

# THE CAMPLine

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### In This Issue

- 1** Criminal Background Checks and International Staff
- 6** Supervision at Camp
- 7** Camp Staff Use of Electronic Devices and Social Media
- 13** Notes from the 2014 Insurance Roundtable
- 15** Medication Management
- 17** Federal Public Policy
- 21** "Traditional" Camp

### Icon Key

The icons below correspond to article topic areas. Use them to find the articles that best match your interests!


-  EDUCATION
-  ISSUES
-  LEGISLATIVE
-  MOBILIZATION
-  POSITION STATEMENT
-  PUBLIC POLICY AGENDA DEVELOPMENT
-  REGULATORY ADVOCACY
-  RELATIONSHIPS



Photo courtesy of Camp Howe, Goshen, Massachusetts.

## CRIMINAL BACKGROUND CHECKS AND INTERNATIONAL STAFF

### Considerations and Key Questions for Camps and Other Youth-Serving Organizations

 The American Camp Association (ACA) has provided significant educational resources for camps and other youth-serving organizations regarding conducting criminal background checks on American staff and volunteer applicants. (See [www.ACAcamps.org/campline/s-2010/criminal-background-checks-staff-and-volunteers](http://www.ACAcamps.org/campline/s-2010/criminal-background-checks-staff-and-volunteers) for resources.) However, ACA has not provided as much detail regarding criminal background checks for international applicants. The issues around international background checks are complex and vary significantly by the home country / home city of the applicant. Please consider the information below as you screen your international applicants.

*ACA-accreditation standard H.R. 5.1 mandates that a camp conducts a criminal background check for staff eighteen years of age and older for all new camp staff with responsibility for or access to campers — this includes both American and international staff.*

*continued on page 2*

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## Overview – International Staff and American Camps

In most situations, the international staff you utilize at your camp will be entering the United States under a J-1 cultural exchange visitor visa. These visas will either be for the category of “camp counselor” or “summer work travel” (SWT). The SWT visa is generally for your camp support staff. These cultural exchange visitors are recruited through a program of the U.S. Department of State called the “Exchange Visitor Program.” In order to secure these visitors for your camp, you must work with an organization that has been deemed by the State Department as a “sponsor” of the program. These sponsors are responsible for ensuring compliance

with the regulations of the program and with placing international visitors in appropriate “host” situations. Camps are considered the “host.” Camps work with their sponsor to identify, screen, and place international visitors as staff in their camp. (For more information about the J-1 visa and its accompanying regulations, visit: [www.ACAcamps.org/international/practices](http://www.ACAcamps.org/international/practices).) Sponsors are the entity that conducts the criminal background checks on all international applicants. Because this is the case, it is important that camps understand the issues and key questions about international criminal background checks.

## Key Questions Regarding International Criminal Background Checks

### 1. What is an international criminal background check?

Countries are the owners of their own criminal records. There is no worldwide database of criminal records from all countries. Currently, each country can keep (or not keep) criminal records using any method it chooses. The laws vary greatly about what kinds of crimes exist in each country, how records are kept, and what information is contained in those records. International criminal records (view participating countries at [www.interpol.int/Member-countries/World](http://www.interpol.int/Member-countries/World)) are

accessible by the International Criminal Police Organization (INTERPOL), an international cooperative law enforcement agency. These records are not accessible to the public. Thus, when conducting criminal background checks, they must be done following the guidelines of each individual country. Some countries are very advanced in this area, and others have a minimal — or no — system.

**2. Does every country have a criminal background checking system?**

No. The kinds of checks that are available in any given country vary widely from quite robust to basically nonexistent. It is imperative that a camp work with its sponsor to understand what type of check is actually available in the country of each applicant a camp is considering selecting. Understand that some countries may only allow organizations within that country to access certain databases; for that reason, camps need to know how their sponsor gets information and whether a sponsor has a partner organization within that country.

**3. I've heard the term "best available check" used when asking about international criminal background checks. What does that mean?**

Just as in the United States, there are different types (and costs) of criminal background checks available in many countries. Some are very complete, and others are less inclusive. It is important that you understand how complete a check your sponsor is conducting on each applicant.

**4. I've also heard the term "police check" — is that the same as a criminal background check?**

In some countries, the only way to check if an individual has a criminal record is by contacting the police

department. Those "in the know" understand that they must be careful when considering the results of this kind of check. In some countries, simply paying some money to the local police will ensure that a record comes back "clean." Talk with your sponsor about these issues so you can understand the reliability of any check.

**5. Do any countries offer criminal background checks specifically for childcare workers?**

Yes. Some countries, including the United Kingdom, offer checks specifically for people who will be working with children. The UK has an International Child Protection Certificate (ICPC) specifically

*continued on page 4*

*Thank You!*

... to all those who participated in the *CampLine* Format Survey in the Winter 2014 issue!

ACA is now evaluating next steps for the future of the *CampLine* format.

The survey is now closed.

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## Criminal Background Checks and International Staff —

*continued from page 3*

designed for British nationals and residents traveling overseas to work with children. The UK only allows organizations that are UK based or UK linked to access the Criminal Records Bureau, so this is an alternative. It was designed by the Association of Chief Police Officers' Criminal Records Office in conjunction with the Child Exploitation Online Protection Center. (For more information, visit: [www.acro.police.uk/ICPC/](http://www.acro.police.uk/ICPC/))

### 6. If an applicant is from one country but is going to school in another, where should a criminal background check be conducted? And what if an applicant is currently working in one country, but grew up in another?

Criminal background checks should be conducted in every country where an applicant has lived, worked, or gone to school.

### 7. Should an American criminal background check be conducted on international applicants?

It has been suggested that U.S.

criminal background checks be conducted on international applicants as they may have visited in the U.S., gone to educational programs here, or just traveled after previous placements.

### 8. What is a criminal background threshold?

A criminal background threshold is the statement an organization makes about what kind of criminal record someone might have in their past yet still be eligible for employment or volunteering in that organization. An organization might decide to set different threshold levels for different positions in their organization. (For more information on setting thresholds, visit: [www.ACAcamps.org/publicpolicy/cbcthresholds](http://www.ACAcamps.org/publicpolicy/cbcthresholds).)

### 9. Sometimes, I've already selected an applicant with my sponsor and gone through most of the screening process when suddenly I learn that the individual did not clear the background check. Why can't this be done first?

Because of the long lead time to get a visa in some countries, there are instances where waiting

on the background check would jeopardize time to place the participant or obtain a visa appointment. This is why the background check may not be immediately available with the information on an application. If a participant has not disclosed information or a background check comes back negative, this is grounds for dismissal from a program.

## Questions for Camps and Other Youth-Serving Organizations to Ask Their State Department Sponsor

1. What types of checks are you conducting in each country for each applicant?
2. Are you conducting the best available check in each country?
3. In countries where only "police checks" are available — how confident are you that the information is accurate and legitimate?
4. Can I have a copy of the original criminal background check report? (Camps that request the original might ask in advance that participants bring the original with them. Many companies now post the criminal background check online [for countries that allow this] and some participants/sponsors may not be aware a camp will want the original to have on file.)
5. What information are you screening or filtering for? (For example, do you screen for child abuse offenses or search sexual offender databases if available?)
6. If a criminal background check is not available in a particular country/location, what do you do with that applicant? Are they automatically unqualified for placement in a U.S. summer camp? How do you share information with potential host camps about this issue?

## Resources

Best Practices for Utilizing International Staff in ACA Camps: [www.ACAcamps.org/international/practices](http://www.ACAcamps.org/international/practices)

Staff Screening Resources: [www.ACAcamps.org/knowledge/human/staffscreening](http://www.ACAcamps.org/knowledge/human/staffscreening)

U.S. Department of State J-1 Visa Program: <http://j1visa.state.gov/basics/>

Selecting a U.S. Department of State Sponsor: [http://j1visa.state.gov/participants/how-to-apply/sponsor-search/?program=Camp Counselor](http://j1visa.state.gov/participants/how-to-apply/sponsor-search/?program=Camp+Counselor)

Guidance for Camps and Other Youth-Serving Organizations — Developing Criminal Background Thresholds: [www.ACAcamps.org/publicpolicy/cbcthresholds](http://www.ACAcamps.org/publicpolicy/cbcthresholds)

United Kingdom International Child Protection Certificate: [www.acro.police.uk/ICPC/](http://www.acro.police.uk/ICPC/)



Photo courtesy of Sugar Bay Holiday Resort, Zikhwazi, Nkxwazi, South Africa.

## Top Tips for Camps and Other Youth-Serving Organizations

1. Parents are entrusting their children to you. It is imperative that your organization utilize a complete staff screening system that includes not just criminal background checks but reference checks, personal interviews, etc. (For more information on staff screening, visit [www.ACAcamps.org/knowledge/human/staffscreening](http://www.ACAcamps.org/knowledge/human/staffscreening).)
2. Understand the type and scope of criminal background checks your State Department sponsor is conducting on each of your potential cultural exchange visitors. Ask questions.
3. If you feel that the criminal background check of an international staff applicant provided by your State Department sponsor was not robust enough to meet your camp's thresholds, consider selecting another candidate — or ask your sponsor if there are more complete options available.
4. Even though annual criminal background checks are mandated by ACA-accreditation standards only for all new staff, consider conducting them for returning staff as well. The standard is anticipated to change soon to require annual checks for all staff. In the meantime, you don't know what people have been doing since your last camp season — especially if they are international visitors — so it would be best to perform annual checks on returning staff, too.
5. Ultimately, the safety of the campers and staff at your camp is your top priority. It is your responsibility to ensure that you have properly screened all employees and volunteers. If you question the validity and completeness of any criminal background check — whether international or domestic — beware. Consider utilizing another candidate. In addition, it is your responsibility to develop and enforce camp policies that minimize the ability for any individual to harm a child — proper staff/camper ratios, supervision policies, etc.

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# SUPERVISION AT CAMP

## More than the Numbers



“Camper Abused at Camp”: This is the headline no camp owner/director wants to hear or read. The American Camp Association firmly believes in the value of a criminal background check (see [www.ACAcamps.org/publicpolicy/CPIA](http://www.ACAcamps.org/publicpolicy/CPIA)), as well as the value of appropriate supervision and staff training. In fact, ACA has standards that address both of these areas, as well as the ACA mandatory standard that requires a criminal background check on all new staff.

The current ACA standard regarding supervision ratios, HR.8 (*Camper Supervision Ratios and Staff Age*), includes the number of staff that should be with campers of specific ages. Two additional considerations are raised in HR.9 (*Supervision Ratio Exceptions*):

Does the camp identify:

HR.9.1 Exceptions (if any) to the general ratios in HR.8 for segments of the day when greater or fewer staff are required for supervision?

HR.9.2 Activities, locations, or situations where a minimum of two staff members are required to be present?

Is this standard something you have really thought about? Are these components included in your policies? Have you considered these ratios and practices as you plan your program? This piece will focus on a variety of scenarios to consider as you prepare for the upcoming season and evaluate your supervision ratios and practices.

### Situation 1 – General Supervision

Is it ever okay for a staff member to be alone with a camper? What about a camper being in a 1:1 situation with another camper? These situational questions are asked more often as awareness increases about abuse and bullying. The questions raise some specific locations and situations that a camp should review.

- Is your programming designed so that there are always two staff present and, if two staff aren't available (for whatever reason), does the staff know what to do?
- Do you have “designated areas” where it is appropriate for staff to sit and talk/visit with campers in a 1:1 situation, such as an indoor “living room” or outdoor garden? These areas should be where others are readily present for casual observation of any interactions.
- Are staff trained that if a situation occurs in which they find themselves in a 1:1 situation with a camper where others can't observe their interaction, they should immediately move to another location?
- Is there always a staff member present and actively

supervising in the sleeping cabins to prevent campers from being in a 1:1 situation? This is especially important during free time between program and meals and prior to bedtime, as studies show this is when accidents and incidents often occur.

### Situation 2 – Bathroom/Bathhouse Facilities and Practices

- Do you require campers to always go to the bathroom facility with at least one other camper?
- Where do you ask/require staff to be positioned when campers are using these facilities? Standing by the door so they can hear what's going on? Being inside the bathhouse with at least two campers present? With at least one other staff member?
- If it is a public bathroom/bathhouse, what is your policy, and are staff familiar with it?
- Are staff allowed in the shower house while campers are showering? If so, what number of campers must be present? Does at least one other staff member need to be present?

### Situation 3 – Health Care Center and Treatment Policies

- Do you ask the counselor to be in the treatment room while the health care provider is treating the camper?
- Do you ask the health care provider to “leave the door open” during treatments?
- Instead of having a solid door, have you considered having a curtain so the counselor waiting in the main room can hear the conversation?
- Do you allow just one camper to spend the night in the health care center with the only other adult in the center being the camp health care provider? What other options might you consider?
- What are your policies regarding transport of campers to the physician? Do you require, at minimum, the “rule of three,” which might include two staff and one camper or one staff and two campers?

Each camp is unique in their programming and facilities and, accordingly, requires intentional assessment and appropriate training and plans to meet its needs. ACA can provide information, education, and questions each camp should ask when evaluating camper safety.

Focusing on the health and safety of campers is of the utmost importance. Now is the time to give some attention to 1:1 staff/camper situations as you finalize your policies and practices. It's not too late to make sure you guard your campers and staff from vulnerable situations.

Contributed by **Rhonda Mickelson** on behalf of the National Standards Commission



# CAMP STAFF USE OF ELECTRONIC DEVICES AND SOCIAL MEDIA

## Some Issues and Solutions

Catherine Hansen-Stamp and Charles R. Gregg © 2014\*



### I. Introduction

Recording camp memories, connecting with parents during camp, and staying connected with campers after the camp season are desirable features of the camp experience. Social media<sup>1</sup> has greatly expanded the tools for recording and exchanging images and data to enhance and increase these opportunities. Camps work hard to balance the value of these connections with the developmental opportunities

inherent in campers and camp staff being “unplugged.” As camps operate in this electronic environment, what do camps need to consider regarding camp staff social media interactions and virtual community building? What are the legal liability issues considering that increased and unchecked social media interaction can lead to legal exposure for the camp or staff member, harm to a camper and damage to the camp’s reputation and credibility? This article will identify some of the issues

specifically related to staff actions, potential legal exposure, and propose some solutions, as camps continue to balance the power and dangers of social media.

### II. Virtual Realities

- **Increasing social media presence:** Many camps have made the decision (whether for marketing reasons or otherwise) to have a strong, multilayered, and interactive social media presence and engage



with campers and camper parents before, during, and after camp. As a result, staff may be requested to find new ways to interact with campers and their families through social media, perhaps with little or no direction by the camp.

- **Parents and the social media culture:** Camper parents want a frequent flow of photos, video clips, updates, etc., while kids are AT camp. Staff might be using personal mobile devices or those issued by the camp to meet the demands of this “stepped-up” social media information exchange.
- **After camp staff/camper interaction:** Staff, camp families, and campers can easily engage in ongoing social media interaction — via Facebook, Instagram, Snapchat, Twitter, blogs, and other Web-based platforms outside the camp season.

### III. What Are the Issues?

Issues include:

#### A. Staff, at times with direction and encouragement from the camp, may be actively and continuously engaging and contributing to social media sites during the camp season.

This can include camp staff posting photos, videos, or written content on camp-sponsored or other social media sites, parent or public access to camp “Web cams,” or other forms of social media interaction.

Staff may have access to a camp issued electronic device or to a personal device for the purposes of gathering images and other content while camp is in session. Or, campers may share their images or content with the camp staff member, including for posting. If unregulated by the camp, the gathering of images and data on an electronic device might include inappropriate images or remarks that

could be potentially distributed by the staff member without regard to, and in violation of, the camp’s intended efforts to use the content to sustain a healthy and informative virtual camp community.

In addition, Web cams (both stationary and mobile) might be used by a camp to give parents a look into the camp and a “bird’s eye view” of activities occurring day to day. The dangers of a Web cam are clear — misuse, perhaps inadvertent, by staff or campers, and instant viewing by those who may witness inappropriate conduct between staff and/or campers.

Without clear policies for staff regarding: 1) use of these content gathering devices during camp, and 2) appropriate postings to social media on the camp’s behalf, serious problems can occur. For example, without a policy or agreement with staff, images and content gathered by a staff member on a privately owned device will be reasonably regarded as the staff member’s property. While many camps have policies identifying campers’ use of these devices while at camp, few, to our knowledge, include such a policy for staff. There is the risk that staff may inadvertently, or intentionally, record images that are inappropriate. Staff members need to understand what is inappropriate and unacceptable in a camp’s environment. Consequently, camps should guide and regulate staff regarding use of electronic devices — which can conveniently, and even secretly, capture images and sounds and send them out over one of literally hundreds of social media channels within seconds of the recording.

#### B. Staff interaction with campers outside the camp season — whether via camp-sponsored social media sites or a staff member’s personal social media presence.

Social media interaction between staff, camp families, and campers can flow

from ongoing discussion on the camp’s own Facebook, Twitter, or other social media platforms. As discussed below, staff policies can shape the nature of this interaction (for staff populating or responding to postings on these sites). In addition, site terms of use can identify the policy and rules for campers and other site users’ use of the site, the limits of the camp’s responsibility regarding these sites, etc.

Realistically, the camper cannot prevent staff, camper family, and camper social media contact outside of camp-official sites (for example via camp and staff personal social media presence) — particularly if camp families and staffers live in the same area, attend the same schools, or have mutual friends. However, staff policies can caution staff members on social media interaction with campers outside the camp’s official social media sites, explain potential legal exposure, etc. (See our Spring 2012 *CampLine* article “After-Camp Contacts between Campers and Staff: A Problem? Whose?” at [www.ACAcamps.org/campline/spring-2012/after-camp-contacts](http://www.ACAcamps.org/campline/spring-2012/after-camp-contacts).) The staff contract or policies can identify consequences to staff for reports to the camp of inappropriate contact.

### IV. Potential Legal Exposure and Damage to the Camp’s Reputation

Unchecked social media and other online interaction between camp staff members, camp families, and campers can lead to legal exposure for the camp or staff member, harm to a camper, and, in any case, damage to the camp’s brand, reputation, and credibility. What are some potential claims?

- **Sexual Abuse:** Claims by parents of unwanted contact between, for example, a staff member and a camper that they claim led to sexual abuse or harassment of the child — resulting in civil and/



or criminal exposure for both the camp and staff member.<sup>2</sup>

- Defamation: Written (libel) or oral (slander) claims by parents against the camp and/or individual staff member for publication of damaging information (e.g. inappropriate photographs, videos, written content on blogs, etc.).
- Invasion of Privacy: Claims by parents or campers arising from camper-to-staff contact and claims of unwanted and unreasonable violation of the camper's privacy in the publication of inappropriate images or written content.
- COPPA: Potential violation of the Children's Online Privacy Protection Act — a federal law that restricts operators collecting information from minors under thirteen via the Internet.<sup>3</sup>

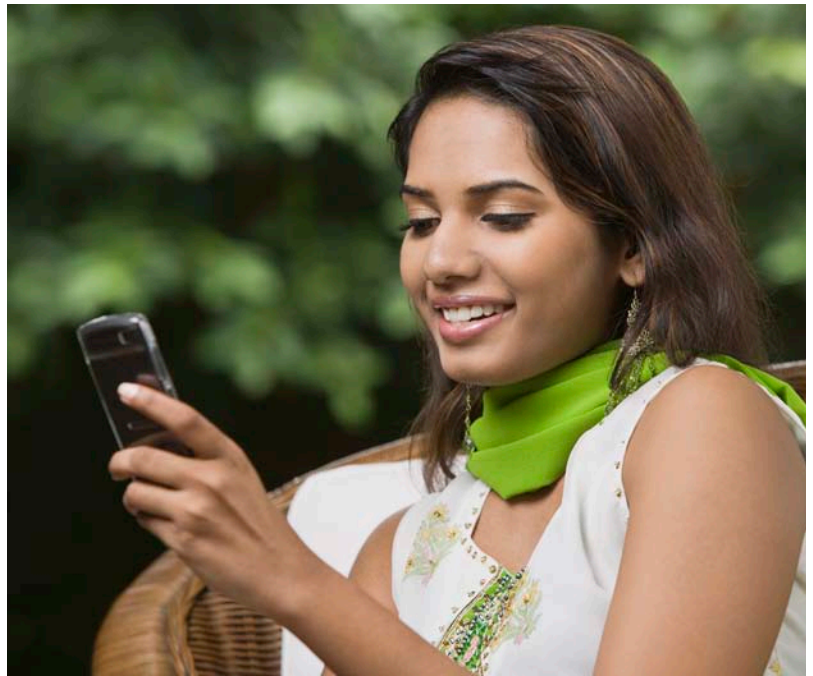
## V. Solutions and Potential Consequences

A camp should consider the following strategies to address the issues posed by staff access to and use of electronic devices and social media interaction, both inside and outside the camp season (all in consultation with legal counsel):

- development of staff social media / use of devices policies
- conducting staff training regarding the policies
- potentially including — within staff members' contracts — consequences for violation of these policies
- a camp's declaration and publication of terms of use for its camp-sponsored social media sites
- appropriate agreement, commitment, and understanding by campers and their parents

### A. Staff Social Media Policies or Guidelines

First of all, any policies or guidelines ("policies"), including those for data



and image gathering and distribution on social media sites, should be considered "live" — that is, reviewed and adjusted frequently to address new and changing online communication issues. These policies should be worded realistically by the camp so that what it expects of its staff is clear and reasonable. As with any policies, the camp should avoid crafting policies so rigid that no staff member can reasonably comply (an approach that can create greater exposure for the camp, practically and legally). In these policies, the camp should refer staff to the camp's "terms of use" for its camp-run social media sites (Web site, Facebook, Twitter, etc.), which can assist in informing staff regarding appropriate and inappropriate use of these sites, likely consistent with the camp's policies for staff members to officially post, on the camp's behalf, on any other social media sites.

Where are these policies announced? Policies may be identified and discussed in a staff training manual, and outlined in the camp's employee manual — or some alternative combination. Often, the employee

manual requires a staff member to sign off on a commitment to follow articulated policies (including an admonition, if applicable in the camp's jurisdiction, that the policies contained in the manual do not create a contract, preserving the staff members' status as "at will" employees — see discussion on next page). Identification and discussion of those policies in the staff training manual and during preseason staff training will bring those policies to life, as staff walk through some of the issues and potential pitfalls associated with the camp's social media presence.

### WHAT TO INCLUDE IN THE POLICIES

IDENTIFY the issues. The camp can recognize the value of a healthy social media presence, but balance this with an approach to social media that is realistic, reasonable, and preserves the ethics and mission of the camp. The camp wants to know that staff understand the issues around the use of electronic devices and social media abuse (including, importantly, harm to a staff member's reputation and personal exposure to legal claims), that staff will exercise good judgment in

these virtual interactions, and that they are committed to healthy and relevant content gathering, dissemination, and commentary, consistent with the camp's mission.

**ADDRESS** when (and, importantly, when not) any images/video, etc. taken during camp are official camp property subject to these policies (whether taken on a camp-owned device or an individual's personal device, or if gathered from participants and shared with staff).

**IDENTIFY LOCATIONS** where images or data may NOT be taken at camp (bathrooms, shower houses, other private areas, etc.).

**ADDRESS** details of both appropriate and inappropriate image/content gathering (including photos obtained from campers for use on camp social media sites).

**DESCRIBE (AND PROSCRIBE)** appropriate and inappropriate staff image/content dissemination and commentary, conducted on the camp's behalf, on camp-sponsored or other social media sites, both inside and outside the camp season.

**ADDRESS** rules/limits on or ramifications of staff member's personal social media interaction with campers and camp families both inside (if both have access to electronic devices during camp) and outside the camp season. Consider a ban on staff member's use of "official" camp season "gathered" images for staffer's personal social media interaction. (See our Spring 2012 *CampLine* article "After Camp Contacts," cited previously; the camp likely cannot preclude camp staff personal social media interaction but can advise staff of its dangers and potential consequences.)

**ADVISE STAFF** of the risk of criminal or civil exposure, harm to campers / camp families, and damage to staff and camp's reputation for inappropriate use of social media sites.

**PROVIDE CONSEQUENCES.** As appropriate, the camp policies should include both prohibitions and

consequences for violation. The camp policy might limit the data gathering to certain (public) venues within the camp, strictly prohibiting it elsewhere, and emphasizing the absolute zero tolerance for such use in cabins, bathrooms, and shower rooms, for example. Consequences could include confiscation of devices, employee termination, and an agreement of indemnity by the staff member for harm to the camp resulting from a staff member's violation of these policies (see discussion below).

Importantly, no matter what the policies, the circumstances a camp will face will not always fit neatly into an announced policy. A violation may be inadvertent ("He was in the background. I didn't intend to show [insert some embarrassing circumstance]"), horseplay (depicting similar circumstances), or simply insensitivity to another's reasonable privacy. In any event, the camp should place reasonable limits on the recordings so that campers can rely on the safety of the cabin, shower room, or other venue in which some privacy is reasonably expected. Confiscating the device and eliminating the offending images/sounds is logical and fair. Egregious violations might warrant terminating employment — and contacting the police or other authorities.

## **B. Staff Training Regarding Social Media Policies**

The camp should provide staff training, aligned with written social media policies, so staff clearly understand issues, policies, and consequences.

## **C. Staff Contract — Potential Consequences for Breaking Policies**

In the context of the staff employment contract, the camp's social media (or other policies) could be incorporated by reference, and the camp could include a provision that, among other inappropriate conduct, staff would be terminated for violation of the camp's

policies — among those — its staff social media/device use policies.

Another strategy might be to provide in the staff contract that the staff member will indemnify (that is, defend and protect) the camp and its owners and employees from any claims that arise out of media abuses by the staff member (including claims brought by camper families against the camp). This is harsh, but so is the hurt and damage to the camp and camper family that can be caused by the careless broadcasting of images never intended for publication. Of course, an indemnity agreement is only as good as the ability of the offending staff member to compensate the camp for the damage caused by the abuse. Also note that an indemnity agreement might be broader to encompass staff violation of other camp policies as well. Camps interested in this strategy for protection should consult with local legal counsel to determine the viability of an indemnity agreement in an employment context.

**Note:** Camps should consult with employment counsel on the creation and content of employment contracts — whether for full-time or part-time staff. Counsel will be aware of the relevance and application of the "at-will" employment doctrine in their jurisdiction, and whether or not creation of any type of employment contract might imply termination only "for cause," thus impinging on the camp's ability to preserve this at-will status for its employees.<sup>4</sup>

## **D. Camp-Sponsored Sites — Terms of Use**

Develop clear terms of use for any camp-sponsored social media sites, including the Web site, Facebook page, etc. Include information that makes clear what content the camp considers appropriate — or inappropriate — for posting on the site, the responsibility of those accessing the site, and limits (including a disclaimer) on the camp's

ability to regulate the content. (See our Spring 2012 *CampLine* article, "After Camp Contacts," cited previously). This will include compliance with the Children's Online Privacy Protection Act, if appropriate.

### **E. Camper-Parent Commitment, Agreement, and Understanding**

#### **CAMP DATA AND IMAGE GATHERING AND DISTRIBUTION VIA ANY MEDIA — INCLUDING SOCIAL MEDIA**

Many camps currently have a "media authorization/release" of some type, contained in a camper agreement or other agreement with the family. These provisions, however they are crafted, should be developed by informed legal counsel. The purpose of the media authorization is to memorialize the parents' consent, for themselves and for the camper, to the camp's (or the camp's agents or representatives) ability to photograph, film, record, and/

or otherwise capture in any media the name, image, voice, written statement, etc. ("recordings") of the camper/parent, and use these recordings, without compensation, in broadcasts or for sale, reproduction, or display via any media — including social media. The media authorization typically provides that these recordings are the camp's property and that these recordings can be used for any informational, educational, promotional, or other use. The media authorization can include a specific "release," by the parent, in advance, of any claim of invasion of privacy or other improper, harmful use. Alternatively, a more general agreement, containing a broad release of liability by the parent, may be considered sufficient to cover any claims resulting from alleged improper use of these recordings.

A more aggressive media authorization and release might specifically seek protection for the camp from both authorized and unauthorized (that is,

unofficial) data and image gathering and its use, by whomever (for example, staff or camper), however it is used. Some camps will consider this too broad and too casual an approach to protecting a camper's privacy or other rights and protecting the camp from claims by a camper family. Instead the camp may choose to manage their staff, via the camp's social media policies, and inform their campers and camper parents of the issues and their responsibilities.

#### **INFORMATION TO CAMPERS AND PARENTS**

The camp will want to provide accurate information to parents and campers about camp social media policies and issues. Information can address campers' and staffers' use of any electronic devices and social media interaction both inside and outside the camp season. This will include, certainly,

*continued on page 12*

# **ACA'S** Professional Development Center

[www.ACAcamps.org/pdc](http://www.ACAcamps.org/pdc)

## **Spring Risk Management Offerings**

### **Recorded Webinars**

- Building a Better Lifeguard, Diane Tyrrell
- Health and Safety: Preventing Injuries and Illnesses, Linda Erceg, DD Gass, Mary Marugg, and Edward Walton
- Traumatic Head Injuries in Camp and Other Youth Settings, Tracey Gaslin

### **Online Courses**

- Critical Things Staff Need to Know about Bullying Prevention, Joel Haber, PhD
- Critical Things Staff Need to Know about Risk Management, Connie Coutellier
- Recognizing and Reporting Child Abuse and Neglect, Mary Fuller Everhart

## **For recorded webinars and online courses, visit [www.ACAcamps.org/pdc](http://www.ACAcamps.org/pdc)**

### **Books/DVDs**

- Risk and Crisis Management Planning: A Workbook for Organization and Program Administrators (Third Edition), Book and CD-ROM, Connie Coutellier
- Risk-Management Planning, DVD, Connie Coutellier
- Crisis Communications Weathering the Storm: A Handbook for Camps and Other Youth Programs, Book, Marla Coleman and Jessica Coleman

**For books and DVDs, visit [www.ACAbookstore.org](http://www.ACAbookstore.org)**



## Camp Staff Use of Electronic Devices and Social Media —

*continued from page 11*

what the camp **can't control** (e.g. social media interaction between staff, camper families, and campers outside the camp season), and direct camper families to its camp-sponsored social media sites' terms of use to the extent those terms address staff/camper social media interactions.

The camp should encourage parents to report inappropriate staff/camper social media interaction to the camp and remind parents regarding their responsibilities to monitor their child's social media activity outside the camp season.

This information can be provided to camp families in a letter or a camper/parent contract, either mailed or posted on the camp's Web site along with other important camp information. The camp can include articles and resources for camp families so that they can talk with their camper in advance of camp about these issues. (See our Spring 2012 *CampLine* article, "After Camp Contacts," cited previously, for more information.)

## VI. Conclusion

Camps rely significantly on social media to maintain their currency

and vitality. To protect the camp community, camps should establish rules and guidance for staff use of social media. In addition, camps should inform camper families of their responsibilities, and the issues — and dangers — associated with this rapidly changing virtual landscape.

*\*This article contains general information only and is not intended to provide specific legal advice. Camps and related organizations should consult with a licensed attorney regarding application of relevant state and federal law as well as considerations regarding their specific business or operation.*

### Notes

1. Social media is defined variously as:  
... the interaction among people in which they create, share, or exchange information and ideas in virtual communities and networks . . . . ([www.en.wikipedia.org](http://www.en.wikipedia.org))  
... a group of Internet-based applications . . . that allow the creation and exchange of user-generated content . . . [that] depend on mobile and Web-based technologies to create highly interactive platforms through which individuals and communities share, co-create, discuss, and modify user-generated content. ([www.en.wikipedia.org](http://www.en.wikipedia.org))  
... forms of electronic communication (e.g. Web sites for social networking and microblogging) through which users

create online communities to share information, ideas, personal messages, and other content (such as videos). ([www.meriamwebster.com](http://www.meriamwebster.com))

2. See our Fall 2012 *CampLine* article, "Sexual Abuse: Liability Issues Revisited," [www.ACacamps.org/campline/fall-2012/child-sexual-abuse](http://www.ACacamps.org/campline/fall-2012/child-sexual-abuse)
3. 15 U.S.C. 6501, et seq. COPPA is a federal law with certain requirements for those operating commercial Web sites or online services directed to children. It regulates those operators in the collection, use, and disclosure of personal information obtained from children under thirteen years of age. Of course, COPPA applies to a camp's collection of information in more standard online settings — like an online application or registration process. COPPA (unless an organization is exempt) requires operators to post privacy policies, provide parental notices, and get verifiable consent from a parent or guardian before they collect, use, or disclose young children's personal information. If, via your social media sites or Web site, you are collecting information from young children, check with your legal counsel regarding the details so you are in compliance with this federal law. See ACA's last writing on this subject at [www.ACacamps.org/publicpolicy/childrens-online-privacy-protection](http://www.ACacamps.org/publicpolicy/childrens-online-privacy-protection). You may also contact 877-FTC-HELP, or e-mail [COPPAHotLine@FTC.gov](mailto:COPPAHotLine@FTC.gov).
4. See our Fall 2007 *CampLine* article, "Avoiding Staff Surprises," [www.ACacamps.org/campline/f-2007/avoiding-staff-surprises](http://www.ACacamps.org/campline/f-2007/avoiding-staff-surprises)

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### Additional Resources

- COPPA — Children's Online Privacy Protection Act, [www.ACacamps.org/publicpolicy/childrens-online-privacy-protection](http://www.ACacamps.org/publicpolicy/childrens-online-privacy-protection)
- "The Basics of Online Reputation Management," Spring 2012 *CampLine*, [www.ACacamps.org/campline/spring-2012/basics-online-reputation-management](http://www.ACacamps.org/campline/spring-2012/basics-online-reputation-management)
- "After-Camp Contacts between Campers and Staff: A Problem? Whose?," by Catherine Hansen-Stamp and Charles R. Gregg, Spring 2012 *CampLine*, [www.ACacamps.org/campline/spring-2012/after-camp-contacts](http://www.ACacamps.org/campline/spring-2012/after-camp-contacts)
- "Electronic Communication — Legal and Practical Issues to Consider In the Information Age," by Catherine Hansen-Stamp and Charles R. Gregg, Fall 2006 *CampLine*, [www.ACacamps.org/campline/2006oct](http://www.ACacamps.org/campline/2006oct)
- "Social Media Governance," <http://socialmediagovernance.com/policies/>. Understand that any policies you ultimately adopt should be reviewed and approved by legal counsel and tailored to your organization.

# NOTES FROM THE 2014 INSURANCE ROUNDTABLE

GAETANA DE ANGELO



Each year during the American Camp Association (ACA) national conference, the ACA National Insurance Committee hosts a roundtable discussion with our insurance business partners and other insurers of camps. At the roundtable, we discuss trends in the insurance industry that may impact camp operations, what types of claims were filed the year before, and risk management issues. The key purpose of the Insurance Roundtable is to explore how to help camps be prepared for emergencies and run safe programs, as well as keep owners and staff on top of risk management issues. This year's roundtable provided great insight into areas of concern and improvement.

The ACA National Insurance Committee has a charge to help educate members in areas related to risk management, and the roundtable provides a starting point for many discussions and educational opportunities. Following the roundtable, members of the committee report what was learned during an educational session at the national conference, which many attendees find very enlightening. This article highlights the topics discussed.

## Top Concerns for 2014

- Appropriate supervision of campers ALL the time.
- Camps continue to be impacted by weather (severe weather this year).
- Copper loss (stolen on property where no one is on-site regularly).
- Workers' compensation claims.
- Agreements and insurance related to outside user groups and contractors.
- Abuse claims — still occurring but showing a slight decline. (Even one claim is one claim too many; see right for additional information.)

## Overview of Claims and Noted Trends

### PROPERTY

- As compared to previous years, catastrophic claims were lower. Several large losses were directly related to flooding caused by natural occurrences and severe hail damage.

#### Key points to take away:

- Check the flood maps often. They change. Your property may be sitting in a flood zone, and you might not even know it. Determine if you are eligible for flood insurance. (Visit [www.floodsmart.gov](http://www.floodsmart.gov) for more information.)

- Discuss with your broker what type of coverage you have and/or should consider for a variety of property claims (flood, water seepage, broken pipes, etc.).
- Discuss with your broker in advance what coverage will be available in the event of a natural disaster such as a flood. Be prepared to pay for the damage if you don't have the coverage!
- Expect an increase in hail and wind storm deductibles.

### SEXUAL ABUSE/HARASSMENT/DISCRIMINATION

- APPROPRIATE AND ACTIVE SUPERVISION is critical!
- Decrease in claims could be related to heightened awareness and education of both staff and campers. Don't stop what you are doing well (supervision, training, screening). Keep doing it and improving it!
- Consider requiring a reference check from a family member. If a family member is evasive or unsure of how to respond to your questions, it could indicate a problem.
- There is a disparity in amount of claims being filed and awarded by courts. Be aware of how your state, and even your county, views claims of this nature and past awards.
- There has been an increase in transgender campers. It is important that you have discussed how your camp will address this request with your senior management before it comes up. Have a plan and know where to look for resources and support.

#### Key point to take away:

- Clear, open communication is key in controlling the outcome of many claims. Seek the advice of your legal counsel and, most importantly, your insurance company immediately upon discovery of a claim or potential claim. Request that they work together to help determine what and how to communicate to the parents of the camper who may be the victim, as well as the parents of other campers. You don't want them to hear it from another parent first!

### GENERAL AND EXCESS (UMBRELLA) LIABILITY

- As reported for the last several years, there is an increase in the rental of facilities by outside groups. Having the appropriate agreements and coverage in this situation is imperative (see the Winter 2011 *CampLine*, [www.ACACamps.org/campLine/winter-2011](http://www.ACACamps.org/campLine/winter-2011), for additional information).

- There continues to be an increase in high-risk, specialized activities. It is important to share this with your insurance provider and to have properly trained staff.
- Be open with your broker about activities you are providing in order to ensure that you have coverage.
- Transportation concerns:
  - International staff must follow the same protocols for driving as U.S. nationals.
  - The minimum age for transporting kids should be twenty-one, and drivers must have an acceptable driving record. Put this in a policy and stick to it!
  - Still using large-capacity vans? Educate and train your drivers.

#### **Key point to take away:**

- Remember that the underwriters are looking at your Web sites and literature — you don't want them to find out about activities you are doing from your Web site. Share these things up front to ensure you have appropriate coverage for the exposure.

#### **WORKERS' COMPENSATION**

- Hiring international staff can be a very beneficial and effective programmatic element to foster a culture of diversity in camp. Be sure to discuss with the placement agency you use what, if any, insurance they provide by contract. Generally the camp employer is required to provide workers' compensation insurance for international staff, just as you would any other staff.
- Closure of workers' compensation claims for international staff can be lengthy once they leave the country. The longer a claim is open, the longer the negative impact on your premium!
- It is important to know that vendors and service providers who come on your property are covered by their own workers' compensation. This was also a top concern in 2011. Make sure to require that they provide you with a certificate of insurance naming your camp/agency as additional insured.

#### **CYBER INSURANCE**

- Providers of online services (such as registration, health information, etc.) rarely provide the user with any protection. It is critically important to have your legal counsel review the contract to protect you!
- Ask questions. If you currently don't have cyber coverage, you need to make an appointment soon to talk with your broker about the types of online activities you do and the online services you use. Most general liability policies do not cover cyber exposures.

## **Conclusion**

What's your takeaway from this? It is still all about SUPERVISION and AWARENESS — the keys to managing risk!

- SUPERVISION, SUPERVISION, SUPERVISION — of your staff, of your campers, at all times! This is critical to mitigating many claims from sexual abuse, molestation, bullying, camper-to-camper sexual abuse, sexual harassment, and accidents and injuries.
- Be AWARE of the flood zones and where your property sits in relation. They change frequently, especially with new development.
- Be AWARE of your agreement with rental groups. Review it annually and revise it as needed. Determine what (if any) programs rental groups will be allowed to staff themselves without camp staff SUPERVISION. Consider not allowing use of aquatic facilities without the "camp" lifeguard in place.
- Be AWARE of the special considerations you should expect with hiring international staff.
- And of greatest importance, engage in an ongoing dialogue with your insurance provider.

The ACA National Insurance Committee is pleased to provide members with easily understood and useful educational resources related to risk management and insurance. Questions related to your individual insurance coverage should be directed to your broker or agent. For a listing of ACA partners and business affiliates in the insurance industry, as well as other helpful risk management and insurance information, visit [www.ACAcamps.org/buyers-guide](http://www.ACAcamps.org/buyers-guide).

As an additional resource, ACA also hosts a page on its Web site with a compilation of articles and resources regarding insurance. A list of insurance providers that provide a complimentary e-newsletter is also available with a link to sign up for such communications: [www.ACAcamps.org/knowledge/business/insurance](http://www.ACAcamps.org/knowledge/business/insurance).

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Photo courtesy of Camp Courageous, Monticello, Iowa.

# MEDICATION MANAGEMENT

## 13 Common Questions from Camps — And Their Answers



Each spring, the American Camp Association (ACA) experiences an increase in the number of questions from camps regarding the management and administration of medication at camp as they plan for their upcoming season. Working with doctors, nurses, and other health care providers, ACA has created solid educational resources for any camp (see Resources section on page 20). The following literature review of ACA materials provides the answers to camps' most popular questions.

### 1. What is the definition of “medication” — does it include both prescription medication and over-the-counter drugs?

The most important thing is for

your camp to develop your own definition — then you can develop your management, administration, and distribution plans around that. Some camps limit “medication” to those substances controlled by the U.S. Food and Drug Administration (FDA). Other camps have broadened their definition to include any substance a person might use to maintain and/or improve their health. Such a definition brings herbals, supplements, and other remedies under the medication umbrella. And some camps have not defined the term but need to before their season begins.

[www.ACACamps.org/campline/s-2010/medication-camp-mitigating-risks](http://www.ACACamps.org/campline/s-2010/medication-camp-mitigating-risks)

### 2. What laws and regulations regarding medication management apply to my camp?

The answer is not a simple one. Some states have discrete regulations that direct camp practices surrounding medication. Other states have regulations that address only some aspects. And still other state regulations are silent; they say nothing about medications in the camp setting. In addition, there is often a distinction between regulations that direct the camp and those that direct a given individual (such as an RN or a first aider) when it comes to giving medications. The point is to know the regulations

of the state in which the camp is located, paying particular attention to what is — and isn't — said. [www.ACAcamps.org/campline/s-2010/medication-camp-mitigating-risks](http://www.ACAcamps.org/campline/s-2010/medication-camp-mitigating-risks)

### 3. Who is allowed to manage medications at my camp?

The credential an individual must hold to manage medications at camp is state specific. Medication management decisions are influenced by pharmacy regulations, the state's Nurse Practice Act, the physician's regulatory body, and/or regulations for ancillary health care providers (e.g. EMTs) used by the camp. Usually a physician is the only one who can determine what medication is to be used and under what circumstances. A physician can delegate medication decision making to a registered nurse through medical protocols. Camps without a physician or RN on-site should have health care policies and procedures, reviewed by a physician or registered nurse, that specify medication management procedures consistent with the level of training of the health care provider. Treatment procedures, including use of over-the-counter remedies for common illnesses and injuries, must be reviewed annually by a licensed physician [www.ACAcamps.org/campline/s-2000/managing-monitoring-and-administering](http://www.ACAcamps.org/campline/s-2000/managing-monitoring-and-administering)

### 4. What do ACA standards say about having health care providers at camp? Do we have to have an RN at camp at all times?

At a minimum, camps must be in compliance with all applicable state regulations. Then, for ACA-accredited camps, the following standards apply:

#### HW.1 Health Care Provider

Does the camp have a designated health care provider on-site who:

HW.1.1 For day camps, is a

licensed physician or registered nurse, or has access by phone to a licensed physician or registered nurse with whom prior written arrangements have been made to provide prompt consultation and other health care support to the camp?

HW.1.2 For resident camps, is a licensed physician or registered nurse, or is in consultation with a licensed physician or registered nurse who is on the camp site daily?

HW.1.3 For camp sessions that primarily serve persons with special medical needs, is a licensed physician or registered nurse?

HW.1.4 For nonmedical religious camps, is an individual meeting qualifications specified in writing by the religious program?

#### HW.2 First Aid and Emergency Care Personnel

Does the camp require adults with the following minimum qualifications to be on duty at all times when campers are present:

HW.2.1 When access to the emergency medical system (EMS) is thirty minutes or less, certification by a nationally recognized provider of training in first aid and CPR/AED (cardiopulmonary resuscitation and the use of an automated external defibrillator)?

HW.2.2 When access to emergency rescue systems or EMS is more than thirty minutes, certification from a nationally recognized provider of training in wilderness first aid and CPR/AED?

HW.2.3 For nonmedical religious camps, an individual meeting qualifications specified in writing by the religious sponsor?

#### HW.3 Away from Main Camp

HW.3.1 For any out-of-camp trips or activity locations or situations where the camp health care provider is not present or nearby, does the camp require that a staff member be designated and immediately available who has been oriented to:

- A. Provide for routine health care needs for the designated group of participants, and
- B. Handle life-threatening emergencies related to the health conditions of the participants and the environmental hazards associated with the area?

### 5. Who can prescribe medication to my campers once they are in our care?

First and foremost, you must partner with parents. That said, only an MD can "prescribe" medication, and both federal and state laws regulate prescription drugs. In the case of who can "decide which medications to give" (such as ibuprofen, antibiotics, vitamins) to a particular child — state laws will probably provide the most pertinent regulation. Because state law varies, to determine what laws apply to your program, you will need to have an attorney in your state both review the state statutes and check with various state administrative agencies, including medical licensing boards, pharmacy boards, and agencies that oversee emergency medical services. [www.ACAcamps.org/campline/w-2004/administering-emergency-prescription-drugs](http://www.ACAcamps.org/campline/w-2004/administering-emergency-prescription-drugs)

### 6. How can medication be given to the campers at my camp?

Again, there are state laws that govern how medications are given. Pharmacy regulations come into play for medications overseen by the FDA. From a camp perspective, these regulations

*continued on page 18*

# FEDERAL PUBLIC POLICY

## Updates and Emerging Issues



As the 113th Congress continues to struggle to move forward on bipartisan issues, the American Camp Association (ACA) remains focused on two specific goals: (1) to protect the safety of children, youth, and adults participating in the camp experience; and (2) to achieve recognition that camp is an expanded learning opportunity.

With Congress focused on other issues, including an upcoming midterm election, ACA continues to advocate for our agenda with both legislators and regulators. For the complete public policy agenda, and to read ACA's public policy position statements, visit our public policy page online at [www.ACAcamps.org/publicpolicy](http://www.ACAcamps.org/publicpolicy). For real-time updates of all of our public policy calls to action and news updates, sign up for our public policy RSS feed online at: [www.ACAcamps.org/rss/publicpolicy.xml](http://www.ACAcamps.org/rss/publicpolicy.xml). Our priorities for this spring are:

- Child Protection Improvements Act (S. 1362 and H.R. 3902): A bill to close the gaping hole in federal law that prevents camps, children's groups, and other organizations that work with children from gaining access to federal criminal background checks on employees and volunteers. [www.ACAcamps.org/publicpolicy/cbc](http://www.ACAcamps.org/publicpolicy/cbc)
- Afterschool for America's Children Act (S. 326): A bill that reauthorizes and strengthens the 21st Century Community Learning Centers (21st CCLC) initiative (Title IV Part B of ESEA) by enhancing school-community partnerships to include sharing of data and resources; promoting professional development of program staff; calling out STEM, physical activity, and nutrition education as allowable uses; and providing accountability measures that show student progress over time toward meeting indicators of student success. [www.afterschoolalliance.org/A4ACBill-OnePager6-24.pdf](http://www.afterschoolalliance.org/A4ACBill-OnePager6-24.pdf)
- No Child Left Inside Act (S. 1306 and H.R. 2702): A bill that addresses environmental education and achieving environmental literacy for all children. [www.ACAcamps.org/publicpolicy/NCLI](http://www.ACAcamps.org/publicpolicy/NCLI)
- Transportation Issues: Clarifying 9–15 passenger vehicle regulatory issues for camps that are engaged in interstate commerce. [www.ACAcamps.org/sites/default/files/images/publicpolicy/documents/TransportationAlert\\_3\\_27\\_14.pdf](http://www.ACAcamps.org/sites/default/files/images/publicpolicy/documents/TransportationAlert_3_27_14.pdf)
- The Patient Protection and Affordable Care Act (PPACA) and the Health Care and Education Reconciliation Act (HCERA) — Health Care Reform:



ACA continues to monitor these laws and resulting regulations and their impact on camps as employers. [www.ACAcamps.org/publicpolicy/health-care-laws/health-insurance](http://www.ACAcamps.org/publicpolicy/health-care-laws/health-insurance)

- Americans with Disabilities Act: ACA continues to work with others to provide educational information to camps regarding this law and subsequent updates in accessibility regulations. [www.ACAcamps.org/publicpolicy/ada-revisions](http://www.ACAcamps.org/publicpolicy/ada-revisions)
- Community Parks Revitalization Act (H.R. 2424): A bill to support rebuilding, remodeling, expanding, or developing existing or new recreational areas and facilities and to provide matching grants for innovative programming. [www.ACAcamps.org/sites/default/files/images/publicpolicy/documents/CommunityParksRevitalizationAct.pdf](http://www.ACAcamps.org/sites/default/files/images/publicpolicy/documents/CommunityParksRevitalizationAct.pdf)
- Zachary Lystedt Laws: Laws to protect young people from traumatic brain injury. [www.ACAcamps.org/campline/w-2011/concussions-zachery-lystedt-law](http://www.ACAcamps.org/campline/w-2011/concussions-zachery-lystedt-law)
- Relationship Building and Other Issues: ACA also continues to partner with others to achieve shared public policy goals. For more information on any of these organizations or issues, visit the main public policy page at [www.ACAcamps.org/publicpolicy](http://www.ACAcamps.org/publicpolicy). Current partnerships include: FEMA, Healthy Out-of-School Time Coalition, No Child Left Inside Coalition, National Human Services Assembly, Outdoors Alliance for Kids, and Urban Parks Coalition.

Contributed by **Susan E. Yoder**.





## Medication Management — continued from page 16

are most impactful when a camp stocks medications associated with life-saving actions, such as epinephrine, albuterol, and oxygen. The impact appears when state regulations only allow prescribing medication to a given individual rather than an entity (e.g., camp). This can place a camp in a tough spot. On one hand, risk management acknowledges a responsibility to be prepared for reasonably anticipated events. The potential for anaphylaxis among children at camp is a reasonable potential; therefore, be prepared. On the other hand, camp policies also seek compliance with law (regulation). The rub between these two potentially conflicting “goods” is the basis for ethical decision making, a concern shared by entities in addition to camps. It is very important that a camp discuss this issue with legal counsel. [www.ACAcamps.org/campline/s-2010/medication-camp-mitigating-risks](http://www.ACAcamps.org/campline/s-2010/medication-camp-mitigating-risks)

### 7. What about the administering/dispensing of medications that the campers bring with them to camp? Who can “give” those to campers?

Administering individual doses of medications to staff and campers is a more specific skill. “Giving a medication” may be done by an individual who has been delegated by the credentialed health care provider (usually a registered nurse) who is managing the medications. Again, some states specify to whom this task may be delegated. The task of “giving a medication” does not include making medication decisions. Recognizing that an RN or physician will not be with all the campers all the time to administer individual doses of medication, some states are implementing medication administration courses. Frequently written and/or approved by the state’s Board of Nursing, these are short courses (often four to eight hours in length) covering the basics of administering medications.

They are not courses for managing medications or making medication decisions, but rather courses covering the basics of administering a medication properly. In states that are implementing medication administration courses, camps are impacted, as this includes any circumstance where the nurse is not available. [www.ACAcamps.org/campline/s-2000/managing-monitoring-and-administering](http://www.ACAcamps.org/campline/s-2000/managing-monitoring-and-administering)

### 8. What do we do if a camper who is leaving camp on an out-of-camp trip needs medication? Who can administer it?

Potentially, a camp nurse may not be available to campers for: day activities on a remote area of the camp property, overnights, out-of-camp activities or trips, or in times of a health care emergency with other campers or staff. In these circumstances, it is appropriate for a nurse to delegate an individual with training to administer a single dose of medication at a specific time. [www.ACAcamps.org/campline/s-2000/managing-monitoring-and-administering](http://www.ACAcamps.org/campline/s-2000/managing-monitoring-and-administering) Tripping staff are classic examples of such individuals; they are often given medications needed by campers and told to give the medication at a specified time. Delegating a task includes responsibilities for both parties: the person doing the delegation and the person accepting the task. Since medication delegation has a risk potential, it’s advisable to pay attention to these responsibilities. Select an appropriate person for the task, adequately train the person, obtain the person’s acceptance of the task, and put an oversight process in place — one that assesses that what one assumes is happening with medications is, in fact, occurring. [www.ACAcamps.org/campline/s-2010/medication-camp-mitigating-risks](http://www.ACAcamps.org/campline/s-2010/medication-camp-mitigating-risks)

### 9. What about staff with prescriptions? Can they keep their prescription with them?

Most likely, no. By many state regulations, staff who are with campers may not keep their medications with them. In most cases, staff are required to keep their prescription medications in the health center so they are secure and kept away from the access of others. Again, it is important to understand applicable regulations because while the health care provider at the camp might need to understand the health needs of staff, the bottom line is that staff who are legal adults have a right to access their medication(s). [www.ACAcamps.org/campmag/cm031staff](http://www.ACAcamps.org/campmag/cm031staff)

### 10. With new state laws about marijuana, what are the implications for my camp?

Even though on January 1, 2014, some states made purchasing, possessing, and using marijuana legal under state law, it is still generally illegal under federal law. And, importantly, even in these states, employers have the legal right to prohibit marijuana use by employees both on AND off the job. If you are inclined to accommodate the use of medical marijuana on or off your premises by one of your staff, consider the consequences. Even if you choose to allow such use, consider that there is a well-documented body of research identifying that use of marijuana impairs an individual's ability to function — and that impairment would logically extend to many traditional camp activities (for example, driving vehicles or running a zip line or challenge course) and the supervision of co-workers and campers. [www.ACAcamps.org/knowledge/health/medical-marijuana](http://www.ACAcamps.org/knowledge/health/medical-marijuana)

### 11. I understand that my camp should have written policies



#### about medication management. What should be contained in the policies?

- The camp's definition of medication (what falls under the policy and what does not).
- A description of how medication brought to camp should be packaged and under what circumstances a medication may be refused (e.g. inappropriate packaging, wrong name on prescription label, wrong dose on label).
- The location and security of medications, including refrigerated meds, those used for emergency purposes, and those in the personal possession of an individual (e.g., rescue inhalers, EpiPens).
- A description of how daily, routine medications are given to clients and recorded.
- A description of how "as needed" medications are accessed and recorded.
- A medical protocol/order signed annually by an appropriately licensed physician that describes

the circumstances and doses under which the camp's stocked medications are given.

- The camp's process for reviewing a medication that has an atypical use or falls outside the camp's protocols.
  - A list of emergency/rescue medications that may be carried by individuals and the guidelines for overseeing these medications.
  - Designation of what medications, if any, are stocked in what first aid kits (e.g., tripping, kitchen, waterfront), and a description of the training and oversight provided to staff who access these first aid kit medications.
  - A protocol describing how medication errors are handled, to whom they are reported, and how the incident is documented.
- [www.ACAcamps.org/campline/s-2010/medication-camp-mitigating-risks](http://www.ACAcamps.org/campline/s-2010/medication-camp-mitigating-risks)

### 12. Are there any implications for camps regarding insurance coverage?

Yes — giving medications to

## Resources

### AMERICAN CAMP ASSOCIATION RESOURCES

- Medication at Camp — Mitigating the Risk. Linda Erceg, R.N., M.S.: [www.ACAcamps.org/campline/s-2010/medication-camp-mitigating-risks](http://www.ACAcamps.org/campline/s-2010/medication-camp-mitigating-risks)
- Staff Prescription Medication: Safety and Privacy Concerns: [www.ACAcamps.org/campmag/cm031staff](http://www.ACAcamps.org/campmag/cm031staff)
- Administering Emergency Prescription Drugs: Legal Implications and Policy Considerations: [www.ACAcamps.org/campline/w-2004/administering-emergency-prescription-drugs](http://www.ACAcamps.org/campline/w-2004/administering-emergency-prescription-drugs)
- Managing, Monitoring, and Administering Medications at Camp: [www.ACAcamps.org/campline/s-2000/managing-monitoring-and-administering](http://www.ACAcamps.org/campline/s-2000/managing-monitoring-and-administering)
- Medical Marijuana and Camps 2014: [www.ACAcamps.org/knowledge/health/medical-marijuana](http://www.ACAcamps.org/knowledge/health/medical-marijuana)

### ADDITIONAL RESOURCES

- Association of Camp Nurses. Medication Management for Day and Resident Camps: [www.ACAcamps.org/sites/default/files/images/Medication-Management-PG-Dec-2013.pdf](http://www.ACAcamps.org/sites/default/files/images/Medication-Management-PG-Dec-2013.pdf)
- Association of Camp Nurses. Nursing Delegation to Unlicensed Assistive Personnel in Day and Resident Camps: [www.ACAcamps.org/sites/default/files/images/Delegation-PG-Dec-2013.pdf](http://www.ACAcamps.org/sites/default/files/images/Delegation-PG-Dec-2013.pdf)
- Erceg, L.E. (2011). Practice Commentary: Communicable Disease Management Strategies for the Camp Setting. *CompassPoint*, 21 (1), 8-12: [www.acn.org/edcenter/selected\\_articles/communicable\\_disease\\_management\\_strategies\\_for\\_the\\_camp\\_setting.pdf](http://www.acn.org/edcenter/selected_articles/communicable_disease_management_strategies_for_the_camp_setting.pdf)
- Susan B. Baird, RN, MPH, MA, and Leslie B. Montejano, BLA, CCRP. Roles and Responsibilities of Seasonal and Year-Round Camp Nurses: Survey Results Part I. *CompassPoint*, 16 (1), 20-24: [www.acn.org/edcenter/selected\\_articles/baird1.pdf](http://www.acn.org/edcenter/selected_articles/baird1.pdf)
- Susan B. Baird, RN, MPH, MA and Leslie B. Montejano, BLA, CCRP. Roles and Responsibilities of Seasonal and Year-Round Camp Nurses: Survey Results Part II. *CompassPoint*, 17 (1), 7-13: [www.acn.org/edcenter/selected\\_articles/baird2.pdf](http://www.acn.org/edcenter/selected_articles/baird2.pdf)

For more information about any issues related to camp health-care not covered here, contact the Association of Camp Nurses: [www.acn.org](http://www.acn.org).

people may have implications under a camp's insurance policy. Frequently, policies include language excluding coverage for willful, intentional, or criminal acts. Therefore, if dispensing a prescription drug by a nonlicensed professional is a technical violation of the law and your policy has this kind of exclusion, your insurance company may decline coverage for any claims arising from the administration of prescription drugs. Having insurance coverage is important to cover any claims and to pay the attorney's fees to prove you or your staff were not negligent. To address the potential legal risks and insurance pitfalls, camps need to consult with a local attorney and research the laws that apply. Administrators should check with their insurance carriers to determine whether any language in their policies precludes coverage. [www.ACAcamps.org/campline/w-2004/administering-emergency-prescription-drugs](http://www.ACAcamps.org/campline/w-2004/administering-emergency-prescription-drugs)

### 13. What do ACA standards say about staff training regarding health care?

ACA-accreditation standards address the following:

#### HW.3 Staff Training

HW.4.1 Are camp staff trained to:

- A. Identify their role and responsibilities related to camp health care,
- B. Use health care supplies and equipment with which they may be furnished,
- C. Identify those situations that should be attended to only by a designated health care provider, and
- D. Use established sanitary procedures when dealing with infectious waste or body fluids?

Reviewed by **Linda Ebner Erceg, RN, MS, PHN**



# “TRADITIONAL” CAMP

## My Epiphany That We Are All in the “Conservation” Movement

TIM NIELSEN



*The American Camp Association (ACA) is committed to increasing understanding of and support for the value of the camp experience — especially with governmental decision makers. ACA’s core values include an important focus on environmental stewardship. When the White House called for nominations for their White House Champions of Change Award — Engaging the Next Generation of Conservation Leaders, we knew that the camp community had an abundance of leaders in this area. ACA nominated a number of camp professionals for this recognition. While none were selected for the award, a few of our nominees were honored with an invitation to the White House award event as finalists. (See photo below.) What follows is a testimonial from one of the attendees, Tim Nielsen. He shares his revelation that while his “traditional” camp is not focused specifically on “conservation,” it is indeed a critical element in the conservation movement.*



*White House Champions of Change finalists, from left to right: Missy and Sandy Schenk, Green River Preserve, North Carolina; Rue Mapp, Outdoor Afro, California; Tim Nielsen, Camp Sandy Cove, West Virginia. Not pictured: Michelle Bitgood, The Fowler Center, Michigan.*

This year I was honored to be nominated for a White House Champions of Change Award — Engaging the Next Generation of Conservation Leaders. I was invited to attend an event to honor the recipients on March 18, 2014, at the White House. It was a great pleasure to hear from the recipients of this national award. They represented fourteen unique and impactful programs from around the country. It was also a great pleasure to learn more about the Americas Great Outdoors Initiative ([www.doi.gov/americasgreatoutdoors/index.cfm](http://www.doi.gov/americasgreatoutdoors/index.cfm)) from Sally Jewell, the U.S. Secretary of the Interior.

I have to admit, I struggled with being nominated for this award because I don’t often think of myself as a “conservationist.” I thought that a conservationist was a person who advocates or acts for the protection and preservation of the environment and wildlife. How does that describe me? I am a camp director. I pour all my effort into transforming the lives of my campers and my staff.

Don’t misunderstand me, I marvel at the beauty of the natural world, and I love engaging in outside activities. And I am committed to introducing campers to these experiences as well. In fact, nature plays a critical role in campers’ experiences at my camp and our mission. It is through an experience in nature that they might engage in a process of transforming their thinking, their behaviors, their goals, their values, and their beliefs.

**Then, I had an epiphany: All camp directors are conservationists!**

We play a vital role in a sequence of events that lead

to conservation of our nation's parks, wildlife, and natural areas — and the “growing” of the next generation of conservation leaders. Since that day, I've thought about this quite a bit. I think the sequence for camps may look something like this:

1. Introduction — We have the pleasure of introducing campers to the natural world through the programs that we run on and off our camp sites.
2. Appreciation — Well-run outdoor experiences lead each camper to enjoy and value the environment, including an appreciation for environmental stewardship.
3. Transformation — A healthy dose of natural world experiences can transform a child in numerous ways — physically, emotionally, and spiritually.
4. Participation — Campers will gain new interests in outdoor activities while at camp that they will continue after they return home (and hopefully for their lifetime).
5. Conservation Advocates — As the next generation grows into voters and business/political leaders, their experiences at camp and in nature will influence their decisions about the conservation and use of our public lands, natural resources, and perhaps even our camps.

6. Preservation — The natural world is critical to the future of the camp community and to youth development. We grow leaders who preserve its value for future generations.

We are all Champions of Change, and we are all engaging the next generation of conservation leaders. Let's be certain that our nation's government recognizes these efforts. In the comment section at [www.ACAcamps.org/campline/spring-2014/traditional-camp](http://www.ACAcamps.org/campline/spring-2014/traditional-camp), share your successes. Share your impact. And continue the transformative work of camp!

I invite you to join with ACA as an advocate for these issues. Help move forward the goal to increase the understanding of and support for the value of the camp experience. Let us know of your interest here: [www.ACAcamps.org/publicpolicy/public-policy-networks](http://www.ACAcamps.org/publicpolicy/public-policy-networks). After you sign up, ACA staff will contact you ASAP to talk with you about your interest — and how you can help make even more of a difference!

I hope that the next recipients of this award will be from within ACA member camps! For more information about this year's Champions of Change, go to [www.whitehouse.gov/champions](http://www.whitehouse.gov/champions).

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**Tim Nielsen** is the director of Camp Sandy Cove in High View, West Virginia, and the chair of ACA, Keystone's Local Council of Leaders.

## THE **CAMP**Line

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- The digital issue of *The Campline*, available at [www.ACAcamps.org/campline/spring-2014](http://www.ACAcamps.org/campline/spring-2014), allows you to utilize this publication online more readily. Click any of the links throughout *The Campline* to be sent directly to a Web browser where you can research and learn more about specific topics. It's just one more way *The Campline* can help you.

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