

## MEMORANDUM

**To:** City of Seguin Mayor and Council  
Steve Parker, City Manager

**From:** Jack Jones, Director of Parks & Recreation

**Through:** Rick Cortes, Deputy City Manager

**Subject:** Public Hearing and Ordinance on first reading amending the Seguin Code of Ordinances Chapter 74, Parks, amending Article IV, Standards of Care for Youth Recreation Programs; providing for publication of this ordinance; providing a severability clause; providing for an effective date; and authorizing City staff to prepare this ordinance for submission as a supplement to the Code of Ordinances.

**Date:** August 3, 2021

The State of Texas Department of Family and Protective Services administers state regulations and general licensing procedures for all child-care facilities. Municipalities can choose to be exempted from the licensing requirements and applicable state regulations if certain conditions are met, and provided the municipality annually adopts by ordinance standards of care after a public hearing. Additionally, the following criteria must be met in order to receive the exemption:

- Standards of care are provided to the parents of each program participant.
- Ordinance includes at a minimum: staffing ratios; staff qualifications; facility, health, and safety standards; and mechanisms for monitoring and enforcing the adopted local standards.
- Parents are informed that the program is not operated or advertised as a licensed day care.

As part of the State's requirement for the exemption, the City of Seguin will hold an annual public hearing on the Standards of Care for Youth Recreation Programs and the City Council will formally adopt them as part of an ordinance (Exhibits A & B). The Standards of Care for Youth Recreation Programs (Parent Handbook) is currently what is in use and given to all parents in the youth recreation programs including being posted online.

The Parent Handbook was approved earlier this year. Since that time, the JAAM program has expanded to the Ball Early Childhood Center. In addition, with the new Parks and Recreation Department software and fee changes, updates to the handbook are needed. Some changes contained in the proposed Parent Handbook 2021-2022 from what was approved earlier this year include:

- Addition of a new Parent Handbook exclusively for a new afterschool program hosted at the Ball Early Childhood Center program (Exhibit B), exempted from childcare licensing

by the Texas Department of Protective and Regulatory Services: Texas Human Resource Code §42.041 (b) (14) PRS Rules, 26 TAC §745.119 (3).

- Content of the Parent Handbooks are similar with the exception of the mention of Day Camp and ages.
  - The Just for Kids Day Camp program is for students finishing Kindergarten to 11 years old.
  - The JAAM program at Ball Early Childhood Center is restricted to ages three (3) and four (4) years old.
- Addition of direction allowing that although every attempt has been made to ensure the Parent Handbook is comprehensive, there may be situations not addressed that will be treated on a case-by-case basis.
- Including intersession days as program closure days.
- Changes to rates, including JAAM after-school program weekly rates previously calculated at \$6 per day, adjusted to \$35 per week.
  - Eliminated prorated option.
  - Week is defined as Monday - Friday
- Day Camp weekly rates formerly \$85 per week, now adjusted to \$95 per week.
- Weekly rates for Day Camp are due seven (7) days in advance.
- Additional updates to cancellation policy, including cancellation deadlines and weekly fees being payable in full regardless of attendance.
- Allowing for updates to payment methods being made one (1) day prior to transaction due date.
- Withdrawal from program must be submitted in writing.
- Withdrawal requests must be submitted no later than Friday at 5 p.m. for the upcoming week of care or weekly fees will be charged.
  - Re-enrollment will incur a \$25 registration fee.
- Clarifying non-refundable and non-transferable policy even if out due to illness or work schedule change.
- Fee adjustments for Covid-19 related absences will require a note from a medical provider.
- Upon direction from the Seguin Independent School District, added required information on the school snack program, stating the funding source for snacks and that the funders are equal opportunity providers.

The Parks and Recreation Advisory Board will consider the Standards of Care for Youth Recreation Programs (Exhibits A & B) at their meeting on August 2, 2021. City staff recommends approval on first reading amending the Seguin Code of Ordinances Chapter 74, Parks, amending Article IV, Standards of Care for Youth Recreation Programs; providing for publication of this ordinance; providing a severability clause; providing for an effective date; and authorizing city staff to prepare this ordinance for submission as a supplement to the Code of Ordinances.