

Mayor and Council Communication

DATE: 11/29/22

M&C FILE NUMBER: M&C 22-0941

LOG NAME: 80STANDARDSOFCARE-2023

SUBJECT

(ALL) Conduct Public Hearing and Adopt Ordinance Establishing Standards of Care for Youth Programs in the City of Fort Worth for 2023
(Continued from a Previous Meeting)

(PUBLIC HEARING - a. Report of City Staff: Kelli Pickard; 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 2023.

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 2023. 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 of Texas 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 of Fort Worth'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 18 community centers and four mobile sites providing services to 1,983 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.
6. Safety inspections were completed at each facility on a weekly basis during youth programming.

The Standards are in place year-round. In accordance with the legislation, the Standards and Ordinance must be submitted for adoption to the City Council on an annual basis. The 2023 Standards have modifications highlighted in the attached policy. Substantive changes include:

Staffing

III. Program Leader Qualifications (page 3-4)

Section B.

Current: 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.

Proposed: Leaders working with participants must be age 16 or older. Each Program Site will have at least one Leader present at all times, and all Leaders must be at least three years older than the participants they are working with. Recreation Leaders in Training must be at least 14 years old.

Revision reason: Leaders 16 years and older can be hired now. The reduction in the hiring age was made to allow younger staff to compete for entry level positions, to serve as a bridge between the Recreation Leaders in Training program and employment opportunities, and to increase the pool of candidates. Due to this, the age differential between leaders and campers is reduced to three years. Participants in the Recreation Leaders in Training program must be at least 14 years old.

Section G.

Current: Leaders must have a minimum of 6 months' experience in recreation, education, or youth programs.

Proposed: Deleted

Deletion reason: Minimum experience requirement removed to accommodate younger staff and provide them with entry level job opportunities.

Section H.

Current: Leaders must possess an accredited High School diploma or GED certificate from the state in which it was acquired.

Proposed: Deleted

Deletion reason: High School diploma or GED no longer pre-requisite for hiring with 16 year olds being considered for employment.

IV. Leader Responsibilities (page 5)

Section E.8.

Current: Apply rewards and consequences appropriately and consistently for participant behavior.

Proposed: Apply rewards and consequences appropriately and consistently for participant behavior and age.

Revision reason: Youth have varying developmental and cognitive abilities that will determine the consequences or rewards they receive for their actions and behaviors.

Program Operations

III. Special Needs (page 6)

Section A.

Current: The parent should inform Program Staff in writing of any Participant needs that would affect their ability to participate in organized, group activities.

Proposed: The parent should inform Program Staff in writing at the time of registration, of any Participant needs that would affect their ability to participate in organized, group activities.

Revision reason: To allow staff the appropriate time to make any adaptive changes, if necessary.

Activities

IV. Participant Pick Up & Drop Off (page 8)

Section B.

Current: These forms must be updated each year.

Proposed: These forms must be updated each year via electronic registration method.

Revision reason: Pick-up Authorization forms are now electronic.

At its November 16, 2022 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 approval of this recommendation will have no material effect on City funds.

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