



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 7/24/2018

ALL

Item Creation Date: 7/11/2018

PRD - Standards of Care Amend and Re-Adopt Ordinance

Agenda Item#: 31.

Summary:

AN ORDINANCE AMENDING AND READOPTING THE HOUSTON YOUTH RECREATION PROGRAM'S STANDARDS OF CARE AS CODIFIED AT ARTICLE XII OF CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE SUBJECT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Background:

In order to comply with 42.041 (b) (14) of the Texas Human Resources Code, the Houston Parks and Recreation Department (HPARD) held a Public Hearing on July 18, 2018 regarding an amendment and the re-adoption of the Houston Youth Recreation Program Standards of Care codified at Article XII of Chapter 32 of the City of Houston Code of Ordinances.

The Standards of Care are intended to be the minimum standards that HPARD will use to operate the After-School and Summer Enrichment Programs. The programs offer a wide range of recreational activities including arts and crafts, sports, games, field trips, and cultural and special events.

HPARD's After-School Enrichment and Summer Programs are subject to regulation. However, the Texas Human Resources Code 42.041 (b) (14) provides an exemption for a recreation program for elementary age children (ages 5 – 13) with the following criteria:

- A municipality operates the program;
- The governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs;
- The program provides these standards of care to the parents of each program participant;
- The ordinance includes child/caregiver ratios, minimum employee qualifications, minimum building, health and safety standards, and mechanisms for monitoring and enforcing the adopted local standards;
- The program informs the parents that the state does not license the program; and
- The program does not advertise itself as a child-care operation.

The HPARD After-School and Summer Enrichment Program meet all of the above criteria for exemption.

This year, HPARD recommends amending the Ordinance by striking Section 32.282 (c) which reads, "*Program staff will use brief, supervised, separation (time out) from the group if necessary.*" HPARD staff no longer use this practice for handling discipline matters. HPARD staff do continue to use the other procedures listed in this section of the ordinance for handling discipline matters.

Director's Signature:

Steve Wright, Director
Houston Parks and Recreation Department

Prior Council Action:

Ordinance 2017-588

Amount of Funding:

No funding required

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