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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. AUTHORITY.

PART 2. DEFINITIONS.

- (1) **ACTIVITY LEADER** means a person responsible for the direct care or supervision of participants. The term excludes a person whose primary duties include administration, clerical support, food preparation, or facility maintenance.
- (2) **DEPARTMENT** means the Parks and Recreation Department.
- (3) **DIRECTOR** means the director of the Parks and Recreation Department.
- (4) **DESIGNEE** means a person appointed by the director to act on the director's behalf.
- (5) **FACILITY** means a building or improvement operated or used by the department in conducting a recreational program.
- (6) **PARTICIPANT** means a child age five to 13 years old who is enrolled in a recreational program and is under the supervision of department staff.
- (7) **RECREATIONAL PROGRAM OR PROGRAM** means a fee-based children's program or activity offered and supervised by the department that requires a participant to enroll or register to participate.
- (8) **STAFF** means a person who is employed by the department to work in a recreational program.

- 1 (9) VOLUNTEER means a person assisting without remuneration in the care
2 or supervision of participants.

3 **PART 3. PROGRAM ADMINISTRATION.**

- 4 (A) The department shall operate recreational programs in compliance with
5 appropriate state law, this ordinance and the department's rules adopted
6 under this ordinance.
- 7 (B) The director, or designee, shall administer the programs.

8 **PART 4. PROGRAM RULES; MONITORING.**

- 9 (A) The director shall adopt rules relating to the operation of the programs. A rule
10 adopted under this ordinance may be more restrictive than the minimum
11 standards adopted by this ordinance.
- 12 (B) The director shall monitor the programs to ensure compliance with the
13 standards adopted in this ordinance and the rules.

14 **PART 5. REQUIRED SUPERVISION FOR NON-AQUATIC RECREATIONAL**
15 **PROGRAMS.**

- 16 (A) Except as provided in Subsection (B) and Part 6 (*Required Supervision*
17 *for Aquatic Recreational Programs*), the department shall provide
18 activity leaders during a recreational program at a minimum as follows:
- 19 (1) one activity leader for each 12 participants between the ages of
20 five and nine years old; and
- 21 (2) one activity leader for each 15 participants between the ages of
22 ten and 13 years old.
- 23 (B) The department shall provide activity leaders during a recreational
24 program designed for participants with a disability at a minimum as
25 follows:
- 26 (1) one activity leader for each four participants between the ages of
27 five and 12; and
- 28 (2) one activity leader for each eight participants between the ages of
29 12 and 13 years old.
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2 **PART 6. REQUIRED SUPERVISION FOR AQUATIC RECREATIONAL**
3 **PROGRAMS.**

4 (A) Except as provided in Subsection (C), the department shall provide activity
5 leaders during a recreational program that includes swimming in a
6 swimming pool at a minimum as follows:

7 (1) one activity leader for each eight participants between the ages of
8 five and seven years old; and

9 2) one activity leader for each 12 participants eight to 13 years.

10 (B) Except as provided in Subsection (C), the department shall provide activity
11 leaders during a recreational program that includes swimming in a wading
12 pool at a minimum as follows:

13 (1) one activity leader for each five participants of five years in age; and

14 (2) one activity leader for each 12 participants six to 13 years old.

15 (C) During a recreational program designed for participants with a disability that
16 includes recreational swimming in a swimming pool or a wading pool, the
17 department shall provide one activity leader for each eight participants five
18 to 13 years old.

19 (D) The department may not conduct a recreational program at a swimming pool
20 or wading pool outside a City park unless the use of the pool has been
21 approved by the director.

22 **PART 7. REQUIREMENTS FOR ACTIVITY LEADERS.**

23 (A) The department shall provide a minimum of one activity leader for each
24 class or group enrolled in a recreational program.

25 (B) An activity leader must be at least:

26 (1) 18 years old; or

27 (2) 15 years old if supervised by another activity leader who is at least 18
28 years old.

29 (C) An activity leader must retain the following certification from a
30 nationally recognized organization approved by the director:
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- (1) basic water rescue, or equivalent, as approved by the director, if supervising a recreational program that includes swimming;
- (2) cardiopulmonary resuscitation for adults, children and infants;
- (3) use of an automated external defibrillator; and
- (4) first aid.

PART 8. STAFF AND VOLUNTEER TRAINING REQUIREMENTS.

- (A) The director shall establish training requirements for all staff and volunteers who provide direct care or supervision to participants.
- (B) At least one staff member at each facility must have current training in first aid, automated external defibrillator, and cardiopulmonary resuscitation for adults, children and infants from a nationally recognized program that has been approved by the director.
- (C) Each staff member who supervises children in swimming or other water activities shall be trained in basic water rescue, or equivalent, as approved by the director. A person who is not counted in the minimum staff-to participant ratio is not required to meet these requirements.

PART 9. PERSONNEL RESTRICTION.

- (A) A person may not be employed or serve as a volunteer in a recreational program if:
 - (1) the person would be permanently barred from being present at a child care operation while children are in care under the Texas Administrative Code Title 40, Part 19, Chapter 745 (*Licensing*); or
 - (2) the director determines that, based on the criminal history and other relevant and credible information, the person poses a risk to the safety or health of participants.
- (B) The director may obtain a criminal history record of any employee or volunteer working or applying to work in a recreational program.

PART 10. FACILITY OPERATION; PHYSICAL ENVIRONMENT.

- (A) The department may not operate a recreational program at a facility unless the facility meets the following requirements:

- (1) The facility and equipment used in the program do not present fire, health, or safety hazards and are kept free of refuse and debris.
 - (2) The facility is inspected annually for safety by the department.
 - (3) The facility is kept free of insects, rodents, and stray animals.
 - (4) The facility has clearly marked emergency exits.
 - (5) The facility has a disaster and evacuation procedure posted in a visible location.
 - (6) The facility is used and maintained in accordance with the fire prevention requirements of Chapter 25-12 (*Technical Codes*) and the fire chiefs directives, including not fewer than four fire drills each year.
 - (7) First aid and infection control kit are kept at the facility, including sufficient additional kits to be taken to other locations at which participants engage in a program activity.
 - (8) First aid guidelines are on file and visibly posted at the facility, including:
 - (a) cardiopulmonary resuscitation and rescue breathing sequence guidelines;
 - (b) first aid review; and
 - (c) emergency action plans.
 - (9) The facility has a sufficient number of restrooms that are equipped for independent use by children and that are designed to permit staff supervision if necessary.
- (B) The department shall maintain a campground or primitive facility used for a recreation program in compliance with the requirements of Subsection (A) to the extent possible.
- (C) The department shall maintain equipment used in the programs in good condition. Department staff shall remove a defective tool, machinery, appliance, or other equipment and report the defective item to a supervisor. Unauthorized staff may not repair defective equipment.

PART 11. PHYSICAL HEALTH STANDARDS.

- 1 (A) A staff member shall supervise a participant who is ill or injured until
2 a parent or other authorized adult removes the participant from the
3 facility.
- 4 (B) Staff shall keep a participant whose illness or medical condition would
5 compromise the health or safety of the others separate from the others
6 until the child is removed from the facility.
- 7 (C) Staff shall call a participant's parent or guardian if participant has an
8 oral temperature of 100.4 degrees Fahrenheit or greater, accompanied
9 by behavior changes or other signs or symptoms of illness.
- 10 (D) Staff may not admit or readmit a participant whose illness or medical
11 condition prevents the participant from comfortably participating in
12 program activities or places other participants at risk to the facility for the
13 duration of the illness or condition.
- 14 (E) In the case of an acute illness or injury to a participant, staff shall call for
15 an emergency vehicle to transport the participant to an authorized
16 medical facility.

17 **PART 12. MEDICATION STANDARDS.**

- 18 (A) A staff member may not administer medication to a participant without
19 a parental medication authorization. Staff may not administer
20 medication that is not in its original container or past the expiration date
21 on the container.
- 22 (B) A staff member may not administer an injection or an amount of
23 medication that is inconsistent with the prescribed dosage. A staff
24 member may administer an epinephrine auto-injector device if the staff
25 member has completed training approved by the department.
- 26 (C) A staff member may not accept more than a one-week supply of
27 medication for a participant and the member shall return the unused
28 medication to the parent on the last program day of the week.
- 29 (D) Staff must keep medication in a secured location that is not accessible
30 by participants.
- 31 (E) A staff member shall maintain a medication log that includes the name of
32 the child to whom the medication is administered, the time the medication
33 is dispensed, and the name of the person dispensing the medication.

34 **PART 13. DISTRIBUTION OF STANDARDS.**

