



City of Ketchum  
Parks & Recreation

## Youth Recreation Program Standards of Care



**"Home of the Park Rats"**

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## Introduction

The following Standards of Care are intended to be followed by the Ketchum Parks & Recreation Department in order to ensure the safety, health, and wellbeing of youth participants.

The Youth Recreation Program consists of a ten calendar month After School Program, a ten week Summer Youth Recreation Program, and several supplementary program and activity offerings that occur both inside and outside of the two main programs. Recreational programs are designed to offer a wide variety of focus including sports and fitness to creativity and stewardship. Positive peer interaction, opportunities for developing self-confidence, and age appropriateness are significant factors in the successful execution of youth programming. Free play is encouraged when and where appropriate; fun and learning are also integral. Outdoor activity is a mainstay of the Youth Recreation Program, though some offerings occur indoors.

Standards of care will be reviewed prior to the beginning of each program season (May & August) by the department director and recreation supervisor to determine whether additions or omissions should be made to the standards.

Staffing ratios, minimum staff qualifications, minimum facility, health and safety standards, and mechanisms for monitoring and enforcing the adopted standards are established. Because of the nature of Ketchum's resort community, any number of adjustments may be made by assigned staff according to safety standards, staff availability, inclement weather, and resource appropriateness.

The Standards of Care are intended to be minimum standards by which the city of Ketchum Parks & Recreation Department will operate the city's Youth Recreation Programs. The programs operated by the city are recreational in nature and are not licensed by the state of Idaho as certified day care programs.

## Administration

### I. Definitions

- A. **After School Program (ASP)** - ten calendar month After School Program
- B. **Atkinson Park** – Refers to main Program Site and is the location for Participant check-in and check-out for all Youth Recreation Programs unless otherwise specified in program literature. Located at 900 Third Ave. N. in Ketchum, Idaho.
- C. **City** - City of Ketchum
- D. **City Council** - City Council of the city of Ketchum, Idaho
- E. **Councilors**- Includes but is not limited to high school volunteers and paid entry level summer staff.
- F. **Department** - Parks and Recreation Department of the city of Ketchum
- G. **Director** - City of Ketchum Parks and Recreation Department Director or his/her designee.
- H. **Off-Campus Location** – Refers to any Program Site located *away* from Atkinson Park and its immediate adjacent program sites (e.g. Ketchum Bike Park, Watch Me Grow Children's Education Garden, Hemingway School art room, and Rainmaker Splash Park). Includes all

other sites listed in program literature including but not limited to Ketchum city parks, Zenergy, YMCA, Bigwood Golf Course, Idaho State Parks, US Forest Service (USDA), Bureau of Land Management (USDI), private businesses and non-profit sites.

- I. **On-Campus Location**- Refers to any Program Site located at Atkinson Park and its immediate adjacent program sites (Ketchum Bike Park, Watch Me Grow Children’s Education Garden, Hemingway School art room, and Rainmaker Splash Park). Includes all property boundaries commonly referred to as Atkinson Park including tennis courts, Recreation Center, ball fields, ice rink and open space.
- J. **Operations Manual** - Notebook of policies, procedures, required forms, organizational and programming information relevant to city of Ketchum Youth Recreation Programs.
- K. **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 Ketchum Youth Recreation Program.
- L. **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 Ketchum Youth Recreation Program.
- M. **Program Manual** – Notebook of information given to Program Leaders which includes rosters, attendance sheets, lesson plans, incident reports, etc.
- N. **Program Site** - Area or facilities where City of Ketchum Youth Recreation Programs are held.
- O. **Program Staff** - Term used to describe the person or persons who have been hired or have volunteered to work for the city of Ketchum and have been assigned responsibility for managing, administering, or implementing some or all portions of the Ketchum Youth Recreation Programs. This definition also includes Recreation Supervisor and Youth Recreation Supervisor.
- P. **Recreation Leader**- City of Ketchum Parks and Recreation Department staff who has been assigned direct care responsibility for the City of Ketchum Recreation Division and Youth Recreation Program.
- Q. **Recreation Supervisor** - City of Ketchum Parks and Recreation Department staff who has been assigned administrative responsibility for the City of Ketchum Recreation Division and Youth Recreation Program.
- R. **Registration System**- Active Network is used for all registration and data tracking needs. It is located at: [Ketchumidaho.org/registration](http://Ketchumidaho.org/registration).
- S. **Summer Youth Recreation Program (SYRP)** - a ten week Summer Youth Recreation Program
- T. **Youth Program(s)** - City of Ketchum Youth Recreation Programs consisting of the After School Program, the Summer Youth Recreation Program, and activities that occur supplementary to these programs.
- U. **Youth Recreation Supervisors** - City of Ketchum Parks and Recreation Department staff who has been assigned administrative responsibility for the City of Ketchum Youth Recreation Program.

## II. Organization

- A. The governing body of the Youth Recreation Program is the Parks & Recreation Department and director of parks and recreation for the city of Ketchum.

- B. Implementation of the Ketchum Youth Recreation Program Standards of Care is the responsibility of the Director, Recreation Supervisor, Youth Recreation Supervisors, and Program Staff.
- C. Youth Recreation Programs to which these Standards of Care will apply are the After School Program (ASP) Summer Youth Recreation Program (SYRP) and supplementary youth programs and activities.
- D. Each Program Site and vehicle will have a current copy of the Standards of Care available for the public and Program Staff. Staff will carry a copy of the Standards of Care when using sites not managed by the City of Ketchum or sites that do not provide a proper display.
- E. A current copy of the Standards of Care will be provided to the public via the city's website and/or registration site; Parent will be notified of the document's location upon registration in the After School Program or Summer Youth Recreation Program.
- F. 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 Ketchum at risk.
  - 6. In addition, checks of the Idaho Department of Public Safety database for the Idaho 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.

### **III. Fiscal Management**

- A. The program will follow the written policies and procedures of fiscal management set forth by the City of Ketchum.
- 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.

## **Staffing**

### **I. Recreation Division Supervisor**

- A. The Recreation Supervisor is considered a professional staff member of the Department who is responsible for management and oversight of the Recreation Division and direct supervision of Youth Recreation Supervisors.
- B. The Recreation Supervisor is responsible for ensuring fiscal management of the Recreation Division.
- C. The Recreation Supervisor must have all Youth Recreation Supervisor qualifications as outlined in Section II of this document.

- D. The Recreation Supervisor is responsible for ensuring division compliance with the adopted Standards of Care and all other applicable city and department policies and procedures. This includes ensuring all division staff is provided adequate training and current standards are available.

## **II. Youth Recreation Supervisor**

- A. Supervisors are considered professional staff members of the Department and must have all Recreation Leader qualifications as outlined in Section III of this document.
- B. Supervisors are responsible for administrating the Youth Recreation Program's daily operations in compliance with the adopted Standards of Care.
- C. Supervisors must be at least 21 years old. Supervisors should possess the following combination of experience and training:
  - 1. Two years of responsible community center service or recreational programming experience.
  - 2. Equivalent to a Bachelor's degree from an accredited college or university with major course work in Sports Management, Physical Education, Recreation, or a related field.
- D. Supervisors must pass a background investigation.
- E. Supervisors must have a current certification in First Aid, Cardio Pulmonary Resuscitation (CPR), and AED (Automated External Defibrillator) – Adult and Child. These certifications must be from a nationally recognized certifying organization, i.e., American Heart Association or American Red Cross.
- F. Supervisors are responsible for recommending the hiring of Program Leaders and the direct supervision and evaluation of Program Leaders.
- G. Supervisors are responsible for planning, implementing, and evaluating Youth Recreation Programs.

## **III. Recreation Leader (Leader)**

- A. Leaders will be full-time, part-time, seasonal, or temporary employees of the Parks and Recreation Department or volunteers.
- B. Leaders working with participants must be age 18 or older.
- C. Leaders must be at least four years older than the participants with which they work.
- D. Leaders must have a current certification in First Aid, Cardio Pulmonary Resuscitation (CPR), and AED (Automated External Defibrillator) – Adult and Child. These certifications must be from a nationally recognized certifying organization, i.e., American Heart Association or American Red Cross.
- E. Leaders must pass a background investigation.
- F. Leaders must have a minimum of 300 hours of experience in recreation, education, or youth programs.
- G. Leaders must possess a High School diploma or GED certificate.
- H. All off-site activities will have at least one Leader or higher staff.

- I. Leaders will be responsible for providing Participants with an environment in which they can feel safe, enjoy wholesome recreation activities, and participate in appropriate social opportunities with their peers.
- J. Leaders must ensure that Participants are released only to a Parent or an Authorized Person designated by the Parent. If a Parent wishes the Participant to sign himself in or out, the Parent must notify the Recreation Supervisor via email or some other written communication.
- K. Leaders will be responsible for supervised access to the restrooms for Participants.
- L. Leaders will insure regular cleaning of program sites before and after program use.

#### **IV. Summer Youth Recreation Councilors and Volunteers**

- A. Councilors (paid staff) and volunteers working with participants must be age 15 or older and must be at least four years older than the participants with which they work.
- B. Councilors will be responsible for assisting Leaders in providing Participants with an environment in which they can feel safe, enjoy wholesome recreation activities, and participate in appropriate social opportunities with their peers.

#### **V. Staff Conduct**

- A. All Program Staff will:
  - 1. Consistently exhibit competency, good judgment and self-control when working with participants.
  - 2. Relate to youth with courtesy, respect, tolerance, and patience.
  - 3. Intentionally develop individual relationships with youth, focusing on their developmental needs and building on their unique strengths.
  - 4. Create a supportive, caring environment and build self-esteem in every participant.
  - 5. Be engaged in activities with the participants.
  - 6. Recognize participants for their achievements and participation.
  - 7. Clearly communicate behavior expectations.
  - 8. Apply rewards and consequences appropriately and consistently for participant behavior.
  - 9. Model and reinforce positive behavior and use positive techniques to address negative behavior by participants.
- B. All Program Staff will be responsible to know and adhere to all City, Departmental, and Youth Recreation Program standards, policies and procedures that apply to Youth Recreation Programs.

#### **VI. Training/Orientation**

- A. The Department is responsible to provide orientation and ongoing training to Youth Recreation Program staff in working with Participants and for specific job responsibilities. Supervisors will provide each Leader with a Program Manual specific to each Youth Recreation Program.

- B. Program Staff must be familiar with the Standards of Care for Youth Recreation Programs.
- C. Program Staff must be familiar with the Youth Recreation Program's policies, including discipline, guidance, and release of Participants as outlined in the Program Manual.
- D. Program Staff will be trained in appropriate procedures to handle incidents including, but not limited to, accidents, emergencies, and inappropriate behavior as outlined in Appendix A: Inappropriate Behavior Guidelines.
- E. Program Staff will be trained in areas including City, Department, and Youth Recreation Program policies and procedures, recreation activities organization, safety issues, program organization, and other areas as required by assigned Youth Recreation Program.
- F. Program Staff will be required to sign an acknowledgment that they received the required training.
- G. The Recreation Supervisor is responsible for ongoing staff training on a reoccurring basis of monthly for the ASP and weekly for the SYRP.
- H. A template for staff trainings is available in Appendix B: Forms. Staff trainings will be recorded and include the following information:
  - 1. Date and time of training
  - 2. Required attendance
  - 3. Who attended
  - 4. What information was covered
  - 5. Identify any follow up necessary and with whom
- I. The training records will be maintained by the Recreation Supervisor.

## Program Operations

### I. Enrollment

Before a child can become a Youth Recreation Program Participant, a Parent must register their child and provide the following information:

- 1. Name, address, and home telephone number;
- 2. Contact names and telephone numbers in case of emergency;
- 3. The names and telephone numbers of people to whom the Participant can be released;
- 4. A statement of the Participant's special problems and/or needs for reasonable accommodations;
- 5. Emergency medical authorization with doctor's name, current medications, and date of last tetanus;
- 6. A signed liability waiver which includes acknowledgement that any and all activities may include water; and
- 7. Acknowledgement of program code of conduct.

### II. Staff-Participant Ratio

- A. In a Youth Recreation 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 Supervisor will assign a replacement.

- B. Ratios may be adjusted to provide adequate supervision during higher risk activities, such as off-campus activities, field trips, swimming, etc.
- C. Each Participant will have a Program Staff who is responsible for him or her and who is aware of details of the Participant's habits, interests and any special needs as identified by the Participant's Parent during the registration process.
- D. All off-site activities will include both genders of program staff.

### **III. Special Needs**

- A. The Parent must make the Program aware of any and all special needs required by the Participant.
- B. The program is aware of, records, and informs staff of special needs of Participants.
- C. Every reasonable accommodation will be made to address Participants with special needs.
- D. Participants with special needs requiring personal assistance, i.e., feeding, changing of clothes, and using the restroom, must provide an attendant (18 years of age or older) for the duration of the program. Program Staff will not provide personal assistance. The attendant will be admitted to the program free of charge. Any additional fees must be paid by the personal attendant. With 48 hour notice, accessible vehicles will be made available for transportation to authorized field trips.

## **Activities**

### **I. The Program**

The program provides a safe, healthy, and age appropriate environment for all participants. The program provides a well-rounded variety of activities and opportunities that support the physical, social, emotional, and cognitive growth and development of all participants.

### **II. Schedule**

- A. The program establishes and follows a schedule that is known to Program Staff, Participants, and Parent.
- B. The daily schedule will be available for Program Staff, Participants, and Parent.
- C. The daily schedule will be flexible enough to provide adaptability, but structured enough to provide predictability for the Participants.
- D. Transitions will be programmed into the schedule and will be orderly, efficient, and minimal in duration.
- E. There will be a written activity plan anytime Participants are in care for over five (5) hours.
- F. A rest time will be provided when Participants are in care for over five (5) hours.
- G. The program schedule will provide intentional opportunities for Participants to be meaningfully involved in program planning, implementation, data collection, and evaluation. Participant feedback will be incorporated into the program when possible.
- H. Program Staff will attempt to provide indoor and outdoor time periods to include:
  - 1. Alternating active and passive activities,
  - 2. An appropriate amount of time for all activities;

3. Opportunity for individual, small and large group activities, and
  4. Outdoor time each day as weather permits based upon space availability and weather conditions.
- I. Participants are provided with a variety of engagement strategies, such as:
    1. Self-directed projects;
    2. Individual, small group, and large group activities;
    3. Short and long term projects;
    4. Discovery learning;
    5. Hands-on projects;
    6. Experiential activities that promote creativity and self-expression;
    7. Peer mentoring opportunities;
    8. Participant-led activities; and
    9. Opportunities for participants to make formal presentations.

### **III. Off-Campus Activities, Field Trips & Transportation**

- A. Program Staff will be attentive and considerate of the Participant's safety during off-campus activities, on field trips and during any transportation provided by the Youth Recreation Program. These activities include any activity that takes place away from Atkinson Park.
- B. During off-campus activities or field trips, Program Staff will have authorization for emergency medical care and emergency contact information for each Participant.
- C. 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.
- D. Program Staff will have first aid supplies available for all off site activities.
- E. There will be at least one staff member in the vehicle that is certified in CPR, First Aid, and AED.
- F. All vehicles used for transporting Participants will have a 6-BC portable fire extinguisher installed in the passenger compartment of the vehicle, accessible to the adult occupants.
- G. Seatbelts will be worn if provided.
- H. Participants will be oriented to expected behavior and safety rules.
- I. Where available, transportation will be provided for Participants with special needs. See page 6, III. Special Needs.
- J. At a minimum there will be a male and a female staff for all off campus activities with the exception of transporting to and from an activity where the second gender is at the activity site.

### **IV. Participant Pick Up & Drop Off**

- A. During registration the Parent can identify additional authorized pickups.
- B. This information can be updated at any time by the Parent. It is the responsibility of the Parent to maintain current information regarding authorized pickups in the registration system. Participants must only be signed out by an Authorized Person listed in the registration system. Program Staff will monitor check in/check out procedures each day.
- C. Authorized Persons must be known to Program Staff to pick up a Participant or identification may be requested.

- D. Authorized persons must be 18 or older unless the person is a sibling/ relative of the Participant.
- E. Sign in/sign out records are maintained in the registration system.
- F. Participants may be signed out by a custodial Parent, unless court paperwork is given to Program Staff.
- G. Parent must notify the Recreation Supervisor via email or other written communication that the Participant may check themselves out.
- H. Participants must be picked up by the end of the assigned Youth Recreation Program. If a Participant is picked up after the end of the program, a late fee will be assessed. If a Participant has not been picked up within thirty (30) minutes after the program has ended, staff will call available emergency contacts. If no one is available, the police will be called.
- I. 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.
- J. If any unauthorized person attempts to pick up a Participant, staff should:
  - 1. Call the Youth Recreation Supervisor, the Recreation Supervisor or Department Director.
  - 2. Politely inform the person that they do not have permission to release the Participant to them.
  - 3. Ask the person to leave.
  - 4. Move the Participant at risk to another room or area.
  - 5. Have another Program Staff in the pick-up area.
  - 6. The Youth Recreation Supervisor, the Recreation Supervisor or Department Director should call the original Authorized Person to inform them of the unauthorized pick up attempt.
  - 7. If necessary, Program Staff should call 911.

## **V. Discipline**

- A. In the case of inappropriate behavior or traumatic event (mental or physical), an Incident report, Appendix B, will be completed by staff that is present or to whom the incident was reported. Completed Incident reports will be submitted to a supervisor for routing to and review by all senior department staff.
- B. Refer to Appendix A: Inappropriate Behavior Guidelines for appropriate disciplines/ corrections and notifications.
- C. All disciplinary actions will be documented on the Incident Report form, see Appendix B: Forms.
- D. Program Staff will execute discipline and guidance in a consistent manner based on the best interests of Participants.
- E. There will be no cruel treatment or harsh punishment (physical or verbal abuse). Examples include, but are not limited to:
  - 1. Using physical punishment or any action administered to the body such as, but not limited to rough handling, or forcing Participants to assume an uncomfortable position,
  - 2. Restraining movement by tying, enclosing in a confined space, or shaking.
  - 3. Being verbally abusive, including, but not limited to, threats, belittling remarks, humiliation, embarrassment, or frightening a Participant.

4. Giving any Participant the authority to punish another Participant.
  5. Placing a Participant out of visual/hearing range, in the dark, or in an unventilated area.
  6. Punishing a Participant for a toileting accident.
  7. Taunting a Participant by or any other form of jeering.
  8. Giving preferential attention to any Participant over another Participant.
- F. Program Staff will use brief, supervised, separation (time out) from the group, if necessary.
- G. As necessary, the Parent will be asked to sign the Participant incident reports to indicate they have been advised about specific problems or incidents.
1. A sufficient number and/or severe nature of discipline report(s), as detailed by Appendix A: Inappropriate Behavior Guidelines, may result in a Participant being suspended from the Youth Program immediately. If a Participant is suspended from the program, an Authorized Person must pick up the Participant within one hour. All contacts and emergency contacts may be used to arrange removal of Participant. If the Participant is not picked up, the police will be called.
  2. Participants will be removed from the Program Site as soon as possible in instances of danger to other Participants or Program Staff. This includes, but is not limited to, continuous disruption of the Youth Program, inappropriate sexual behavior, bullying, hitting or biting other Participants or Program Staff and damage to any City property. The police will be called if staff is unable to get compliance with safety standards and a Parent is not immediately available.
- H. Participants are expected to abide by program rules that include, but are not limited to:
1. Showing respect to all Participants and Program Staff.
  2. No bullying of any form (cyber, physical, verbal, etc.).
  3. Refraining from using abusive or foul language.
  4. Refraining from causing bodily harm to self, other Participants, or Program Staff.
  5. Refraining from any inappropriate touching.
  6. Refraining from roughhousing in any manner.
  7. Using social media sites during program hours.
  8. Respecting all equipment, supplies, and facilities.
  9. Cleaning up after themselves at all times.
  10. Respecting the property of other Participants.
  11. Listening to and taking direction from all Program Staff.
  12. Staying within the physical boundaries of the Program Site at all times, unless with a Program Staff or Parent.

## Facility Operations

### **I. Inspection/Monitoring/Enforcement**

- A. The Supervisor of each Youth Recreation Program will perform a monthly inspection of the facility to maintain compliance with the Standards of Care.
1. Inspection reports will be sent to the Director for review and kept on record for at least two years.

2. The Director will review the report and establish deadlines and criteria for compliance with the Standards of Care.
  3. Work Orders will be submitted for any repairs.
  4. The Director will make visual inspections of the Youth Program Site bi-monthly
- B. Complaints regarding enforcement of the Standards of Care will be directed to the Recreation Supervisor. The Recreation Supervisor will be responsible for taking the necessary steps to resolve the problems. The Recreation Supervisor will record complaints regarding enforcement of the Standards of Care and their resolution and report these to the Director for review. The Director will address serious complaints regarding enforcement of the Standards of Care and the complaints and resolutions will be noted.
- C. The Director will make an annual report to the City Council during annual budget development on the overall status of the Youth Recreation Programs and their operation relative to compliance with the adopted Standards of Care.

## II. Program Area

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

## Health & Safety

### I. Health

- A. Program staff is forbidden to discuss any mental, intellectual, or physical diagnostic **assumptions** (disabilities, allergies, special needs or home situations) with any child or parent. **Actual** diagnoses or personal situations that are shared by the parent with the staff member, either in person or through the registration system, may be discussed with the parent and /or other staff members in a professional and confidential manner (away from participants and other parents). **Diagnoses are to be considered confidential.** Staff shall not assume the role of mental or physical health professional with any youth participant, parent, or guardian. Any and all concerns with a participant's behavior or health shall be shared with the Recreation Supervisor. The Recreation Supervisor is responsible for communicating with parents of participants regarding incidents involving behavior or health.
- B. Illness or Injury
  1. A Participant who is considered to be a health or safety concern to other Participants or Program Staff will not be admitted to the Youth Recreation 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 degrees will not be allowed back into the Youth Recreation Program for 24 hours.

3. Program Staff will follow emergency procedures for injured Participants or for Participants with symptoms of an acute illness. An Incident Report shall be submitted.
  4. In the case of an accident or injury,
    - a. First aid will be administered,
    - b. The Participant will be monitored,
    - c. An incident report will be filled out, and
    - d. A Parent will be notified either by phone or in person. If serious enough, a Parent will be notified immediately or the local ambulance service will transport the Participant to the nearest hospital with a Consent to Treat report. The Parent is responsible for cost of transportation and medical care.
  5. If a Participant becomes sick while in the program, the Parent must be contacted by staff and arrangements made for immediate pick up. If no contact is made staff will notify Emergency Contacts.
- C. Program Staff will administer medication subject to the following conditions:
1. Parent must complete, sign, and submit an Authorization to Administer Medication form, Appendix B: Forms, detailing medication name(s), time(s) to be administered, dosage(s), storage requirements, and if self-administered. A new form is required each season and for each medication. The release will include a hold harmless clause to protect the City.
  2. Prescription medications are in the original containers labeled with the Participant's name, date, directions, and the physician's name. The prescribing physician must provide written guidelines. Program Staff will administer the medication only as stated on the label. Program Staff will not administer medication after the expiration date.
  3. Non-prescription medications are labeled with the Participant's name and the date the medication was brought to the Youth Recreation Program. Non-prescription medication must be in the original container. Program Staff will administer medication only according to label directions and with written parental permission via the Authorization to Administer Medication form in Appendix B: Forms.
  4. Medications dispensed will be limited to those not requiring special knowledge, skills, or training on the part of the Program Staff.
- D. The Recreation Supervisor will ensure medications are inaccessible to Participants. If necessary, medications will be kept in the refrigerator.
- E. A Medication log is located on page two of the Authorization to Administer Medications form. The log will be kept by the Supervisor detailing when medication were administered, see Appendix B: Forms.
- F. No medications will be administered to Participant's without written consent from Parent and deemed necessary by a medical professional via the Authorization to Administer Medication form with the exception of topical treatment of cuts and scrapes. Oral medications available in the first aid closet are for use by staff and adult users. A Parent may come to the Recreation Center at any time to administer medications to their child.

## **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 Recreation Program will ensure that at least one Program Staff working with participants is trained in CPR, First Aid, and AED.
- F. Participants will have access to clean drinking water at all times.
- 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.
- H. Program Site porches and platforms more than 30 inches above the ground will be equipped with railings with the exception of performance stages.

### **III. Emergencies**

- A. Each Youth Program will have an Emergency Operations Manual that will be reviewed with all Program Staff. *(currently under development)*
  - 1. When applicable, staff will follow directives of the Blaine County Sheriff Disaster Services
- B. Fire
  - 1. In case of fire, danger of fire, explosion, or other emergency, Program Staff's first priority is to evacuate the Participants to a pre-designated safe area.
  - 2. The Program Site will have an annual fire inspection by the local Fire Marshall or his/her designee, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Director who will review it and enforce the deadline and criteria for compliance.
  - 3. Each Program Site will have at least one fire extinguisher approved by the Fire Marshall readily available to all Program Staff. The Supervisor will inspect the fire extinguisher monthly. All Program Staff will be trained in the proper use of the fire extinguisher.
  - 4. Fire drills will be initiated at Program Sites based on the following schedule.
    - a. After School Program - Once every three months
    - b. Summer Youth Recreation Program - Once during each session.
- C. Electrical Storms
  - 1. Electrical storm (thunder, lightning, etc.) warning procedures will be reviewed with all Program Staff during orientation.
  - 2. Electrical storm drills will be initiated twice yearly: once during the spring and once during the fall.

### **IV. Communication**

- A. Each remote Program Site will have a cell phone or two-way radio 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 Supervisor will post the following telephone numbers adjacent to a telephone accessible to

all Program Staff or they will be available in the Program binder, see Appendix C: Reference Documents

1. City of Ketchum ambulance or emergency medical services
2. City of Ketchum Police Department
3. City of Ketchum Fire Department
4. Parks and Recreation Department Administrative Office with extension numbers of Recreation Supervisor and Youth Recreation Supervisor
5. Telephone numbers and address for the Program Site itself
6. Program participants' emergency contact information
7. Poison Control

## V. Nutrition

- A. The program will follow the Blaine County School District Wellness Guidelines when concession food and snacks are provided either for sale or as part of a program offering (e.g. After School Program snack). Additionally, in keeping with Blaine County School District's wellness guidelines, the program will:
- Serve whole grain-rich products.
  - Provide plain potable water at all times at no cost to youth and staff.
  - 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.
  - Serve only 100% fruit or vegetable juice with no added sweeteners or 100% juice diluted with water with no added sweeteners.
  - Serve only non-caffeinated beverages.
  - Celebrations with food shall be limited and celebrations involving food will meet the Blaine County School District's nutrition standards.
  - Staff is encouraged to use non-food rewards or limit food as a reward to food with the main ingredient as whole grain, fruit, vegetable, protein, or dairy. Candy shall not be used as a food reward.
- B. Special snacks may be provided during the program. Parent must note any food allergies on Participant's registration form.
- C. The Blaine County School District also references the USDA Food and Nutrition Service Ala Carte Rules to be followed. The complete pamphlet is available in Appendix C: Reference Documents:
- Calorie limits
    - Snack items: ≤ 200 calories
    - Entrée items: ≤ 350 calories
  - Sodium limits
    - Snack items: ≤ 230 mg
    - Entrée items: ≤ 480 mg
  - Fat limits
    - Total fat: ≤35% of calories
    - Saturated fat: < 10% of calories
    - Trans fat: zero grams

- Sugar limit: ≤ 35% of weight from total sugars in foods

## **VI. Suspected Abuse**

- A. Program Staff will report suspected child abuse to their supervisor, Refer to Appendix C: Child Protection Act; Idaho Statute Chapter 16 for more details.

## **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. There will be one toilet for every 20 Participants. Urinals may be counted in the ratio of toilets to Participants, but will not exceed 50% of the total number of toilets.
- C. An adequate number of lavatories will be provided.

## **VIII. Sanitation**

- A. The indoor Program Sites must have adequate light, ventilation, and heat.
- B. The Program Site will have an adequate supply of 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, covered container.
- D. Program Staff will remove garbage from Program Sites daily.
- E. Program staff will ensure all program areas are cleaned regularly.

## **IX. Youth Participant Code of Conduct**

- We will maintain a fair, inclusive, and polite manner.
- We will show concern for the rights and safety of ourselves and others.
- We will show respect for the Wreck, park and personal property.
- We will respect adult decisions.
- We will use polite language and good manners.

## Appendix A: Inappropriate Behavior Guidelines



City of Ketchum  
Parks & Recreation

## Inappropriate Behavior Guidelines

### PURPOSE

The purpose of this procedure is to establish written procedures for managing inappropriate behaviors within the Youth Recreation Program.

### PROCEDURE

In an effort to establish standard operating procedures and policies to facilitate the management of inappropriate behaviors at the Wreck Center, After School Program (ASP), and the Summer Youth Recreation Program (SYRP); the following document will be reviewed and updated annually to convey any changes that may occur.

#### **Emergencies-Unacceptable Behavior**

- A. If there is a situation at the Wreck Center which goes beyond normal control (such as fights, alcohol, or narcotics usage, etc.) use your best judgment in attempting to stop or control the activity. By no means should you put yourself in a position where you may be injured. Call the Police Department at 911 immediately and complete an Incident Report form.
- B. In the event of an armed robbery, Staff is directed to cooperate with the assailant's demands as best they can, after which time they should contact the appropriate authorities.
- C. In case of criminal acts, the Police Department should be notified immediately at 911.

#### **Youth Programs Disciplinary Guidelines for Participants**

This needs to be read and understood by Participants and their Parent/Guardian(s). If prolonged disciplinary problems continue with a participant, the Participant may be denied participation in the After School Program (ASP) or Summer Youth Recreation Program (SYRP). Staff can send home children who do not abide by the policies and procedures. If the parents cannot be reached then staff will notify the Emergency Contact(s) to have participant picked up.

- A. Minor offenses: Includes but is not limited to the following: Basic rules of courtesy, back talk, swearing, and not following directions, leaving an activity area without permission, not attending assigned activity, any other negative and/or inappropriate behavior or attitude that may occur during the course of the day.
- B. Serious offenses: Includes but is not limited to the following: Endangering another person's well-being, verbal abuse, harassment of any kind, stealing or destruction of property, fighting, pushing.
- C. Immediate expulsion for the season:

1. Possession of: firearms (real), cigarettes, lighters, matches, knives, alcohol, fireworks or any illegal substance.
2. Threats of violence to participants, staff, and/or facility.

### Disciplinary Procedures

In a recreational setting there are a number of rules that must be adhered to maintain a safe environment. The following progression of disciplinary guidelines are to be used when enforcing and administering facility rules. At no time shall Wreck Center Staff use abusive or profane language. Staff will address disciplinary issues as prescribed in the table and description below.

Time(s) of Offense	Minor Offenses	Serious Offenses
FIRST	Verbal warning	Written warning given to parents
SECOND	Time out	Immediate pickup & 1 day suspension
THIRD	Written warning given to parents	Immediate pickup & 3 day suspension/expulsion from the program for the remainder of the season
FOURTH	Immediate pickup & 1 day suspension	Immediate pickup & Expulsion from the program for the remainder of the season
FIFTH	Immediate pickup & 3 day suspension/expulsion for the remainder of the season	

#### Verbal Warning

Verbal Warning will be directed at the participant with an explanation of infraction and rule. This interaction will be documented on the Parks & Recreation Department Incident Report form.

#### Time Outs

Participants must sit out for a 10-minute period (bench time); a Parks & Recreation Department Incident Report form must be completed. If a participant refuses to do bench time, then they will be removed from the facility and notified of an automatic 3-day suspension from the facility.

#### Written Warnings

The Recreation Supervisor will be notified. A copy of all supporting Parks & Recreation Department Incident Report forms and a copy of this policy will be provided to the parent/guardian/emergency contact at time of pickup. Only the Recreation Supervisor or his designee can determine that a participant will be picked up immediately.

#### Suspension

The Recreation Supervisor will be notified. The parent/guardian/emergency contact will be notified to pick up the participant immediately. A copy of all supporting Parks & Recreation Department Incident Report forms and a copy of this policy will be provided to the parent/guardian/emergency contact at time of pickup. Only the Recreation Supervisor or his designee will determine the length of the suspension. No other Wreck Center Staff shall

suspend a participant. **The Recreation Supervisor, or acting Supervisor, will handle all suspensions.**

### **Refunds**

No refunds will be given for suspensions and expulsions.

### **Summer Session exception**

During the summer session, participants are scheduled for activities throughout the day. Participants unwilling to attend assigned activities will receive one verbal warning. If they fail to adhere to the schedule chosen by their parent/guardian, staff will contact parent/guardian/emergency contact to have the participant picked up immediately. Their return is based on their willingness to participate within the framework of the camp.

## **Punishment Parameters**

There will be no cruel treatment or harsh punishment (physical or verbal abuse). Examples include, but are not limited to:

- Using physical punishment or any action administered to the body such as, but not limited to rough handling, or forcing participants to assume an uncomfortable position,
- Restraining movement by tying, enclosing in a confined space, or shaking.
- Being verbally abusive, including, but not limited to, threats, belittling remarks, humiliation, embarrassment, or frightening a participant.
- Giving any participant the authority to punish another participant.
- Placing a participant out of visual/hearing range, in the dark, or in an unventilated area.
- Punishing a participant for a toileting accident.
- Taunting a participant by or any other form of jeering.
- Giving preferential attention to any participant over another participant.

## Appendix B: Forms

- **Incident Report Form & Directions**
- **Authorization to Administer Medications & Medication Log**
- **Meeting Report**
- **Meeting Sign-in Sheet**



City of Ketchum  
Parks & Recreation

## Youth Participant Incident/Accident Report Form

*ALL fields required – do NOT leave blanks. Revised 10.31.14 (procedure on reverse)*

Date: \_\_\_\_\_ Time: \_\_\_\_\_ incident/accident location: \_\_\_\_\_

Child's/children's name(s): \_\_\_\_\_

Name of reporting staff member(s): \_\_\_\_\_

Describe Incident/Accident (use reverse if needed):

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Action taken (check off is **required**):

- First aid administered (describe: \_\_\_\_\_) **or**  first aid not necessary
- Supervisor notified (supervisor's name: \_\_\_\_\_)
- Parent/Guardian notified\* (name/phone number: \_\_\_\_\_ / \_\_\_\_\_)  
Time/date contacted \_\_\_\_\_ / \_\_\_\_\_ staff initials \_\_\_\_\_

\* Parent/guardian notification is **required** and only qualified individuals may notify parent/guardian

Supervisor comments:

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Routing (required, please initial):

- Parks & Recreation Director (comment and follow up required)
- Parks Superintendent (maintenance action may be required)
- Recreation Supervisor (routing end point – to be filed)
- Youth Recreation Supervisor (staff training may be required)

Department director comment and follow-up:

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# Incident/Accident Report Procedure

Revised October 31, 2014

**In the event of an incident or accident involving a youth participant(s) requiring first aid or a behavioral re-direct, or experiencing emotional trauma (e.g. bullying), staff shall follow these procedures.**

- Follow all first aid procedures and policies according to the City of Ketchum Youth Recreation Program Standards of Care including scene safety assurance, calling 911, and getting help.
- Tell the nearest supervisor (or send another staff member to notify a supervisor) – list below.
- If an Incident Report Form is filled out, a parent or guardian **shall** be notified via telephone or in person immediately.
- **Only** the department director, recreation supervisor, youth recreation supervisors, or their designee may notify parents.
- Supervisor **shall** ensure that any necessary follow-up with a parent or guardian occurs.
- Department director determines completion of any incident or accident involving a youth participant.

**Supervisor Contact List (all listed employees may be reached via office intercom, cell phone, or are usually located on campus):**

Jen Smith – 720-5208  
John Kearney – 309-0434  
Bobby Noyes – 720-1257

**Alternative contacts:**

Juerg Stauffacher – 720-0456  
Joney Otteson – 481-0577  
Brendan Coyle – 508-785-5302

**Incident/Accident Report Forms are located in first aid/AED closet at Atkinson Park and in program binders.**



City of Ketchum  
Parks & Recreation

## Health Care Provider's Order for Prescription and Non-Prescription Medication

### Note to Parent or Guardian

The provision of medication to participants during recreation program hours is discouraged. However, our program recognizes those special cases where the participant's physician documents a need for dosing.

1. It is the policy of our program to maintain a signed order for **each** medication that recreational staff are asked to dispense during program hours. This form must be completed, signed and returned to the Recreation Supervisor **before** any medications can be given. This form must be renewed **each** program season as program hours change.
2. The medication must be sent to the program site in its **original** container.

Participant's Name \_\_\_\_\_ Birth Date \_\_\_\_\_

### To be completed by the Health Care Provider

Diagnosis (or reason for medication) \_\_\_\_\_

Name of Medication \_\_\_\_\_

Form of medication/treatment:

Tablet/capsule    Liquid    Inhaler    Injection    Nebulizer    Other

Instructions (Schedule and dose(s) during recreation program) \_\_\_\_\_

Restrictions and/or other important side effects:

None anticipated    Yes. Please describe: \_\_\_\_\_

Storage requirements:    None    Refrigerate

This participant is both capable and responsible for self-administering this medication:

<input type="checkbox"/> Yes, unsupervised	<i>Use log on back to document medication administration</i>
	<input type="checkbox"/> Yes, supervised <input type="checkbox"/> No

Because of the need for immediate access by this participant, this medication should:

Be kept in the Participant's backpack    Be kept in the Recreation office    Other

**Special instructions i.e., symptoms signaling need for administration, medication**

**indications, reasons to hold medication, contraindications:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Health Care Provider Signature: \_\_\_\_\_

Address: \_\_\_\_\_ Phone #: \_\_\_\_\_











## Appendix C: Reference Documents

- **Communication List**
- **USDA Food & Nutrition Service Ala Carte Rules**
- **Child Protection Act; Idaho Statutes Chapter 16**



City of Ketchum  
Parks & Recreation

## IMPORTANT CONTACT INFORMATION

CONTACT	PHONE NUMBER
City of Ketchum ambulance or emergency medical services	911
Non-Emergency Dispatch	208.726-7833
City of Ketchum Police Department	208.726-7819
City of Ketchum Fire Department	208.726-7805
Poison Control	1.800.222.1222

### Parks & Recreation Staff:

OFFICE	ROLE	PHONE NUMBER	Cell Numbers
John Kearney	Recreation Division Supervisor	208.726.7820 X100	208.309.0434
Bobby Noyes	Youth Recreation Supervisor	208.726.7820 X101	208.720.1257
ALL DEPARTMENT PHONES RING		208.726.7820 X0	
Wreck Room		208.726.7820 X105	
Kitchen		208.726.7820 X108	
Heather Johns	Information Services Coordinator	208.726.7820 X109	208.412.2557
Jen Smith	Director of Parks & Recreation	208.726.7820 X103	208.720.5208

### Park Facilities:

PARK	ADDRESS	PHONE
Atkinson Park	900 Third Avenue	208.726.7820
Ketchum Bike Park	700 Second Avenue	
Watch Me Grow	160 Tenth Street	
Guy Coles Skate Park	1178 Warm Springs Road	
Rotary Park	1177 Warm Springs Road	
Knob Hill Natural Area	811 North East Avenue	
Ketchum Little Park	571 East Fifth Street	
Town Square	480 Fourth Street East	

For required participant information, generate the following report from the registration database,  
**Active Network:**

**Reports>>Registration Reports>>Roster-Brief>>Recall/Schedule>>Off Site Activities.**

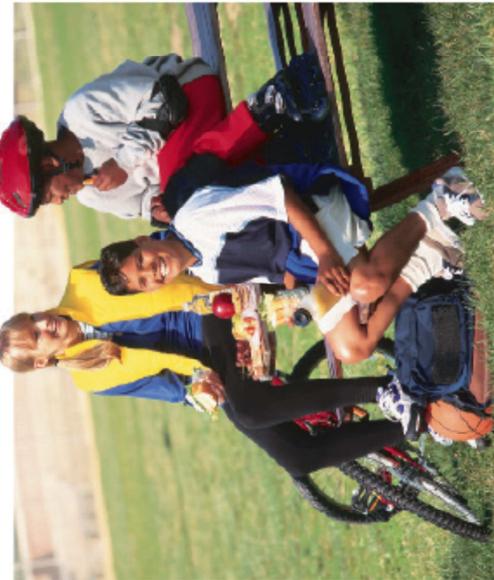
**UPDATE Filters: Activity**

# SMART SNACKS IN SCHOOL

## Other Requirements

### Fundraisers

- Food items that meet nutrition requirements are not limited.
- The standards do not apply during non-school hours, on weekends and at off-campus fundraising events.
- The standards provide a special exemption for infrequent fundraisers that do not meet the nutrition standards. Each State agency is responsible for establishing the number of exempt fundraisers that may be held in schools each year.



The Healthy, Hunger-Free Kids Act of 2010 requires USDA to establish nutrition standards for all foods sold in school — beyond the federally-supported meals programs. This new rule carefully balances science-based nutrition guidelines with practical and flexible solutions to promote healthier eating on campus.

The rule draws on recommendations from the Institute of Medicine, existing voluntary standards already implemented by thousands of schools around the country, and healthy food and beverage options already available in the marketplace.

For further information  
about school meals go to:  
<http://www.fns.usda.gov/>



“All Foods Sold in Schools”  
Standards

The health of today's school environment continues to improve. Students across the country are now offered healthier school meals with more fruits, vegetables and whole grains through the National School Lunch Program and the School Breakfast Program.

The Smart Snacks in School standards published by USDA will build on those healthy advancements by ensuring that all other snack foods and beverages available for sale to students in school are tasty and nutritious.

### Nutrition Standards for Foods

#### Any food sold in schools must:

- Be a "whole grain-rich" grain product; or
- Have as the first ingredient a fruit, a vegetable, a dairy product, or a protein food; or
- Be a combination food that contains at least ¼ cup of fruit and/or vegetable; or
- Contain 10% of the Daily Value (DV) of one of the nutrients of public health concern in the *2010 Dietary Guidelines for Americans* (calcium, potassium, vitamin D, or dietary fiber)\*.

\* On July 1, 2016, foods may not qualify using the 10% DV criteria

#### Foods must also meet several nutrient requirements:

##### Calorie limits

Snack items: ≤ 200 calories  
 Entrée items: ≤ 350 calories

##### Sodium limits

Snack items: ≤ 230 mg\*\*  
 Entrée items: ≤ 480 mg

##### Fat limits

Total fat: ≤ 35% of calories  
 Saturated fat: < 10% of calories  
 Trans fat: zero grams

##### Sugar limit

≤ 35% of weight from total sugars in foods

\*\* On July 1, 2016, snack items must contain ≤ 200 mg sodium per item.

#### Accompaniments

- Accompaniments such as cream cheese, salad dressing and butter must be included in the nutrient profile as part of the food item sold.

This helps control the amount of calories, fat, sugar and sodium added to foods.



### Nutrition Standards for Beverages

#### All schools may sell:

- Plain water (with or without carbonation)
- Unflavored low fat milk
- Unflavored or flavored fat free milk and milk alternatives permitted by NSLP/SSBP
- 100% fruit or vegetable juice and
- 100% fruit or vegetable juice diluted with water (with or without carbonation), and no added sweeteners.

Elementary schools may sell up to 8-ounce portions, while middle schools and high schools may sell up to 12-ounce portions of milk and juice. There is no portion size limit for plain water.

Beyond this, the standards allow additional "no calorie" and "lower calorie" beverage options for high school students.

- No more than 20-ounce portions of calorie-free, flavored water (with or without carbonation); and other flavored and/or carbonated beverages that are labeled to contain < 5 calories per 8 fluid ounces or ≤ 10 calories per 20 fluid ounces.
- No more than 12-ounce portions of beverages with ≤ 40 calories per 8 fluid ounces, or ≤ 60 calories per 12 fluid ounces.



# Idaho Statutes

## TITLE 16 JUVENILE PROCEEDINGS

### CHAPTER 16 CHILD PROTECTIVE ACT

16-1601. POLICY. The policy of the state of Idaho is hereby declared to be the establishment of a legal framework conducive to the judicial processing including periodic review of child abuse, abandonment and neglect cases, and the protection of any child whose life, health or welfare is endangered. At all times the health and safety of the child shall be the primary concern. Each child coming within the purview of this chapter shall receive, preferably in his own home, the care, guidance and control that will promote his welfare and the best interest of the state of Idaho, and if he is removed from the control of one (1) or more of his parents, guardian or other custodian, the state shall secure adequate care for him; provided, however, that the state of Idaho shall, to the fullest extent possible, seek to preserve, protect, enhance and reunite the family relationship. Nothing in this chapter shall be construed to allow discrimination on the basis of disability. This chapter seeks to coordinate efforts by state and local public agencies, in cooperation with private agencies and organizations, citizens' groups, and concerned individuals, to:

- (1) Preserve the privacy and unity of the family whenever possible;
- (2) Take such actions as may be necessary and feasible to prevent the abuse, neglect, abandonment or homelessness of children;
- (3) Take such actions as may be necessary to provide the child with permanency including concurrent planning;
- (4) Clarify for the purposes of this act the rights and responsibilities of parents with joint legal or joint physical custody of children at risk.

#### **History:**

[16-1601, added 1976, ch. 204, sec. 2, p. 732; am. 1982, ch. 186, sec. 1, p. 492; am. 1991, ch. 212, sec. 1, p. 501; am. 1996, ch. 272, sec. 1, p. 885; am. 1998, ch. 257, sec. 1, p. 851; am. 2001, ch. 107, sec. 1, p. 352; am. 2003, ch. 279, sec. 1, p. 748.]

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# Idaho Statutes

## TITLE 16 JUVENILE PROCEEDINGS

### CHAPTER 16 CHILD PROTECTIVE ACT

16-1602. DEFINITIONS. For purposes of this chapter:

(1) "Abused" means any case in which a child has been the victim of:

(a) Conduct or omission resulting in skin bruising, bleeding, malnutrition, burns, fracture of any bone, subdural hematoma, soft tissue swelling, failure to thrive or death, and such condition or death is not justifiably explained, or where the history given concerning such condition or death is at variance with the degree or type of such condition or death, or the circumstances indicate that such condition or death may not be the product of an accidental occurrence; or

(b) Sexual conduct, including rape, molestation, incest, prostitution, obscene or pornographic photographing, filming or depiction for commercial purposes, or other similar forms of sexual exploitation harming or threatening the child's health or welfare or mental injury to the child.

(2) "Abandoned" means the failure of the parent to maintain a normal parental relationship with his child including, but not limited to, reasonable support or regular personal contact. Failure to maintain this relationship without just cause for a period of one (1) year shall constitute prima facie evidence of abandonment.

(3) "Adaptive equipment" means any piece of equipment or any item that is used to increase, maintain or improve the parenting capabilities of a parent with a disability.

(4) "Adjudicatory hearing" means a hearing to determine:

(a) Whether the child comes under the jurisdiction of the court pursuant to the provisions of this chapter;

(b) Whether continuation of the child in the home would be contrary to the child's welfare and whether the best interest of the child requires protective supervision or vesting legal custody of the child in an authorized agency.

(5) "Aggravated circumstances" includes, but is not limited to:

(a) Circumstances in which the parent has engaged in any of the following:

(i) Abandonment, chronic abuse or chronic neglect of the child. Chronic neglect or chronic abuse of a child shall consist of abuse or neglect that is so extreme or repetitious as to indicate that return of the child to the home would result in unacceptable risk to the health and welfare of the child.

(ii) Sexual abuse against a child of the parent. Sexual abuse, for the purposes of this section, includes any conduct described in section 18-1506, 18-1506A, 18-1507, 18-1508, 18-1508A, 18-6101, 18-6108 or 18-6608, Idaho Code.

(iii) Torture of a child; any conduct described in the code sections listed in section 18-8303(1), Idaho Code; battery or an injury to a child that results in serious or great bodily injury

to a child; voluntary manslaughter of a child, or aiding or abetting such voluntary manslaughter, soliciting such voluntary manslaughter or attempting or conspiring to commit such voluntary manslaughter;

(b) The parent has committed murder, aided or abetted a murder, solicited a murder or attempted or conspired to commit murder; or

(c) The parental rights of the parent to another child have been terminated involuntarily.

(6) "Authorized agency" means the department, a local agency, a person, an organization, corporation, benevolent society or association licensed or approved by the department or the court to receive children for control, care, maintenance or placement.

(7) "Case plan hearing" means a hearing to approve, modify or reject the case plan as provided in section 16-1621, Idaho Code.

(8) "Child" means an individual who is under the age of eighteen (18) years.

(9) "Child advocacy center" or "CAC" means an organization that adheres to national best practice standards established by the national membership and accrediting body for children's advocacy centers and that promotes a comprehensive and coordinated multidisciplinary team response to allegations of child abuse by maintaining a child-friendly facility at which appropriate services are provided. These services may include forensic interviews, forensic medical examinations, mental health services and other related victim services.

(10) "Circumstances of the child" includes, but is not limited to, the joint legal custody or joint physical custody of the child.

(11) "Commit" means to transfer legal and physical custody.

(12) "Concurrent planning" means a planning model that prepares for and implements different outcomes at the same time.

(13) "Court" means district court or magistrate's division thereof, or if the context requires, a magistrate or judge thereof.

(14) "Custodian" means a person, other than a parent or legal guardian, to whom legal or joint legal custody of the child has been given by court order.

(15) "Department" means the department of health and welfare and its authorized representatives.

(16) "Disability" means, with respect to an individual, any mental or physical impairment which substantially limits one (1) or more major life activity of the individual including, but not limited to, self-care, manual tasks, walking, seeing, hearing, speaking, learning or working, or a record of such an impairment, or being regarded as having such an impairment. Disability shall not include transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, other sexual behavior disorders, or substance use disorders, compulsive gambling, kleptomania or pyromania. Sexual preference or orientation is not considered an impairment or disability. Whether an impairment substantially limits a major life activity shall be determined without consideration of the effect of corrective or mitigating measures used to reduce the effects of the impairment.

(17) "Family or household member" shall have the same meaning as in section 39-6303(6), Idaho Code.

(18) "Foster care" means twenty-four (24) hour substitute parental care for children placed away from their parents or guardians by persons who may or may not be related to the children and for whom the state agency has placement and care responsibility.

(19) "Grant administrator" means the supreme court or any organization or agency as may be designated by the supreme court in accordance with such procedures as may be adopted by the supreme court. The grant administrator shall administer funds from the guardian ad litem account in accordance with the provisions of this chapter.

(20) "Guardian ad litem" means a person appointed by the court

pursuant to a guardian ad litem volunteer program to act as special advocate for a child under this chapter.

(21) "Guardian ad litem coordinator" means a person or entity receiving moneys from the grant administrator for the purpose of carrying out any of the duties set forth in section 16-1632, Idaho Code.

(22) "Guardian ad litem program" means the program to recruit, train and coordinate volunteer persons to serve as guardians ad litem for abused, neglected or abandoned children.

(23) "Homeless," as used in this chapter, shall mean that the child is without adequate shelter or other living facilities, and the lack of such shelter or other living facilities poses a threat to the health, safety or well-being of the child.

(24) "Idaho network of children's advocacy centers" means an organization that provides education and technical assistance to child advocacy centers and to interagency multidisciplinary teams developed pursuant to section 16-1617, Idaho Code.

(25) "Law enforcement agency" means a city police department, the prosecuting attorney of any county, state law enforcement officers, or the office of a sheriff of any county.

(26) "Legal custody" means a relationship created by court order, which vests in a custodian the following rights and responsibilities:

(a) To have physical custody and control of the child, and to determine where and with whom the child shall live.

(b) To supply the child with food, clothing, shelter and incidental necessities.

(c) To provide the child with care, education and discipline.

(d) To authorize ordinary medical, dental, psychiatric, psychological, or other remedial care and treatment for the child, including care and treatment in a facility with a program of services for children; and to authorize surgery if the surgery is deemed by two (2) physicians licensed to practice in this state to be necessary for the child.

(e) Where the parents share legal custody, the custodian may be vested with the custody previously held by either or both parents.

(27) "Mental injury" means a substantial impairment in the intellectual or psychological ability of a child to function within a normal range of performance and/or behavior, for short or long terms.

(28) "Neglected" means a child:

(a) Who is without proper parental care and control, or subsistence, medical or other care or control necessary for his well-being because of the conduct or omission of his parents, guardian or other custodian or their neglect or refusal to provide them; however, no child whose parent or guardian chooses for such child treatment by prayers through spiritual means alone in lieu of medical treatment shall be deemed for that reason alone to be neglected or lack parental care necessary for his health and well-being, but this subsection shall not prevent the court from acting pursuant to section 16-1627, Idaho Code; or

(b) Whose parents, guardian or other custodian are unable to discharge their responsibilities to and for the child and, as a result of such inability, the child lacks the parental care necessary for his health, safety or well-being; or

(c) Who has been placed for care or adoption in violation of law; or

(d) Who is without proper education because of the failure to comply with section 33-202, Idaho Code.

(29) "Permanency hearing" means a hearing to review, approve, reject or modify the permanency plan of the department, and review reasonable efforts in accomplishing the permanency plan.

(30) "Permanency plan" means a plan for a continuous residence and maintenance of nurturing relationships during the child's minority.

(31) "Protective order" means an order issued by the court in a child

protection case, prior to the adjudicatory hearing, to enable the child to remain in the home pursuant to section 16-1615(5)(f), Idaho Code. Such an order shall be in the same form and have the same effect as a domestic violence protection order issued pursuant to chapter 63, title 39, Idaho Code. A protective order shall be for a period not to exceed three (3) months unless otherwise stated in the order.

(32) "Protective supervision" is a legal status created by court order in a child protective case whereby the child is in the legal custody of his or her parent(s), guardian(s) or other legal custodian(s), subject to supervision by the department.

(33) "Relative" means a child's grandparent, great grandparent, aunt, great aunt, uncle, great uncle, brother-in-law, sister-in-law, first cousin, sibling and half-sibling.

(34) "Residual parental rights and responsibilities" means those rights and responsibilities remaining with the parents after the transfer of legal custody including, but not necessarily limited to, the right of visitation, the right to consent to adoption, the right to determine religious affiliation, the right to family counseling when beneficial, and the responsibility for support.

(35) "Shelter care" means places designated by the department for temporary care of children pending court disposition or placement.

(36) "Supportive services," as used in this chapter, shall mean services which assist parents with a disability to compensate for those aspects of their disability which affect their ability to care for their child and which will enable them to discharge their parental responsibilities. The term includes specialized or adapted training, evaluations or assistance with effectively using adaptive equipment and accommodations which allow parents with a disability to benefit from other services including, but not limited to, Braille texts or sign language interpreters.

History:

[16-1602, added 1976, ch. 204, sec. 2, p. 733; am. 1982, ch. 186, sec. 2, p. 492; am. 1986, ch. 84, sec. 5, p. 247; am. 1989, ch. 281, sec. 1, p. 685; am. 1989, ch. 302, sec. 1, p. 752; am. 1991, ch. 38, sec. 1, p. 76; am. 1991, ch. 212, sec. 2, p. 501; am. 1996, ch. 272, sec. 2, p. 886; am. 2000, ch. 136, sec. 3, p. 357; am. 2001, ch. 107, sec. 2, p. 353; am. 2003, ch. 279, sec. 2, p. 749; am. 2005, ch. 391, sec. 5, p. 1269; am. 2007, ch. 26, sec. 1, p. 48; am. 2009, ch. 103, sec. 1, p. 316; am. 2010, ch. 147, sec. 1, p. 314; am. 2013, ch. 287, sec. 1, p. 741; am. 2014, ch. 120, sec. 1, p. 337.]

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# Idaho Statutes

## TITLE 16 JUVENILE PROCEEDINGS

### CHAPTER 16 CHILD PROTECTIVE ACT

16-1603. JURISDICTION OF THE COURTS. (1) Except as otherwise provided herein, the court shall have exclusive original jurisdiction in all proceedings under this chapter concerning any child living or found within the state:

(a) Who is neglected, abused or abandoned by his parents, guardian or other legal custodian, or who is homeless; or

(b) Whose parents or other legal custodian fails to provide a stable home environment.

(2) If the court has taken jurisdiction over a child under subsection (1) of this section, it may take jurisdiction over another child living or having custodial visitation in the same household without the filing of a separate petition if it finds all of the following:

(a) The other child is living or is found within the state;

(b) The other child has been exposed to or is at risk of being a victim of abuse, neglect or abandonment;

(c) The other child is listed in the petition or amended petition;

(d) The parents or legal guardians of the other child have notice as provided in section 16-1611, Idaho Code.

#### **History:**

[16-1603, as added by 1976, ch. 204, sec. 2, p. 735; am. 1982, ch. 186, sec. 3, p. 494; am. 1991, ch. 212, sec. 3, p. 503; am. 1996, ch. 272, sec. 3, p. 888; am. 1999, ch. 123, sec. 2, p. 361; am. 2001, ch. 107, sec. 3, p. 355; am. 2003, ch. 279, sec. 3, p. 752; am. 2005, ch. 391, sec. 6, p. 1272.]

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# Idaho Statutes

## TITLE 16 JUVENILE PROCEEDINGS

### CHAPTER 16 CHILD PROTECTIVE ACT

16-1605. REPORTING OF ABUSE, ABANDONMENT OR NEGLECT. (1) Any physician, resident on a hospital staff, intern, nurse, coroner, school teacher, day care personnel, social worker, or other person having reason to believe that a child under the age of eighteen (18) years has been abused, abandoned or neglected or who observes the child being subjected to conditions or circumstances which would reasonably result in abuse, abandonment or neglect shall report or cause to be reported within twenty-four (24) hours such conditions or circumstances to the proper law enforcement agency or the department. The department shall be informed by law enforcement of any report made directly to it. When the attendance of a physician, resident, intern, nurse, day care worker, or social worker is pursuant to the performance of services as a member of the staff of a hospital or similar institution, he shall notify the person in charge of the institution or his designated delegate who shall make the necessary reports.

(2) For purposes of subsection (3) of this section the term "duly ordained minister of religion" means a person who has been ordained or set apart, in accordance with the ceremonial, ritual or discipline of a church or religious organization which has been established on the basis of a community of religious faith, belief, doctrines and practices, to hear confessions and confidential communications in accordance with the bona fide doctrines or discipline of that church or religious organization.

(3) The notification requirements of subsection (1) of this section do not apply to a duly ordained minister of religion, with regard to any confession or confidential communication made to him in his ecclesiastical capacity in the course of discipline enjoined by the church to which he belongs if:

(a) The church qualifies as tax-exempt under 26 U.S.C. section 501(c) (3);

(b) The confession or confidential communication was made directly to the duly ordained minister of religion; and

(c) The confession or confidential communication was made in the manner and context which places the duly ordained minister of religion specifically and strictly under a level of confidentiality that is considered inviolate by canon law or church doctrine. A confession or confidential communication made under any other circumstances does not fall under this exemption.

(4) Failure to report as required in this section shall be a misdemeanor.

#### **History:**

[(16-1605) 16-1619, added 1976, ch. 204, sec. 2, p. 743; am. 1982, ch. 186, sec. 18, p. 501; am. 1985, ch. 158, sec. 1, p. 416; am. 1995, ch. 329, sec. 1, p. 1098; am. and redesisg. 2005, ch. 391, sec. 7, p. 1272.]

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# Idaho Statutes

## TITLE 16 JUVENILE PROCEEDINGS

### CHAPTER 16 CHILD PROTECTIVE ACT

16-1606. IMMUNITY. Any person who has reason to believe that a child has been abused, abandoned or neglected and, acting upon that belief, makes a report of abuse, abandonment or neglect as required in section 16-1605, Idaho Code, shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any such judicial proceeding resulting from such report. Any person who reports in bad faith or with malice shall not be protected by this section. Any privilege between husband and wife, or between any professional person except the lawyer-client privilege, including but not limited to physicians, counselors, hospitals, clinics, day care centers and schools and their clients shall not be grounds for excluding evidence at any proceeding regarding the abuse, abandonment or neglect of the child or the cause thereof.

**History:**

[(16-1606) 16-1620, added 1976, ch. 204, sec. 2, p. 744; am. 1982, ch. 186, sec. 19, p. 501; am. 1985, ch. 158, sec. 2, p. 417; am. 1995, ch. 328, sec. 1, p. 1097; am. and redesi. 2005, ch. 391, sec. 8, p. 1273.]

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# Idaho Statutes

## TITLE 16 JUVENILE PROCEEDINGS

### CHAPTER 16 CHILD PROTECTIVE ACT

#### 16-1608. EMERGENCY REMOVAL.

(1) (a) A child may be taken into shelter care by a peace officer without an order issued pursuant to subsection (4) of section 16-1611 or section 16-1619, Idaho Code, only where the child is endangered in his surroundings and prompt removal is necessary to prevent serious physical or mental injury to the child or where the child is an abandoned child pursuant to the provisions of chapter 82, title 39, Idaho Code.

(b) An alleged offender may be removed from the home of the victim of abuse or neglect by a peace officer without an order, issued pursuant to subsection (5) of section 16-1611, Idaho Code, only where the child is endangered and prompt removal of an alleged offender is necessary to prevent serious physical or mental injury to the child.

(2) When a child is taken into shelter care under subsection (1) of this section, he may be held for a maximum of forty-eight (48) hours, excluding Saturdays, Sundays and holidays, unless a shelter care hearing has been held pursuant to section 16-1615, Idaho Code, and the court orders an adjudicatory hearing.

(3) When an alleged offender is removed from the home under subsection (1)(b) of this section, a motion based on a sworn affidavit by the department must be filed simultaneously with the petition and the court shall determine at a shelter care hearing, held within a maximum of twenty-four (24) hours, excluding Saturdays, Sundays and holidays, whether the relief sought shall be granted, pending an adjudicatory hearing. Notice of such hearing shall be served upon the alleged offender at the time of removal or other protective relief.

#### **History:**

[(16-1608) 16-1612, as added by 1976, ch. 204, sec. 2, p. 740; am. 1982, ch. 186, sec. 12, p. 498; am. 1989, ch. 302, sec. 4, p. 756; am. 2001, ch. 107, sec. 13, p. 365; am. 2001, ch. 357, sec. 3, p. 1259; am. 2005, ch. 25, sec. 76, p. 113; am. and redesign. 2005, ch. 391; sec. 10, p. 1274.]

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