

ORDINANCE NO. 2024 - _____
AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS,
ADOPTING DAY CARE STANDARDS FOR 2024; PROVIDING A
SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE
DATE.

WHEREAS, the State of Texas Human Resources Code, Chapter 42 requires elementary age (5-13 years) recreation programs operated by a municipality annually adopt standards of care by ordinance after a public hearing in order to be exempt from childcare licensing;

WHEREAS, the City Council of the City of New Braunfels has determined that Youth Programs Standards of Care will be beneficial to the City of New Braunfels and should be modified as recommended by Staff; and

WHEREAS, the City Council of the City of New Braunfels, Texas has the authority under its Home Rule Charter and under the laws of the State of Texas to adopt regulations aimed to protect the health, safety, and general welfare of its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

The following standards of care are adopted by ordinance

Youth Programs Standards of Care

GENERAL INFORMATION/ADMINISTRATION

- A. Purpose: To provide basic childcare regulations for recreation activities operated by the New Braunfels Parks and Recreation Department. This will allow the department to qualify as exempt from requirements of the Texas Human Resources Code.

- B. Implementation: Program will be the responsibility of the New Braunfels Parks and Recreation Department, with Programs Supervisors and Coordinators (Recreation, Nature Education Center, Athletic and Aquatic) supervising the overall program and Recreation Specialists, Camp Coordinators, Assistant Coordinators, Recreation Instructors, Seasonal Attendants, KinderCare Leads and Kinder Care Attendants administering the program on-site.

- C. Programs: Regulations apply to on-going recreational programs:
 - Holiday Adventure Camp
 - Spring Break Camp
 - Summer Day Camp
 - Day Off Camp

Nature Camps
Partial Sports, Nature and Hobby Camps
KinderCare- Das Rec
Kids Day Out

D. Other: Each site will make available for the public and staff a current copy of the Standards of Care. Standards of Care will also be made available on the Parks and Recreation Website at www.newbraunfels.gov/standardsofcare .

E. Program Sites:

Fischer Park Nature Education Center	1946 Monarch Way
Landa Aquatic Complex	350 Aquatic Circle
Landa Rec Center	164 Landa Park Drive
Landa Park	110 Golf Course Road
Landa Haus	360 Aquatic Circle
Das Rec, New Braunfels Recreation Center	345 Landa Street
Westside Community Center	2932 S IH Frontage Rd
Seele Elementary School	540 Howard Street

F. Day Camp Objectives

1. To offer a program wide in scope and varied in activities of different recreational activities: sports, games, arts and crafts, nature education and discovery, etc.
2. To provide a pleasant and memorable experience in an engaging atmosphere.
3. To provide a safe environment always promoting good health and welfare for all.
4. To teach children how to spend their leisure time wisely, to meet several needs: emotional, physical, and social.

G. Exemption Status: Once an exempt status is established, the Licensing Division will not monitor the recreational program. The Licensing Division will be responsible for investigating complaints of unlicensed childcare and for referring other complaints to the municipal authorities or, in the case of abuse/neglect allegation, to the local police authorities.

H. Standards of Care Review: Standards will be reviewed annually and approved by the City Council after a public hearing is held to pass an ordinance regarding section 42.041(b)(14) of the Human Resources Code.

I. Child Care Licensing will not regulate these programs nor be involved in any complaint investigation related to the program.

- J. Any parent, visitor or staff may register a complaint by calling New Braunfels Parks and Recreation Administration Offices at 830-221-4350, Monday through Friday, 8:00 a.m. to 5:00 p.m.

II. STAFFING

A. Day Camp Coordinator-Job Descriptions and Essential Job Functions

Essential Job Functions:

1. Directs and supervises a day camp program for elementary aged children under the Supervision of the Programs Supervisor.
2. Develops and implements a daily camp curriculum under Parks and Recreation guidelines.
3. Responsible for ensuring camp activities are conducted in a safe, cost-efficient, professional manner.
4. Responsible for procurement of camp supplies, equipment and food items.
5. Responsible for all camp related record keeping.
6. Schedules all day camp counselors at appropriate levels to maintain established camper to staff ratios.
7. Interacts with parents, children and program staff to resolve disciplinary issues; evaluates and determines the enforcement of discipline guidelines; documents counseling sessions and prepares related reports.
8. Communicates daily with Programs Supervisor and holds weekly meetings with camp staff to monitor program during summer.
9. Supervises a staff of 10-24 day camp leaders.
10. Is assisted by Assistant Camp Coordinator in these same duties.

Qualifications:

1. Required knowledge of operational characteristics, services and activities of summer day camp management and program planning and coordination and principles and practices of customer service.
2. Must possess a high school diploma or GED equivalent; AND one (1) year experience working with children required, with supervisory experience in a school or camp environment; one year college preferred.
3. Must possess a valid Texas Driver's License.
4. Must pass city criminal background check prior to hiring.
5. Must be able to successfully complete within two (2) weeks of employment: First Aid and Safety/Cardiopulmonary Resuscitation (CPR) / Automated External Defibrillator (AED) training.
6. Must possess skill in:

- a. Interpreting customer and facility needs and solving customer service and public relations issues.
- b. Demonstrating the ability to make sound decisions regarding the enforcement of disciplinary guidelines.
- c. Analyzing problems, providing alternatives, and identifying solutions in support of established goals.
- d. Responding to emergencies and determining corrective actions using available resources.

B. Day Camp Counselor/Seasonal Attendant- Job Descriptions and Essential Job Functions

Essential Job Functions:

1. Implements and monitors a day camp program for elementary aged children under the Supervisor of the Day Camp Coordinator and Assistant Coordinator.
2. Supervises and interacts with camp participants in a wide variety of recreational activities.
3. Responsible for ensuring daily camp activities are conducted in a safe, professional manner.
4. Responsible for communicating camp needs (equipment, supplies) to camp supervisor.
5. Responsible for interacting with camp participants, parents and supervisors to provide a high quality program.
6. Responsible for maintaining facility appearance and cleanliness during and after camp activities.
7. Responsible for reporting any camp incidents to camp supervisor.

Minimum Qualifications:

1. Must be mature, responsible and able to complete duties with minimal supervision.
2. Must be able to communicate well with the public, and skilled at interacting with children.
3. Must be sixteen (16) years of age AND one (1) year customer service/public interaction experience and experience working with children preferred.
4. Must possess or be able to obtain within six months of employment: Community First Aid and Safety/Cardiopulmonary Resuscitation (CPR) / Automated External Defibrillator (AED) certification.
5. Must complete departmental day camp staff training.
6. Must pass city criminal background check prior to hiring.
7. Knowledge of recreational games, crafts and activities.
8. Prefer completion of at least 1 year of college.

C. Recreation Instructor- Job Descriptions and Essential Job Functions
Essential Job Functions

1. Assists in ensuring the delivery of high quality and consistent recreation programs and services.
2. Develops, plans, organizes, promotes, facilitates, and instructs programs as approved by the Supervisor to meet community needs; coordinated in alignment with the City's strategic objectives, policies and procedures, and State and Federal laws.
3. Maintains attendance and class records, including but not limited to program and participant surveys, accident and incident reports and league rosters, monitors course enrollment and reports deficiencies in inventory of supplies to supervisor for ordering.
4. Acts as a sales assistant and cashier in the Nature Education Center gift shop and manages cash transactions.
5. Answers incoming calls and provides program information in person and via the telephone; greets facility and program guests and provides prompt, courteous and friendly customer services to the public, in order to maintain positive customer relations.
6. When necessary, handles minor disciplinary issues or rules interpretation at City facilitated programs and venues according to Parks and Recreation Department policies and procedures.
7. Assists in promoting and coordinating city-wide special events, including event setup and tear down.
8. Assists in managing a variety of administrative activities including computer records and cash management; operate computer registration/reservation system.
9. Facilitates and manages use of park amenities and facilities such as kayaks/paddle boats, trails, ponds, picnic facilities and miniature golf.
10. Maintains facility cleanliness and is active in presenting a clean, comfortable and safe environment; responsible for reporting potential and existing safety issues or concerns to supervisors to ensure patron safety.
11. Performs other duties as assigned or required

Minimum Qualifications:

1. High school diploma or GED equivalent; AND one (1) year customer service/public interaction experience required, with recreation, nature education or athletic instruction experience preferred.
2. Must be 18 years of age or older.
3. Must possess a valid Texas Driver's License.
4. Must possess or be able to obtain within six months of employment: Community First Aid and Safety/Cardiopulmonary Resuscitation (CPR) / Automated External Defibrillator (AED) certification.
5. Must pass city criminal background check prior to hiring.

6. Knowledge of operational characteristics, services and activities of nature education, recreation, and athletic facilities.
7. Knowledge of principles and practices of recreation, nature education and athletic program and/or league and special event planning and coordination.
8. Knowledge of principles and practices of customer service.
9. Knowledge of Federal and State safety laws and regulations.

D. Kinder Care Lead – Job Description and Essential Job Functions

Essential Job Functions:

1. Assists in ensuring the delivery of high quality and consistent programs and services to the community.
2. Assists in managing a variety of administrative activities including computer records, employee scheduling, accident/injury reports and work activity reports.
3. Assists in supervising Kinder Care area tasks.
4. Serves as a liaison between the Kinder Care staff and the Guest Services Supervisor (report any problems).
5. Assists with training and orientation of new staff and leading staff meetings.
6. Responsibilities of Kinder Care Attendants are also expected of Kinder Care Leads.
7. Maintains order and organization of facility's child care operations, programs, and processes.
8. Prepares and assists in maintaining facilities including but not limited to DAS REC, New Braunfels Recreation Center to ensure a safe condition and to meet community needs; must be in compliance with the City's strategic objectives, policies and procedures, and State and Federal laws.
9. Ensures safety and hygienic environment in the child care facility.
10. Be responsive to parents to fulfill their child care service needs.
11. Plans, organizes and leads children in a range of interesting and enjoyable activities and games.
12. Sets up and cleans "as you go" during activity sessions to create a pleasant, attractive and sanitary environment for participants.
13. Assists with training and evaluating assigned staff and developing staff skills; meets regularly with staff to discuss and resolve workload and technical issues; reviews the work of assigned staff to assure the quality of assigned duties and responsibilities.
14. Assists with the development of procedures, forms, guidelines, and training programs for all assigned staff members
15. Develops, maintains and trains staff on records, systems, and procedures.
16. Monitors inventory of equipment and supplies and initiates orders when needed.

17. Performs basic administrative activities including accident/injury and work activity reports.
18. Monitors facility and equipment use by the public.
19. Performs basic janitorial tasks.
20. Performs other duties as assigned or required.

Minimum Qualifications:

1. Must be at least sixteen (16) years of age AND one (1) year customer service/public interaction experience preferred. Must have one (1) year experience working with children in a childcare setting.
2. Must possess or be able to obtain within six months of employment: Community First Aid and Safety/Cardiopulmonary Resuscitation (CPR) / Automated External Defibrillator (AED) certification.
3. Must pass city criminal background check prior to hiring.
4. Required skill in principles and practices of customer service.
5. Required skill in Federal and State safety laws and regulations.
6. Required skill in interpreting customer and facility needs and solving customer service and public relations issues.
7. Required skill in analyzing problems, providing alternatives, and identifying solutions in support of established goals.
8. Required skill in responding to emergencies and determining corrective actions using available resources.
9. Required skill in establishing and maintaining cooperative and effective working relationships with City employees, facility lessees and guests, event sponsors and vendors, and the general public.
10. Required skill in effective, clear and concise communication, both verbally and in writing.

E. KinderCare Attendant – Job Description and Essential Job Functions

Essential Job Functions:

1. Assists in ensuring the delivery of high quality and consistent programs and services to the community.
2. Maintains order and organization of facility's child care operations, programs, and processes.
3. Prepares and assists in maintaining facilities including but not limited to DAS REC, New Braunfels Recreation Center to ensure a safe condition and to meet community needs; must be in compliance with the City's strategic objectives, policies and procedures, and State and Federal laws.
4. Ensures safety and hygienic environment in the child care facility.
5. Be responsive to parents to fulfill their child care service needs.
6. Plans, organizes and leads children in a range of interesting and enjoyable activities and games.
7. Sets up and cleans "as you go" during activity sessions to create a pleasant, attractive and sanitary environment for participants.
8. Assists in promoting recreation programs, City facilities and city-wide special events coordination and setup.

9. Performs basic administrative activities including accident/injury and work activity reports.
10. Monitors facility and equipment use by the public.
11. Performs basic janitorial tasks.
12. Performs other duties as assigned or required.

Minimum Qualifications:

11. Must be at least sixteen (16) years of age AND one (1) year customer service/public interaction experience preferred.
12. Required Licenses or Certifications:
 9. Must possess or be able to obtain within two (2) weeks of employment: Community First Aid and Safety/Cardiopulmonary Resuscitation (CPR) / Automated External Defibrillator (AED) certification.
 10. Must pass city criminal background check prior to hiring.
 11. Required skill in principles and practices of customer service.
 12. Required skill in Federal and State safety laws and regulations.
 13. Required skill in interpreting customer and facility needs and solving customer service and public relations issues.
 14. Required skill in analyzing problems, providing alternatives, and identifying solutions in support of established goals.
 15. Required skill in responding to emergencies and determining corrective actions using available resources.
 16. Required skill in establishing and maintaining cooperative and effective working relationships with City employees, facility lessees and guests, event sponsors and vendors, and the general public.
 17. Required skill in effective, clear and concise communication, both verbally and in writing.

F. Other Requirements

1. Staff must complete the mandatory training program of at least 12 hours, in addition to planning hours with site staff prior to the start of first shift. This training includes a departmental orientation, customer service, behavioral issues, and discipline, as well as practical skills on activities for children in subjects such as games, songs, and crafts.
2. Staff must exhibit competency, good judgment, and self-control throughout the duration of the child's stay.
3. Staff should relate to the children and parents with courtesy, respect, acceptance and patience.
4. Staff will be evaluated at least once during the calendar year, to discuss any areas that should be addressed to ensure future employment in KinderCare.

G. **Criminal Background Checks and Drug Testing:** Criminal background checks will be conducted on prospective employees. Applicants may be

disqualified if they have a job related criminal conviction. A prospective employee will be subject to a drug test prior to hiring.

H. Staffing Ratios:

Youth Programs:

The number of children may not exceed staff by a minimum ratio of 1 staff per 15 children, ages 5-13.

The number of children may not exceed staff by a minimum ratio of 1 staff per 10 children, ages 3-4.

Kinder Care:

The number of children may not exceed staff by a minimum ratio of 1 staff per 10 children, ages 1-10.

The number of children may not exceed staff by a minimum ratio of 1 staff per 3 children, ages 6-12 months.

III. FACILITY STANDARDS

- A. Emergency evacuation and relocation plans will be posted at each facility.
- B. Program employees will inspect sites frequently for any sanitation or safety concerns. Those concerns should be passed on to the Programs Supervisor immediately.
- C. Each facility location must have a fully stocked first aid kit. This shall be checked and stocked on a weekly basis.
- D. In a situation where evacuation is necessary, the priority of staff is to make sure all participants are in a safe location.
- E. Program sites will be inspected annually by the Fire Marshall. Each Facility Coordinator is responsible for compliance with Fire Marshall's directives.
- F. The recommended number of fire extinguishers shall be inspected quarterly and available for use.
- G. Fire drills should be conducted once a month during the summer camp.
- H. Medication will only be administered with written parental consent. Prescription medications shall be left with staff in their original container, labeled with the child's name, date, directions and physician's name. Medication shall be dispensed only as stated on the bottle, and not past the expiration date.

- I. Non-prescription medicine with the child's name and date on the medication may be brought if in the original container. Non-prescription medication will only be administered with written parental consent.
- J. Each site shall have adequate toilets and sinks located such that children can use them independently and program staff can supervise as needed.
- K. All participants must wear appropriate clothing, including footwear, for the activity.

IV. SERVICE STANDARDS-Day Camp Staff

This information will be provided to each staff member as a part of the day camp manual:

- A. Camp staff shirts as well as appropriate clothing and footwear must be worn at all times.
- B. City issued employee identification should be worn and clearly visible.
- C. Camp participants, parents, and legal guardians will be treated with respect at all times.
- D. Camp staff will take it upon themselves to resolve complaints. Do not refer customer to another staff person. Try to solve the complaint if possible. If not, please refer them to the supervisor on duty.
- E. Camp staff will keep parents continuously informed of camp activities and schedules as much as possible. Staff will plan activities based upon the weather and have options in case of inclement weather or high/low temperate.
- F. Camp staff will note details of behavior of campers (accomplishments, discipline problems, general activities, etc.) and update parents as much as possible.
- G. Camp staff will monitor the sign in/out log at all times. This is done with the use of a software program for verifying identity of the approved guardians.
- H. Camp staffs will clean rooms and activity areas daily.
- I. Camp staff will spend 100% of their time actively involved with campers and/or parents.

V. Operational Issues

- A. Emergency Phone numbers are kept at the front desk of the facilities. Those numbers include fire, police, and ambulance services as well as participant guardian contact numbers.
- B. All staff members will stay in constant contact with the front desk and other camp staff members through wireless, 2-way radios and/or cell phones.
- C. A Day Camp Manual is given to every staff member, which outlines the following:
 1. Discipline Issues
 2. City Rules and Regulations
 3. Forms that must be filled out
 4. Service Standards
 5. Game/activity leadership
 6. Ways to interact with children
- D. Sign in-sign out will be utilized with software every day. Only adults listed on sign-in/out release will be allowed to pick up children. An authorized person must enter the facility and sign out the child for staff to release the child.
- E. Emergency evacuation and relocation plans will be posted at each facility.
- F. Enrollment information will be kept and maintained on each child and shall include:
 1. Child's name, birth date, home address, home telephone number and phone numbers where parents may be reached during the day.
 2. Names and telephone numbers of persons to whom the child can be released.
 - To be verified by the showing of photo ID upon pickup.
 3. Liability waiver and photo release.
 4. Parental consent to administer medication, medical information and release on participant.
- G. Staff shall immediately notify the parent or other person authorized by the parent when the child is injured or has been involved in any situation that placed the child at risk.
- H. Staff shall notify parents or authorized persons of children in the facility when there is an outbreak of a communicable disease in the facility that is required to be reported to the County Department of Health. Parents will also be notified of an occurrence of head lice.
- I. Discipline:
 1. Discipline and guidance of children must be consistent and based on an understanding of individual needs and development.

2. There shall be no harsh, cruel, or unusual treatment.
 - a. Corporal punishment in any form will not be tolerated.
 - b. Children shall not be shaken, bit, hit, or have anything put in or on their mouth as punishment.
 - c. Children shall not be humiliated, yelled at or rejected.
 - d. Children shall not be subjected to abusive or profane language.
 - e. Punishment shall not be associated with food or drink.
 - f. Staff may use brief, supervised separation from the group if necessary, but staff shall not place children in a locked room or in a dark room with the door closed.
3. Incident reports will be filled out on any disciplinary cases, and information is to be shared with parents when picking up the child or sooner, when extreme cases occur.
4. Children who show patterns of endangerment to themselves, other participants or staff will be asked to leave the program.

J. Illness or Injury

1. Parents shall be notified in cases of illness or injury.
2. An ill child will not be allowed to participate if the child is suspected of having a temperature and/or accompanied by behavior changes or other signs or symptoms until medical evaluation indicates that the child can be included in the activities. In the event an injury cannot be administered through basic first aid, staff will call 911.
3. When an injury occurs, an incident report shall be filled out immediately. The form shall be filled out completely with the original sent to the Programs Supervisor and forwarded to the Recreation Manager and a copy kept in the Day Camp files.

VI. CAMP RULES

The rules of camp are designed to help create a positive and safe environment for both campers and staff. The rules are presented to campers in a positive way and focus on what campers should do rather than what they should not do. Camp rules are used to help teach our campers to make good, positive choices.

1. Be Respectful
2. Be a Good Friend
3. Be Polite
4. Be a Good Listener
5. Be Kind
6. Be a Good Follower of Directions
7. Be Helpful
8. Be Responsible

Passive and active camp activities are planned according to the participants' ages, interests and abilities. The activities should be flexible and promote social and educational advancement.

VII. MONITORING AND ENFORCEMENT

Standards of care established by the City of New Braunfels will be monitored and enforced by city departments responsible for their respective areas as identified:

- A. Health and safety standards will be monitored and enforced by the City's Police, Fire, Health and Code Enforcement Departments.
- B. Staff and program issues will be monitored and enforced by the New Braunfels Parks and Recreation Department. The Recreation Manager shall visit each site on a bi-monthly basis. Programs Supervisors are responsible for visually checking the camp activities daily. When this staff is not available, another full-time or PTR/Part-time staff person is responsible for the daily check.

SECTION 2: SEVERABILITY.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect

any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 3. EFFECTIVE DATE:

This Ordinance shall become adopted and effective upon its second reading and compliance with the City Charter.

PASSED AND APPROVED: First reading this 8th day of April 2024

PASSED AND APPROVED: Second reading this

CITY OF NEW BRAUNFELS, TEXAS

Rusty Brockman, Mayor

ATTEST:

Gayle Wilkerson, City Secretary

APPROVED AS TO LEGAL FORM:

Valeria M. Acevedo, City Attorney