

Policy Brief

SAFETY

Health & Safety Requirements for Recreation Programs

2017

Recreation programs are an important industry for Nevada's children and families. Many parents enroll their child on a sports team, summer camp, dance classes, art lessons or after school programs. These programs often provide unique educational and social experiences for children. For many parents these programs provide an additional form of after school care that allows them to work. They also help parents foster new skills or expertise for their child.

In Nevada, there are multiple types of recreation programs that offer supervision of children which include:

- **Out-of-school recreation program-** a recreation program operated or sponsored by a local government in a facility which is owned, operated or leased by the local government and which provides enrichment activities to children of school age.
- **Out-of-school-time program-** a program, other than an out-of-school recreation program, that operates for 10 or more hours per week, is offered on a continuing basis, provides supervision of children who are of the age to attend school from kindergarten through 12th grade and provides regularly scheduled, structured and supervised activities where learning opportunities take place.
- **Seasonal or temporary recreation program-** a recreation program that is offered to children for a limited time or duration and may include, without limitation:
 - A special sports event, which may include, without limitation, a camp, clinic, demonstration or workshop which focuses on a particular sport;
 - A therapeutic program for children with disabilities, which may include, without limitation, social activities, outings and other inclusion activities;
 - An athletic training program, which may include, without limitation, a baseball or other sports league and exercise instruction; and
 - Other special interest programs, which may include, without limitation, an arts and crafts workshop, a theater camp and dance competition.

Out-of-school recreation programs are governed by NRS 423A.600-650 – requiring background checks of staff and well as health and safety requirements to ensure the well-being of children and youth who participate in these programs. However, neither out-of-school-time programs or seasonal or temporary recreation programs have to meet these basic safety requirements, potentially endangering children.

To ensure the safety of Nevada's children, out-of-school-time programs and the seasonal or temporary recreation programs should be required to meet the same requirements as out of school recreation programs as stated in NRS 423A.600-650. These requirements include, but are not limited to, the following:

- Requirements for the site where program is operated:
 - Complies with applicable law and regulations concerning safety standards;
 - Complies with applicable law and regulations concerning health standards;

- Has a complete first-aid kit accessible on site; Has an emergency exit plan posted on-site in a conspicuous place; and
- Has not less than two staff members on-site and available during the hours of operation who are certified and receive annual training in the use and administration of first aid, including, without limitation, cardiopulmonary resuscitation.
- Requirements for staff of program:
 - A background and personal history check; and
 - A child abuse and neglect screening through the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child established by [NRS 432.100](#) to determine whether there has been a substantiated report of child abuse or neglect made against the staff member.
- Requirement for number of participants in the program:
 - Does not exceed a ratio of one person supervising every 20 participants; and
 - Will not cause the facility where the program is operated to exceed the maximum occupancy as determined by the State Fire Marshal or the local governmental entity that has the authority to determine the maximum occupancy of the facility.
- Required components of program:
 - An inclusion component for participants who qualify under the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq.;
 - Regular restroom breaks; and
 - Nutrition breaks.

In addition, these programs should be required to maintain certain records for participants and to submit reports of inspections of facilities where programs operate. By adopting the requirements for out-of-school-time programs and the seasonal or temporary recreation programs, families would know their children are in healthy and safe environments with positive adult supervision.

Recommendations:

The Children’s Advocacy recommends that out-of-school-time programs and the seasonal or temporary recreation programs meet the same health and safety requirements as out of school recreation programs as stated in NRS 423A.600-650. Additionally, Nevada should impose a civil penalty on a person who operates a program and fails to comply with such requirements.



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