

MEMORANDUM

To: City of Seguin Mayor and Council

From: Jack Jones, Director of Parks & Recreation

Through: Steve Parker, City Manager
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: March 21, 2023

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 (Exhibit A). The Standards of Care for Youth Recreation Programs (Program Handbook) is currently what is in use and given to all parents in the youth recreation programs including being posted online. Differences contained in the Program Handbook 2023-2024 from last year include:

- Replacement of terminology that should be more comprehensive and/or inclusive.
 - Substituted the word "guardian" for "parent".
 - Substituted the word "pandemic" for "Covid-19".
 - Replaced phrasing "post a notice" with "send notification" in the following: "Notify the Parks and Recreation Department immediately if your child has a communicable disease so we may post a notice stating the illness and symptoms other guardians should be aware of. Please be advised these postings are confidential and never contain names."
- Added additional verbiage to more thoroughly explain a current policy:

- “Enrollment in the JAAM after-school program is continuous and refunds and/or payment transfers will not be made despite absences (i.e. illness, dismissal/suspension from a program, scheduling changes, etc.)”
 - “Refunds for program closures due to weather may be given at the discretion by the Director of Parks and Recreation or designee.
- Guardians will be notified of injuries that occur during the JAAM program, prior to being picked up from the JAAM program.
 - “The primary guardian will be notified of any injuries that occur during programming through SMS message which will include a photo image of any visible injuries such as cuts; swelling, skin discoloration; burns; sprains and strains and an injury report will be provided at the time of pickup and must be signed by a guardian or other authorized individuals.
- To verify that minors are only registered for programs by legal guardians, we’ve introduced the following policy:
 - “The City of Seguin Parks and Recreation may request verification of age and/or legal rights to a child through birth certificate and/or custodial documents.”
- Guardians sign a permission and waiver form at the time of online registration. Wording from this document is now included in the program handbook.

At their meeting on March 6, 2023, the Parks and Recreation Advisory Board unanimously recommended approval for City Council consideration the Standards of Care for Youth Recreation Programs (Exhibits A). 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.