a manner to protect the health of all Participants and Program Staff. Participants having a temporal fever over 100 degrees will not be allowed back into the Youth Program for 24 hours.
3. Program Staff will follow emergency procedures for injured Participants or for Participants with symptoms of an acute illness.
4. In the event of an emergency and/or serious accident, Parents will be notified immediately. If necessary, the local ambulance service will transport the Participant to the nearest hospital.
5. In the case of a minor accident or injury (bumps and bruises), the Program Staff will administer first aid, monitor the Participant, and notify the Parents at pick-up.
6. Parents will be notified if a child is injured in a way that necessitates emergency care.
7. Program Staff will follow the recommendations of the Texas Department of State Health Services or Tarrant County Public Health concerning the admission or readmission of any Participant after a communicable disease, and a doctor's note will be required allowing Participant's readmission to the program.
8. Parents should notify Program staff if a child has lice. Children should not return to the Program Site until the lice have been treated. If Program Staff are informed or become aware that a child has lice, Program Staff will provide notice to the parents of Participants that a child in the program has lice. The notice will also include treatment recommendations from Tarrant County Public Health.
9. If a Participant becomes sick while in the program, Parent or Authorized Person(s) will be notified and contact with staff must be made within one hour to arrange pick up
10. If Program staff are contacted by the Tarrant County Public Health regarding a Participant contagious illness diagnosis and/or staff recognizes a preponderance of similar symptoms in multiple Participants in the program, Program staff will notify Parents of Participants by email or hand-delivered letter within 24 hours. Notification by the Tarrant County Public Health Department will include symptoms and recommendations for care.

- B. Program Staff will dispense and administer medication subject to the following conditions:

EXHIBIT A

1. Parents must complete, sign, and submit an **Authorization to Dispense or Administer Medication** detailing medication name(s), time(s) to be administered, and dosage(s) for Participants enrolled in *any* program. The release will include, among other things, a hold harmless clause to protect the City.
 2. Prescription medications must be in the original containers labeled with the Participant's name, date, directions, and the prescribing physician's name. The prescribing physician must provide written guidelines. Program Staff will store, dispense, and administer the medication only as stated on the label. Program Staff will not dispense medication after the expiration date.
 3. Non-prescription medications must be labeled with the Participant's name and the date the medication was brought to the Youth Program. Non-prescription medication must be in the original container. Program Staff will dispense and administer medication only according to label directions and with written parental permission.
 4. Except in instances where an accommodation may be necessary under the ADA, Program Staff will be limited to dispensing and administering those medications that do not require special knowledge, skills, or training. Medication will be properly disposed of at the end of the program.
- C. A Medication Record Form will be kept by Program Staff detailing when medication was administered.

II. Safety

- A. Program Staff will supervise Participants to ensure their safety.
- B. Program Staff will inspect Program Sites daily checking for sanitation and safety concerns that might affect the health and safety of Participants.
- C. Program Site equipment and supplies will be safe for 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.
- E. The Youth Program will ensure that all Program Staff working with participants are trained in CPR, First, and AED.
- F. Participants will have access to clean drinking water at all times.
- G. Program Site air conditioners, electric fans, and heaters will be mounted out of Participant's reach or have safeguards that keep Participants from being injured.
- H. Program Site porches and platforms more than 30 inches above the ground will be equipped with railings with the exception of performance stages.

EXHIBIT A

III. Emergencies

- A. Each Youth Program will have an Emergency Operations Manual that will be reviewed with all Program Staff.
 - 1. When applicable, staff will follow directives of the Emergency Management Office.
- B. Fire
 - 1. 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.
 - 2. The Program Site will have an annual fire inspection by the local Fire Marshall, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Director who will review it and enforce the deadline and criteria for compliance.
 - 3. Each Program Site will have at least one fire extinguisher approved by the Fire Marshall readily available to all Program Staff. Fire extinguishers will have annual inspections conducted by an approved vendor.
 - 4. All Program Staff will be trained in the proper use of the fire extinguisher.
 - 5. Fire drills will be initiated at Program Sites based on the following schedule.
 - a) Out of School Time Program - Once during each program or every three months, whichever is greater.
- C. Tornados
 - 1. Tornado warning procedures will be reviewed with all Program Staff during orientation.
 - 2. Tornado drills will be initiated three times annually: once during the spring, summer and fall.

IV. Communication

- A. Each remote Program Site will have a cell phone or two-way radio to allow the Program Site to be contacted by Program Staff. Each Program Site will have access to a telephone for use in contacting Program Staff or making emergency telephone calls. At each Program Site the Coordinator will post the following telephone numbers adjacent to a telephone accessible to all Program Staff:
 - 1. City of Fort Worth ambulance or emergency medical services
 - 2. City of Fort Worth Police Department
 - 3. City of Fort Worth Fire Department
 - 4. Department Administrative Office

EXHIBIT A

5. Telephone numbers and address for the Program Site itself
6. Telephone number of Coordinator's office
7. Program participants' emergency contact information
8. Poison Control

V. Nutrition

- A. The program will follow the Texas Department of Agriculture Food and Nutrition Guidelines when meals are provided by a contracted agency. Additionally, in keeping with Healthy Eating and Physical Activity (HEPA) Standards, the program will:
 1. Serve whole grain-rich products.
 2. Provide plain potable water at all times at no cost to youth and staff.
 3. Serve plain low-fat milk, plain or flavored nonfat milk or milk alternative limited to 8 fluid ounces per day for elementary school students and 12 fluid ounces per day for middle and high school students.
 4. Serve only 100% fruit or vegetable juice with no added sweeteners or 100% juice diluted with water with no added sweeteners.
 5. Serve only non-caffeinated beverages.
- B. Special snacks may be provided during the program. Parents must note any food allergies on Participant's electronic registration form.
- C. When food is provided, it comes from outside sources and the program is not able to provide allergen or nutritional information. However, even when this information is provided, normal kitchen operations may involve some shared cooking and preparation areas and utensils, and the possibility exists for food items to come in contact with other food products, including other allergens. Parents are allowed to provide children with his or her own food.

VI. 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 *or filing a report at https://www.txabusehotline.org/Login/WebSite_UI/Report-anon.aspx.*
- B. Program Staff will receive basic training related to child abuse prevention and how to report suspected abuse.

VII. Toilet Facilities

- A. The Program Site will have toilets located and equipped so Participants can use them independently and Program Staff can monitor as needed.

EXHIBIT A

- B. There will be one toilet for every 20 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.

VIII. Sanitation

- A. The indoor Program Sites must have adequate light, ventilation, air conditioning and heat.
- B. The 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. All waste matters will be kept in a leak-proof, covered container.
- D. Program Staff will remove garbage from Program Sites daily.
- E. Program Staff will ensure that all tables are sanitized before and after each meal. Program Staff will ensure that all Participants wash hands before and after each meal, and after using the restroom.

END OF STANDARDS OF CARE

Mayor and Council Communication

DATE: 11/30/21

M&C FILE NUMBER: M&C 21-0930

LOG NAME: 80STANDARDSOFCARE-2022

SUBJECT

(ALL) Conduct Public Hearing and Adopt Ordinance Establishing Standards of Care for Youth Programs in the City of Fort Worth for 2022

(PUBLIC HEARING - a. Report of City Staff: Sonia Singleton; b. Citizen Presentations; c. Council Action: Close Public Hearing and Act on M&C)

RECOMMENDATION:

It is recommended that the City Council conduct a public hearing and adopt the attached ordinance establishing the Standards of Care for Youth Programs in the City of Fort Worth for 2022.

DISCUSSION:

This Mayor and Council Communication (M&C) is requesting that City Council adopt the attached ordinance establishing Standards of Care (Standards) for Youth Programs in the City of Fort Worth for 2022. The Standards set requirements for supervision of programs for youth ages 5 through 13.

In 1995, the Texas Legislature amended Section 42.041 of the Human Resources Code to exempt elementary aged (5 through 13 years) municipal youth recreation programs from the State's licensing requirement under certain conditions. This law requires that a city annually adopt standards by ordinance after a public hearing. Adopted standards must be provided to the parents of each program participant and must include, at a minimum: staffing ratios, minimum staff qualifications, minimum facility, health and safety standards and mechanisms for monitoring and enforcing the adopted local standards. State law also requires that parents be informed that the program is not licensed by the State and that the program may not be advertised as a child care facility.

The Standards are intended to be minimum standards by which the City of Fort Worth Park & Recreation, Neighborhood Services, and other potentially affected departments will operate the City's youth programs. In accordance with the current Standards, the director is required to make an annual report on the overall status of the youth programs and their operation relative to compliance with the adopted Standards.

The items listed below provide information regarding the prior year's activities:

1. Youth programs were offered at 20 community centers and four mobile sites providing services to 1,327 youth.
2. Average ratio of participants to staff during these programs was 15:1.
3. All Staff working directly with youth received a tuberculin test.
4. All Staff working directly with youth at each facility were certified in First Aid and CPR/AED.
5. All Staff received training on the Standards of Care.
6. Safety inspections were completed at each facility on a weekly basis during youth programming.

The Standards of Care are in place year round. In accordance with the legislation, the Standards of Care and Ordinance must be submitted for adoption to the City Council on an annual basis. The 2022 Standards have twelve minor modifications highlighted in the attached policy, including:

Activities Section: Field Trips & Transportation (Page 7) Section III.A.2. – Provides for electronic lists of participants. **Participant Pick Up & Drop Off** (Page 8) Section IV.G. – Provides for electronic sign in and sign out and electronic record retention for life of software application. (Page 9) Section IV.I. – Provides for electronic signature to allow children to walk home. Section IV.J. – Removes calling the police if child not picked up within 30 minutes of program ending. **Discipline** (Page 10) Section V.E.1. – Removes calling the police if a participant is not picked up. Section V.F.6. – Requires cell phones to be put away during program time.

Facility Operations Section: Inspection/Monitoring/Enforcement (Page 11) Section I.A.1. – Corrects typo (removes the word "of"). Section I.A.2. – Removes need to send Facility Inspection checklist reports to the Director, but they will still be retained for two years. Section I.A.3. – Program Coordinator, not Director, will review the reports and establish deadlines and criteria for compliance with Standards of Care.

Health & Safety Section: Health (Page 12) Section I.A.7. – Adds Tarrant County Public Health to agencies that can provide recommendations to staff. Section I.A.8. – Corrects the name of Tarrant County Public Health. **Nutrition** (Page 15) Section V.B. – Allows parents to note allergies on the electronic registration form.

At its November 17, 2021 meeting, the Park & Recreation Advisory Board reviewed and endorsed staff's recommendations to the City Council to adopt these standards.

The Standards affect programs in ALL COUNCIL DISTRICTS.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that this action will have no material effect on City funds.

Submitted for City Manager's Office by: Valerie Washington 6192

Originating Business Unit Head: Richard Zavala 5704

Additional Information Contact: Victor Turner 8187