

ORDINANCE NO. 2024-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ADOPTING YOUTH PROGRAMS STANDARDS OF CARE FOR 2024; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. The City's Parks and Recreation Department has determined that certain minimum standards of care are necessary to health, safety, and welfare of individuals participating in youth recreation programs.

2. The State of Texas Human Resources Code Chapter 42 exempts certain after-school and summer recreation programs from state licensing requirements as identified in Subsection 42.041(14) stating "an elementary-age (ages 5-13) recreation program operated by a municipality provided the governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs, that such standards are provided to the parents of each program participant, and that the ordinances shall 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; and further provided that parents be informed that the program is not licensed by the state and the program may not be advertised as a child-care facility."

3. The City Council of the City of San Marcos has determined that Youth Programs Standards of Care will be beneficial to the City of San Marcos and should be adopted as recommended by Staff.

4. The City Council of the City of San Marcos, 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.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The following standards of care are hereby adopted:

CITY OF SAN MARCOS YOUTH PROGRAMS STANDARDS OF CARE

I. PURPOSE

To provide basic childcare regulations for recreation activities operated by the San Marcos Parks and Recreation Department. This will allow the department to qualify as exempt from requirements of the Texas Human Resources Code.

II. DEFINITIONS

- A. **City** - City of San Marcos
- B. **City Council** - City Council of the City of San Marcos, Texas
- C. **Department** - Department of the City of San Marcos
- D. **Youth Program(s)** - City of San Marcos Youth Programs that last one consecutive week (five days) or longer.
- E. **Operations Manual** - Notebook of policies, procedures, required forms, organizational and programming information relevant to City of San Marcos Youth Programs.
- F. **Program Manual** – Notebook of information given to Activity Leaders which includes rosters, attendance sheets, lesson plans, disciplinary action forms, etc.
- G. **Director** - City of San Marcos Parks and Recreation Department Director or his/her designee.
- H. **Program Coordinator or Coordinator** - City of San Marcos seasonal, temporary staff who has been assigned administrative responsibility for a City of San Marcos Youth Programs under the supervision of the Youth Services Coordinator.
- I. **Program Assistant Coordinator or Assistant Coordinator** – City of San Marcos seasonal, temporary staff, who has been assigned responsibility to implement the City's Youth Programs under the general supervisor of the Program Coordinator.
- J. **Program Site Supervisor or Site Supervisor** - City of San Marcos seasonal, temporary staff who has been assigned responsibility to implement the City's Youth Programs under supervision of the Program Coordinator.
- K. **Activity Leader** – City of San Marcos seasonal staff, temporary staff who has been assigned responsibility to implement the City's Youth Programs under supervision of Site Supervisor and Program Coordinator.
- L. **Program Site** - Area or facilities where City of San Marcos Youth Programs are held.
- M. **Participant** - A youth whose parent(s) or guardian(s) have completed all required registration procedures and are determined to be eligible for a City of San Marcos Youth Program.
- N. **Parent(s)** - This term will be used to represent one or both parent(s) or guardian(s) who have legal custody and authority to enroll their child(ren) in the City of San Marcos Youth Program.
- O. **Program Staff** - Term used to describe the person or persons who have been hired or have volunteered to work for the City of San Marcos and have been assigned responsibility for managing, administering, or implementing some or all portions of the San Marcos Youth Programs. This definition also includes Program Coordinator, Program Assistant Coordinator, Program Site Supervisor, and Activity Leader.

III. ORGANIZATION

- A. Implementation of the San Marcos Youth Programs Standards of Care is the responsibility of Parks and Recreation staff and Program Staff.
- B. Youth Programs to which these Standards of Care will apply are Spring Break Camp, Summer Fun, Discovery Camp, Camp Quest, Holiday Camp, and other non-school day programs that last one consecutive week (five days) or longer.

- C. Each Program Site will have a current copy of the Standards of Care available for the public and Program Staff.
- D. Parents of Participants will be given access to a current copy of the Standards of Care prior to the start of the Youth Program, preferably during the registration process. It remains accessible on our website throughout the duration of the program.
- E. Criminal background checks will be conducted on prospective Program Staff. If results of the criminal check indicate that an applicant has been convicted of any of the following offenses, he or she will not be considered for employment:
 - 1. A felony or a misdemeanor classified as an offense against a person or family,
 - 2. A felony or a misdemeanor classified as public indecency,
 - 3. A felony or a misdemeanor violation of any law intended to control the possession or distribution of any controlled substance,
 - 4. Any offense involving moral turpitude, or
 - 5. Any offense that would potentially put the City of San Marcos or participants at risk.
 - 6. In addition, checks of the Texas Department of Public Safety database for the Texas Sex Offender Registration Program will be conducted on prospective Program Staff. If results of the check indicate that an applicant is a registered sex offender, he or she will not be considered for employment.

IV. FISCAL MANAGEMENT

- A. The program will follow the written policies and procedures of fiscal management set forth by the City of San Marcos.
- B. The program will have sound fiscal management and operational oversight of the program.
- C. The program will have a written budget.
- D. Financial statements of the program will be reviewed regularly by the Director and adjustments will be made as needed.

V. STAFFING

A. Program Coordinator-Job Descriptions and Essential Job Functions

Essential Job Functions:

- 1. Supervises Site Supervisor and Activity Leader positions; trains and educates workers concerning City and departmental policies and procedures; supervises and administers program activities on campus site for youth program participants.
- 2. Supervises and trains summer workers about City and Parks and Recreation policies and procedures; manages and administers the Youth Program.
- 3. Prepares and schedules on and off campus site activities.
- 4. Drives to each activity site to supervise and train employees; oversees, administers, and monitors program activities. Maintains program documentation and responds to "on-call" situations.
- 5. On-call during youth program hours for any problem or situation which may arise which involves the Youth Program and activities.
- 6. Other Miscellaneous Duties: Parent and child counseling, child behavior management.

Minimum Requirements:

1. An associate degree in education, Recreation Administration, or related field is required. Commensurate combination of education and experience may be considered.
2. Two years' supervisory experience working with children in recreation and/or education setting is required.
3. Valid Texas Driver's License with acceptable driving record.
4. CPR/First Aid Certification is required during week of training- administered by COSM
5. Required to work a full length of the program.

B. Program Assistant Coordinator-Job Descriptions and Essential Job Functions

Essential Job Functions:

1. Assists with the supervision and training of summer workers about City and Parks and Recreation policies and procedures; assists with the management and administration of the Youth Program.
2. Schedules arts and crafts classes at campus sites and orders supplies and equipment.
3. Assists in preparing and scheduling on and off campus site activities for school age children at sites.
4. Drives to each activity site to supervise and train employees; monitors program activities and responds to on-call situations; schedule bus transportation to all off campus activities.
5. Other Miscellaneous Duties: Occasional parent and child counseling.
6. Will step in as Program Coordinator in the absence of primary Program Coordinator

Minimum Qualifications:

1. Associate degree in education, Recreation Administration or related field is required. Commensurate combination of education and experience may be considered.
2. One-year supervisory experience working with children in a recreation and/or educational setting is required.
3. Valid Texas Driver's License with acceptable driving record.
4. CPR/First Aid Certification is required during week of training- administered by COSM
5. Required to work a full length of the program.

C. Program Site Supervisor- Job Descriptions and Essential Job Functions

Essential Job Functions

1. Supervises Assistant Site Supervisor and Activity Leader positions; trains and educates workers concerning City and departmental policies and procedures; supervises and administers program activities on campus site for participants.

2. Performs child supervision duties for both on and off campus activities; administers first aid; enforces safety rules; fills out necessary forms and paperwork; and performs safety inspections daily.
3. Encourages participation in activities, ensures children are always accounted for, and adheres to safety policies and procedures including pickup and drop off of children.
4. Organize and supervise recreational program activities on campus sites and offsite including structured activities; bowling, swimming, movies, and special field trips including transporting kids by bus.
5. Maintains program site area; cleans floors, picks up trash; cleans bathrooms and performs other janitorial work as needed.

Minimum Qualifications:

1. High school diploma or GED equivalent
2. Two (2) years related experience required
3. Must possess a valid Texas Driver's License with acceptable driving record.
4. Ability to learn and administer first aid
5. Required to work a full length of the program.

D. Activity Leader - Job Descriptions and Essential Job Functions

Essential Job Functions:

1. Performs child supervision duties for both on and off campus program activities; administers first aid; enforces adherence to safety rules; fills out handwritten forms; performs safety inspections daily.
2. Administers recreation activities on a campus site including structured activities: bowling, skating, swimming, movies and special field trips.
3. Maintains program site area; cleans floors; picks up trash; cleans bathrooms and performs other janitorial work as needed.

Minimum Qualifications:

1. Must be at least 16 years of age.
2. Required to work a full length the program.

E. Training/Orientation

1. The Department is responsible for providing training and orientation to Youth Program staff in working with Participants and for specific job responsibilities. Coordinators will provide each Leader with a Staff Handbook specific to each Youth Program.
2. Program Staff must be familiar with the Standards of Care for Youth Programs as adopted by the City Council.
3. Program Staff must be familiar with the Youth Program's policies, including discipline, guidance, and release of Participants as outlined in the Staff Handbook.
4. Program Staff will be trained in appropriate procedures to handle emergencies.

5. Program Staff will be trained in areas including City, Department, and Youth Program policies and procedures, recreation activities organization, safety issues, program organization, and other areas as required by assigned Youth Program.
6. Program Staff will be required to sign an acknowledgment that they received the required training.

F. 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.

G. Before being hired, applicants must successfully complete a qualifying interview, clear a criminal history background check, and pass a drug test.

H. Staffing Ratios:

1. In a Youth Program, the standard ratio of Participants to Program Staff is 15 to 1, based on average daily attendance. In the event a Leader is unable to report to the Program Site, the Coordinator will assign a replacement.
2. Ratios may be adjusted to provide adequate supervision during higher risk activities, such as field trips, swimming, etc. (Ex. Some field trip-s require ratio of 1:5 and pool ratio is 1:10)
3. Each Participant will have a Program Staff who is responsible for them and who is aware of details of the Participant's habits, interests and any special needs as identified by the Participant's Parents during the registration process.

VI. PROGRAM OPERATIONS

A. Enrollment

1. Before a child can become a Youth Program Participant, a parent or guardian must register their child and provide the following information:
 - A. Name, address, cell phone, work phone, and home telephone numbers
 - B. Contact names and telephone numbers in case of emergency.
 - C. The names and telephone numbers of people to whom the child can be released. Included in registration as "Authorized Pickups"
 - D. A statement of the child's special conditions and/or needs
 - E. Emergency medical authorization with doctor's name and telephone number
 - F. A signed liability waiver
 - G. A signed release to participate in Youth Programs, including water activities, riding the bus, bowling, movies, and field trips
 - H. Designation of need for reasonable accommodations
 - I. Signed acknowledgement of program code of conduct; and
 - J. Proof of date of birth
 - K. Week(s) of participation

L. Whether or not photography of the Participant is permitted

B. Special Needs

1. The parent should inform Program Staff in writing of any Participant needs that would affect their ability to participate in organized group activities.
2. The City is committed to providing children with an equal opportunity to participate in the City's programs and services in accordance with the Americans with Disabilities Act (ADA). Any requests for accommodations will be individually assessed to determine the reasonableness of the request, and if the City can meet the particular needs of the Participant without fundamentally altering the program or services involved. Every reasonable accommodation will be made to address Participants with special needs.

C. Field Trips & Transportation

1. Program Staff will be attentive and considerate of the Participant's safety on field trips and during any transportation provided by the Youth Program.
2. During field trips, Program Staff will have authorization for emergency medical care and emergency contact information for each Participant.
3. Program Staff will have a written list of the Participants in their group and must check the roll frequently, specifically before departure to and from destination.
4. Program Staff will have first aid supplies.
5. Before a Participant can be transported to and from City sponsored activities, the parent must give their permission.
6. First aid supplies will be available in all Youth Program vehicles that transport Participants.
7. There will be at least one staff member in the vehicle that is certified in CPR, First Aid, and AED.
8. Before a participant may be transported to or from a city-sponsored activity, a transportation form, completed by a parent of the participant, must be filed with a coordinator.
9. Every program vehicle used for transporting youth participants must be equipped with:
 - a. First aid supplies and a first aid emergency care guide that are easily accessible to program employees in the vehicle; and
 - b. An operable fire extinguisher that is installed in the passenger compartment of the vehicle and that is easily accessible to program employees in the vehicle.

D. Participant Pick Up & Drop Off

1. Completed registration information, including pick-up authorization, must be on file for each Participant.
2. These forms must be updated each year.
3. The original signer of the Pick-Up Authorization Form may contact Youth Services Staff by email or in person to add a new Authorized Person, with written notification.

4. Participants must only be signed out by an Authorized Person listed on the Pick-Up Authorization Form. One leadership staff person must monitor the sign in/out duties each day.
5. Authorized Persons must present picture ID to pick up a Participant.
6. Authorized persons must be 18 or older unless the person is 16 or older and a sibling of the Participant.
7. Sign in/sign out sheets will be kept by the Parks and Recreation Department for two years after the Youth Program has ended.
8. Participants may be signed out by a custodial parent, unless court paperwork specifying different conditions is given to Program Staff.
9. Participants must be picked up by the end of the assigned Youth Program. If a child is picked up after 5:30 PM, a late fee will be assessed at a rate of \$6 for every 15 minutes. If a child has not been picked up within thirty (30) minutes after the program has ended and a parent/legal guardian or emergency contact cannot be reached, the police will be called.
10. If an Authorized Person attempts to pick up a Participant while appearing intoxicated, staff will ask if there is another person who can pick up the Participant.
11. If any unauthorized person attempts to pick up a child, staff should:
 - a. Call the Program Coordinator.
 - b. Politely inform the person that they do not have permission to release the child to them.
 - c. Ask the person to leave.
 - d. Move the Participant at risk to another room or area.
 - e. Have another Program Staff in the pick-up area.
 - f. The Coordinator should call the original Authorized Person to inform them of the unauthorized pick-up attempt.
 - g. If necessary, Program Staff should call 911.

E. Discipline

1. Program Staff will execute discipline and guidance in a consistent manner based on the best interests of Participants.
2. There will be no cruel treatment or harsh punishment (physical or verbal abuse). Examples of discipline that IS NOT allowed include, but are not limited to:
 - a. Using physical punishment or any action administered to the body such as, but not limited to rough handling, or forcing child(ren) to assume an uncomfortable position,
 - b. Restraining movement by tying, enclosing in a confined space, shaking, or using exercise as punishment.
 - c. Being verbally abusive, including, but not limited to, threats, belittling remarks, humiliation, embarrassment, or frightening a child.
 - d. Giving any child the authority to punish another child.
 - e. Placing a child out of visual/hearing range, in the dark, or in an unventilated area.
 - f. Punishing a child for a toileting accident.
 - g. Taunting a child by or any other form of jeering.
 - h. Giving preferential attention to any child over another child.

- i. Group Punishments
- 3. To protect a child from injuring themselves, other Participants, or Program staff, the child may be removed and/or isolated if deemed necessary.
- 4. Program Staff will use brief, supervised, separation (time out) from the group, if necessary.
- 5. Discipline Guidelines:
 - a. **First intervention**
 - a. Program staff will counsel the participant concerning behavior expectations, the appropriate behavior and the possible consequences for the behavior demonstrated.
 - b. **Second intervention**
 - a. The participant will not be allowed to participate in activities for 5 to 10 minutes (length of time will vary according to the behavior).
 - c. **Third intervention**
 - a. Program Coordinator and/or Site Supervisor will talk to the parent, or person designated to pick up the participant concerning behavior.

The first three could take place in a short period of time depending on the response of the participant.

- d. **Fourth intervention**
 - a. A one to three day suspension could be determined by Program Coordinator and Site Supervisor, depending on the severity of the behavior or incident. A parent conference may be required.
 - b. If you received a Discipline Notice, your child will not be able to return to camp until parents have met with Program Coordinator.
- e. **Fifth intervention**
 - Participant will be dismissed from program for the remainder of the summer.
- 6. Serious offenses include, but are not limited to:
 - 1. Disrespectful behavior toward other participants and program staff
 - 2. Leaving the defined boundaries of site or field trip facility
 - 3. Refusal to follow rules, policies, and staff directions
 - 4. Physical/Verbal abuse (BULLYING) or any sort of threat WILL NOT BE TOLERATED and are grounds for dismissal from the program.
 - 5. Possession of anything that can be considered a weapon.
 - 6. Inappropriate or sexually provocative behaviors.
 - 7. Possession of over the counter, illegal drugs or unauthorized prescription drugs, tobacco, or alcohol
 - 8. Serious offenses will SKIP interventions 1 through 3 and may lead to suspension or dismissal.

Serious offenses will NOT BE TOLERATED and are grounds for IMMEDIATE dismissal from the program.

- 7. The following rules have been designed to provide a fun, safe and healthy environment for all children in the program. Parents are asked to read and share these procedures with their children.

- a. Children will be required to follow program rules as well as any rules posted at field trip sites.
- b. Children will not be allowed to show disrespect to staff or other children through actions or words.
- c. Leaving the defined boundaries of any site or field trip facility will not be allowed.
- d. Abusive language, mishandling of equipment, defacing of property and theft is not acceptable behavior.
- e. Children will not be allowed to be physically or verbally abusive to other children.
- f. Over the counter, illegal drugs or unauthorized prescription drugs, tobacco, or alcohol are not permitted on site.
- g. Any weapon of any nature found in the possession of a child will be permanently confiscated and the child will be removed immediately from program and may be reported and subject to action by local law enforcement authorities.
- h. Inappropriate or sexually provocative behaviors will not be tolerated and may be reported to and subject to action by the appropriate authorities.
- i. Each child will help clean up after every activity.
- j. If parents would like to bring a special treat for their child's birthday or other special events, they must notify the Program Staff in advance.

VII. FACILITY STANDARDS

A. Inspection/Monitoring/Enforcement

- 1. Program staff will perform an inspection of the facility prior to the start of the Youth Program to maintain compliance with the Standards of Care.
- 2. Program staff will report any issues within the facility using the forms created and available for that use.

B. Program Area

- 1. The Youth Program's indoor space (when applicable) meets the physical, social, emotional, and cognitive needs of Participants.
- 2. The Youth Program's outdoor space (when applicable) is large enough, appropriately equipped, and safe to allow Participants to be active and independent.
- 3. The Youth Program's space meets the needs related to planning, activities, and storage.
- 4. Buildings, grounds, and equipment on the Program Site are regularly inspected, cleaned, repaired, and maintained to protect Participants' health.

VIII. HEALTH & SAFETY

I. Health

A. Illness or Injury

1. A Participant who is a health or safety concern to other Participants or Program Staff will not be admitted to the Youth Program.
 2. Illnesses and injuries will be handled in a manner to protect the health of all Participants and Program Staff. Participants having a temporal fever over 100.4 degrees will not be allowed back into the Youth Program for 24 hours.
 3. Program Staff will follow emergency procedures for injured Participants or for Participants with symptoms of an acute illness.
 4. In the event of an emergency and/or serious accident, Parents will be notified immediately. If necessary, the local ambulance service will transport the Participant to the nearest hospital.
 5. In the case of a minor accident or injury (bumps and bruises), the Program Staff will administer first aid, monitor the Participant, and notify the Parents at pick-up.
 6. Parents will be notified if a child is injured in a way that necessitates emergency care.
 7. Program Staff will follow the recommendations of the Texas Department of State Health Services concerning the admission or readmission of any Participant after a communicable disease, and a doctor's note will be required allowing Participant's readmission to the program.
 8. Parents should notify Program staff if a child has lice. Lice checks will be administered randomly and when needed. Any child found with lice will discreetly be sent home and letter will be sent out to camp parents. Child will be unable to return to camp until lice and nits have been removed. They will be checked by staff upon return.
 9. If a Participant becomes sick while in the program, the Parent or Authorized Person(s) must contact staff within one hour to arrange pick up. If no contact is made within one hour after initial contact by staff, the police will be notified.
- B. Participants and Program Staff will implement personal prevention practices (such as handwashing, staying home when sick, and wearing a face covering), environmental cleaning and disinfection as recommended by the Centers for Disease Control to prevent the spread of communicable diseases.

II. Safety

- A. Program Staff will supervise Participants to ensure their safety.
- B. Program Staff will inspect Program Sites daily checking for sanitation and safety concerns that might affect the health and safety of Participants.
- C. Program Site equipment and supplies will be safe for Participants use.
- D. Program Staff will have first aid supplies available at each Program Site in a designated location, during transportation, and for the duration of any off-site activity.
- E. The Youth Program will ensure that all Program Staff working with participants are trained in CPR, First Aid, and AED.
- F. Participants will always have access to clean drinking water.
- G. Program Site air conditioners, electric fans, and heaters will be mounted out of Participant's reach or have safeguards that keep Participants from being injured.

III. Emergencies

Fire/Required Evacuation

If there is a fire at on campus during camp hours follow the following steps:

- Have the children line up silently at nearest exit.
- Exit building to a secure location a safe distance away from the school.
- Call 911.
- Call Program Coordinator.
- If the facility must be evacuated parents will be notified by phone of the pick-up location.

Finding a Participant with a Weapon

If you find a participant with a weapon (i.e. knife, gun, stun gun, fire crackers) in their bag or on them, seclude the child immediately. Call 911, wait for police to arrive, and follow their instructions. Notify your Program Coordinator immediately.

Missing Child

If any staff suspects a child is missing, notify the Site Supervisor immediately.

Site Supervisor will:

- Have all children sit down and call role.
- Notify Activity Leaders of situation and have them check the restrooms and all surrounding facilities.
- Notify Program Coordinator.
- If unable to locate child after trying all of the above, contact child's parents.
- Upon permission from parents, call 911.

Outside Influenced Dangers

- Intoxicated persons should be asked to leave the area by the site supervisor. Because of the unpredictability of the behavior of an intoxicated person, the police should be called to help with the situation no matter what its severity is.
- Disturbances: Disturbances originating outside the jurisdiction of the program and affecting patrons of the facility or program should be referred to the proper authorities
 - SMPD Non-Emergency Phone: 512-753-2101, #1
- Animals: Wild or stray animals on site grounds, call SM Animal Control at 512-805-2655
- Theft: All thefts should be reported to the Site Supervisor and Program Coordinator. The proper action will be taken in response to the level of theft determined by the Program Coordinator.

Severe Weather Procedures

- **Thunderstorm/Lightning**

In the event of lightning or a thunderstorm, take all participants inside. Do not allow children go outside until the storm has passed.

- **Tornado**

If a tornado watch is in effect for Hays County, all participants are to stay indoors. If a tornado warning is issued for Hays County, the Program Coordinator will call each site. When you receive this call, immediately have the children follow the tornado procedures:

- o Children line up silently and walk to the nearest restroom or inner most room of the building.
- o If you are in a restroom, have children line up against the wall(s), face the wall, duck down sitting on their knees and place their head as far in their lap as possible. Have all children place their hands over their heads covering their ears and neck.
- o When the tornado warning expires, you will receive a call from one of the Program Coordinator to let you know it is okay to return to camp activities.

IV. Communication

A. Each remote Program Site will have a cell phone to allow the Program Site to be contacted by Program Staff. Each Program Site will have access to a telephone for use in contacting Program Staff or making emergency telephone calls. At each Program Site the Coordinator will post the following telephone numbers adjacent to a telephone accessible to all Program Staff:

1. City of San Marcos ambulance or emergency medical services
2. City of San Marcos Police Department
3. City of San Marcos Fire Department
4. Parks and Recreation Department Administrative Office
5. Telephone numbers and address for the Program Site itself
6. Telephone number of Youth Services Coordinator's office
7. Program participants' emergency contact information
8. Poison Control

V. Nutrition

A. The program will follow the Texas Department of Agriculture Food and Nutrition Guidelines when meals are provided by the City of San Marcos Nutrition Program. Additionally, in keeping with Healthy Eating and Physical Activity (HEPA) Standards, the program will:

1. Serve whole grain-rich products.
2. Always provide plain potable water at no cost to youth and staff.
3. Serve plain low-fat milk, plain or flavored nonfat milk or milk alternative limited to 8 fluid ounces per day for elementary school students and 12 fluid ounces per day for middle and high school students.
4. Serve only 100% fruit or vegetable juice with no added sweeteners or 100% juice diluted with water with no added sweeteners.
5. Serve only non-caffeinated beverages.

B. Breakfast and lunch will be provided through San Marcos CISD Child Nutrition Services.

C. Special snacks may be provided during the program. Parents must note any food allergies on Participant's registration form.

1. Food brought from home may only be shared between siblings.

VI. Suspected Abuse

- A. Program Staff will receive basic training related to child abuse prevention and how to report suspected abuse.
- B. Concerns about a child should be brought to the attention of the Program Coordinator. The Program Coordinator will then collect all relevant information by:
 1. Talking to staff involved with the child for input and information
 2. Talking to parents/guardians (if appropriate)
 3. Contacting the Youth Services Coordinator to discuss if a report needs to be filed
- C. If deemed necessary, the staff will report suspected child abuse to the Texas Department of Family and Protective Services, in accordance with the Texas Family Code, telephone number, 1-800-252-5400 or filing a report at https://www.txabusehotline.org/Login/WebSite_UI/Report-anon.aspx.

VII. Toilet Facilities

- A. The Program Site will have toilets located and equipped so Participants can use them independently and Program Staff can monitor as needed.
- B. An adequate number of lavatories will be provided.

VIII. Sanitation

- A. The indoor Program Sites must have adequate light, ventilation, air conditioning and heat.
- B. The Program Site will have an adequate supply of water meeting the Texas Department of State Health standards for drinking water. Water will be supplied to the Participants in a safe and sanitary manner.
- C. All waste matters will be kept in a leak-proof container.

SECTION 2. 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. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this Ordinance are repealed.

SECTION 4. This Ordinance shall become adopted and effective upon its second reading.

PASSED AND APPROVED on first reading on March 5, 2024.

PASSED, APPROVED, ADOPTED on second reading on March 19, 2024.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk

Approved:

Samuel J. Aguirre
City Attorney