

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: February 20, 2024

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 2024-2025 from last year include:

- Updated program withdrawal policies such as limited access to a minor's account, improved identity verification requirements, and implied withdrawal for unique situations.
 - *"Account changes and inquiries can only be made by the primary or secondary guardian on the child's account. Changes can be made through the online registration portal or at the Parks and Recreation Office. Account changes may require photo identification or identity verification over-the-phone using the child's code word or multi-factor authentication."*

- *“A child may be withdrawn from a program at the discretion of the Parks and Recreation Department should there be reasonable suspicion that a child will not return. Reasons for implied cancellation may include extended absences, changes to school district enrollment status, inability to contact the guardians, and delinquent accounts. Any program fees, including late fees, will still incur until the withdrawal has been finalized.”*
- Addition of a restroom policy and the requirement that all participants must be potty trained and independent with clothing changes.
 - *“Participants of the JAAM and Day Camp programs must be fully potty trained and capable of performing bathroom functions independently including manipulating clothing without assistance. If a child has a restroom accident, the guardian will be notified immediately to bring a change of clothes or pick their child up.”*
- Additional clarification that the afterschool program does not have access to the nurse’s office and children’s medication stored with the school district.
 - *“Access to the school nurse’s office is not available during JAAM after-school hours. If your child requires a medication dosage after school hours, please contact the Parks and Recreation Administrative Office before enrollment.”*
- Removal of Intersession days as a program closure/holiday as Seguin ISD has removed Intersession days from the 2024-2025 school calendar.
- Further clarification that a person with a legal right to the child may pick them up at any time. The guardian who enrolls the child cannot exclude another legal guardian from the list of individuals authorized to pick up their child.
 - *“To ensure the safety of the participants in the program, children will only be released to a legal guardian or those designated by the guardian at enrollment. Photo identification will be required until individuals are recognized by sight. The primary or secondary guardian listed on the child’s account may add additional authorized individuals to the pick-up list by providing written notification to the Parks and Recreation Office.”*
 - *A person with a legal right to the child may pick them up at any time. Parents/guardians will be denied access to a child only if the Parks and Recreation Department has been provided with legal documentation that prohibits non-custodial parent contact with a child.*

At their meeting on February 5, 2024, the Parks and Recreation Advisory Board unanimously recommended approval for City Council consideration the Standards of Care for Youth Recreation Programs (Exhibit 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.