



Recommendation for Action

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**File #:** 20-1203, **Agenda Item #:** 55.

2/20/2020

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**Posting Language**

Conduct a public hearing and consider an ordinance adopting local standards of care for the City of Austin Parks and Recreation Department's Youth Programs.

**Lead Department**

Parks and Recreation

**Fiscal Note**

There is no fiscal impact.

**For More Information:**

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**Council Committee, Boards and Commission Action:**

December 3, 2019 - Recommended by the Parks and Recreation Board.

**Additional Backup Information:**

The Austin Parks and Recreation Department is exempt from Child Care Licensure by the State of Texas under Human Resources Code Chapter 42, Regulation of Certain Facilities, Homes, and Agencies that Provide Child-Care Services, Subchapter C, Regulation of Certain Families, Homes and Agencies.

The State of Texas Child Care Licensure exemption is specific to 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.