



City of Austin

Recommendation for Action

File #: 24-4243, **Agenda Item #:** 47.

4/4/2024

Posting Language

Conduct a public hearing and consider an ordinance adopting Local Standards of Care for the Parks and Recreation Department's Youth Programs.

Lead Department

Parks and Recreation Department.

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

April 13, 2023 - Council approved an Ordinance adopting Local Standards of Care for the Parks and Recreation Department's youth programs (Ordinance No 20230413-055).

February 29, 2024 - Council set the time and location of this public hearing for April 4, at Austin City Hall, 301 W. Second Street.

For More Information:

Davin Bjornaas, Parks and Recreation Program Manager, 512-974-5665.

Council Committee, Boards and Commission Action:

January 22, 2024 - The Parks and Recreation Board unanimously recommended adoption of the Local Standards of Care for the Parks and Recreation Department's Youth Programs on a 10-0 vote with one Board Member absent (Recommendation No 20240122-8).

Additional Backup Information:

The Texas Department of Protective and Regulatory Services administers State regulations and general licensing procedures for all child-care facilities. Pursuant to Texas Human Resources Code § 42.041, the City is exempt from child-care licensure for elementary-age (ages 5-13) recreation programs, provided that Council annually conducts a public hearing and adopts local standards of care by ordinance.

The ordinance must include minimum staffing ratios, minimum staff qualifications, minimum facility, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards. The parents or guardians of all program participants must be provided with a copy of the local standards of care and be informed that the program is not licensed by the State. Further, the program may not be advertised as a child-care facility.

If Council does not approve the ordinance adopting local standards of care, the City will not be exempted from the State's child-care licensure requirements for the Parks and Recreation Department's youth programs.