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The CampLine

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Summary of ACA Hotline Calls

The ACA Camp Crisis Hotline remains one of the most valuable services ACA offers to the camp community. While the hotline is a year-round service, the majority of the calls are received during the summer season. (From September 2002 through August 2003, 84 percent of all calls were received from June through August). As the popularity of the hotline increases, we anticipate that a larger number of calls will be received in the nonsummer months. All camps face challenges year-round, and it is our hope that through this review of calls and the lessons learned, all camps can be even better prepared for future emergencies.

This review covers all calls from September 1, 2002, through August 31, 2003. Although hotline use was busiest during the summer months, there were 19 percent fewer calls received than the previous year. The nature of the calls handled were:

- **Ten deaths:** seven staff, two adult campers, and two minor-aged campers. All except two of the staff deaths occurred during staff time-off away from camp. One minor-aged camper death was a drowning at an off-limits lake that counselors allowed campers to swim in; the other was caused by a medical condition.

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The Blackout of 2003 — Northern Ohio Camp Directors Discuss Emergency Procedures

On August 14, 2003, a major power outage stretched across the northeast from New York City, Cleveland, Ohio, and Detroit, Michigan, to Toronto and Ottawa, Canada, affecting approximately 50 million people. Several camp directors from the Cleveland/Northern Ohio area recently responded to a brief survey — answering questions about the blackout dilemma from their individual experience and insights. They shared risk management procedures, challenges faced, and their sheer resiliency during a time of unsettling concern.

What procedure, that you already had in place, proved most helpful to you?

David Birkhead — As with all ACA-accredited camps, Centerville Mills has procedures in place for just about anything. The same is true regarding our water-treatment plant for a variety of scenarios. For the “Blackout of

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Camps and Vans — The Latest Update

The seemingly timeless debate concerning the use of fifteen-passenger vans to transport children continues to rage.

As recently as last winter's issue of *The CampLine*, ACA has written about the most current information available concerning the issue.¹ Will it ever end, you might ask? In reality, as long as there are vehicular accidents involving children (in any kind of vehicle), our nation will continue to debate, make recommendations, and try to find ways to ensure the safe transport of our children.

On March 22, 1979, the National Highway Traffic Safety Administration issued its first recommendations about the safety of "multipurpose vans."² Since that date, they have issued a number of other reports and recommendations concerning various modes of transporting children.

Where does the issue stand right now? On July 15, 2003, the National Transportation Safety Board (NTSB) made its boldest statement to date. They stated that "... the safe operation of fifteen-passenger vans requires a knowledge and skill level different and above that for passenger cars, particularly when the vans are fully

loaded or drivers experience an emergency situation."³ While the NTSB had previously made recommendations about driver training and use policies for fifteen-passenger vans,⁴ with this new statement they have added a new recommendation:

In the meantime, however, Senator Olympia Snowe has presented a *Passenger Van Safety Act of 2003* in the United States Senate. This bill would require increased safety testing of fifteen-passenger vans and ensure the compliance of fifteen-passenger vans

Visit the ACA Web Site frequently
for up-to-date information about
transportation of campers —
www.ACAcamps.org/publicpolicy.

"... the Safety Board recommended that the fifty states and the District of Columbia establish a driver's license endorsement for fifteen-passenger vans requiring drivers to complete a training program on the operation of these vehicles and pass a written and skills test."⁵

Thus, instead of recommending a federal regulation or piece of legislation, the NTSB has placed it into the hands of the individual states.

used as school buses with motor vehicle safety standards applicable to school buses. Senator Snowe says "Sensible regulation, improved manufacturing standards, and better driver training seem imperative if fifteen-passenger vehicles are to stay on the road without a grimly mounting toll in lives."⁶ While this bill has yet to be considered in the Senate, you can find updates on the status of the bill at www.thomas.loc.gov.

Visit the ACA Web Site frequently for up-to-date information about transportation of campers — www.ACAcamps.org/publicpolicy. ■

ACA Crisis Hotline Available

As a **benefit to ACA-accredited and affiliated camps**, ACA's Crisis Hotline is available to help directors talk through a crisis situation. Use of the hotline is voluntary, and the information you share is confidential.

Keep in mind that this is a paging system where you leave a message concerning your crisis situation. **Day or night** you may **call 317-365-5736**. An ACA staff member will be paged and will return the call as soon as possible.

Notes

¹Update: *Camps and Fifteen-Passenger Vans*. American Camping Association. *The CampLine*. Winter, 2003.

²*Safety of Multipurpose Vans*. National Transportation Safety Board. NTSB Report # HSS-79-01. March 22, 1979.

³*Evaluation of the Rollover Propensity of Fifteen-Passenger Vans*. National Transportation Safety Board. July 15, 2003.

⁴*Activities Pertaining to Vehicle Rollover — Consumer Advisories*. National Transportation Safety Board. April 2002.

⁵NTSB, July 15, 2003.

⁶*Olympia Snowe Press Release*. July 15, 2003.

Verifying the Background of Staff and Volunteers: A Primer

by Ed Schirick, President of Schirick and Associates Insurance Brokers

Historical experience with the law enforcement system may still be driving some camp professionals' perceptions about conducting criminal background checks on prospective staff. In the not-so-distant past, many camp professionals felt the criminal background checking process was a colossal waste of time and money. While they acknowledged the value of the background check, their frustrations were with the law enforcement system. Today, it is widely acknowledged that criminal background checks are an important and essential part of the camp staff hiring process. However, because of complexities unique to camps and differences in the availability of resources at the state level, camp directors still have many questions about criminal background checks. Our goal is to provide a historical perspective, identify available options, and offer some suggestions on the elements of a criminal background checking program for your camp.

Historical Issues

Physical abuse, sexual abuse, harassment, hazing rituals, and molestation are societal issues. Because camp is a microcosm of society, these are not new issues for camps. We read reports in the newspapers and hear newscasts everyday confirming that this issue is an enormous problem for our society.

The Origin of the Confusion

The events of the mid 1980s, specifically the McMartin childcare case in California, shocked us and increased our consciousness about child physical abuse and sexual misconduct. Since this landmark incident, the media have been vigilant in their efforts to keep this problem "front and center" for Americans.

The McMartin case and other events of the 1980s influenced passage of

the National Child Protection Act in 1993. President Bill Clinton signed this law, which was designed to establish a national database for employers to use to uncover child abusers, sex offenders, violent criminals, arsonists, and felony drug offenders. Access to the national criminal database was to be through a state agency. There was only one problem. The national criminal database didn't exist.

Why Didn't the Law Work?

The "Achilles' heel" of the legislation was that states were asked to administer this criminal background checking process, but the federal government did not provide any funds for implementation of the program and did not require states to comply with the new law. States didn't have the technology to facilitate the process or the money to accomplish the task. In retrospect, the legislation was ahead of its time. It was during this ambiguous time that many camp professionals became frustrated with the criminal background checking process.

Where Do We Stand Today?

In the ten years since the National Child Protection Act became law, states have taken advantage of technology and applied resources toward implementing the spirit — if not the letter — of the National Child Protection Act. Most, but not all, have passed laws, which permit employers to access state criminal background information using fingerprint records.

In 1998, the Volunteers for Children Act was passed as an amendment to the National Child Protection Act. This amendment enabled businesses that provide care, treatment, education, training, instruction, supervision, or recreation for children permission to access the FBI National Criminal Database using fingerprints. Access is through a state law enforcement agency.

These resources, although much improved, still fell short of the National Child Protection Act's intended goal. The dream of a single, comprehensive, inexpensive, easily accessed national database of criminal records is still alive. However, in spite of viable, impassioned support, a bill designed to make the national database a reality stalled in Congress in 2002, and to the best of our knowledge is still waiting to be reintroduced.

Developing a Criminal Background Checking Policy

There are two types of criminal background checks. The first involves fingerprint records. The second can be done using a person's full legal name and date of birth.

State law enforcement agency access fees vary. Our research on the Internet indicates a state fingerprint record check costs as little as \$13 to as much as \$40 when the camp contacts the state directly. This does not include the time involved in securing the fingerprints or completing the paper work.

In the past, criminal record checks have taken too long. Many directors reported that they received the reports after camp was over. The Volunteers for Children Act, which enabled access to the FBI for a fingerprint record criminal background check, requires the state law enforcement agency accessing the database to respond within fifteen business days. This is a significant improvement.

Securing the fingerprint records of college students, while they are still at school is another issue. Some camp directors have challenged the idea that fingerprint record and criminal record checks represent "overkill." Most counselors are young adults. Some directors point out that juvenile

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criminal records are not available, so conducting a fingerprint criminal record check on most college-age seasonal staff won't reveal much. Considering these issues, some unique to camps, it is easy to be frustrated over the task of establishing a criminal background checking policy for camp.

Simplify the Process

Simplify the process by choosing the criminal background investigation tool — or combination of tools — that makes the most sense for your business. This is definitely not a “one-size-fits-all” proposition. However, there are factors that will influence your choice of criminal background checking tools.

Cost is a key factor. If your organization doesn't have the budget to conduct a fingerprint-based criminal background check on every prospective employee, then you must develop a plan your organization can afford that also satisfies all the stakeholders in your business. A decision to ignore checking criminal backgrounds will not be acceptable.

ACA Standards incorporate a staff screening requirement (HR-4), which asks if criminal background checks were conducted or the voluntary disclosure statement completed for staff with responsibility for children. In addition, as a condition for providing liability insurance for the risk of sexual misconduct at camp, many insurance companies require that camps conduct background checks on prospective employees. While ACA Standards are voluntary, the insurance company's underwriting requirements are not.

Some Recommended Practices

The first choice to make when developing a criminal background checking policy is whether to use fingerprint records or name- and date-of-birth records as your tools to check criminal backgrounds.

Another consideration is deciding to manage the criminal background checking process with your own staff or

with an outside resource. As a practical matter, a choice to use outside resources to manage this process increases cost, but may be more effective in the long run. Using an outside firm to conduct these checks helps to ensure privacy, as well.

If you utilize name- and date-of-birth records to secure background checks, we also recommend screening all full-time and seasonal staff, including paid employees and volunteers, against the State Child Abuser and Sex Abuser Registry. Your organization can conduct these checks. Many states have established telephone numbers to call

may make the most sense for seasonal employees who live and go to school in one state. Depending upon where your camp is located, this approach could be less expensive than the access fee under the Volunteers for Children Act.

If your budget won't allow fingerprint record criminal background checks on seasonal staff and volunteers, utilize the name- and date-of-birth criminal background check method as an alternative. Generally, it is our understanding this method accesses county criminal records, which may, or may not, be up to date. So, it would

Today, it is widely acknowledged that criminal background checks are an important and essential part of the camp staff hiring process.

or published this information on the Internet. The information is free, or the cost is minimal.

Full-time Staff and Volunteers

If you can afford to do so, we recommend fingerprint record criminal background checks. Using the Volunteers for Children Act, a camp can access the FBI national fingerprint database through local law enforcement agencies. This is the most comprehensive fingerprint criminal background check available. We think it makes sense to do this type of check for every full-time employee and volunteer.

Seasonal Staff and Volunteers

Seasonal staff is another issue. If your camp could afford to do so, we recommend a national fingerprint check on every seasonal employee or volunteer over twenty-one years of age.

As an alternative to the FBI check, many states, but not all, allow employers to conduct fingerprint-based criminal background investigations on prospective employees within the state. A state-wide fingerprint record criminal check

generally be considered a less reliable source of information. Legal name- and date-of-birth criminal background checks should be conducted in the county where a prospective employee resides, as well as in the county where he or she attends school. It is our advice that criminal history checks be conducted each year on all summer staff. This includes former campers and those employees returning from last summer. Volunteer workers should be screened the same way you screen paid staff.

International Staff

What about international staff? U. S. criminal databases will not have data about international staff. International counselor placement services should have an arrangement to provide criminal history checks on international staff. The placement service usually arranges for a letter from a local law enforcement authority in the international counselor's home country. Check with your international staff placement services representative to ensure a criminal history check is being done on all staff hired through them.

Make sure to get copies of any letters confirming completion of a background check. Keep the copy permanently in your staff files.

Other Practical Considerations

Incorporate questions about convictions of crimes — especially crimes involving children — into your camp employment application. Check with other camp directors or your attorney to determine how they ask this question. Some camps prefer to use their own employment application without the conviction questions, because they need the room to include questions that are particularly important to them. In these situations, directors have developed supplementary questionnaires to address the issue. ACA's Voluntary Disclosure Statement and an affidavit of good moral conduct are used by camps as supplements to their staff application. Camps who don't have the budget dollars available to revamp their applications should consider using the ACA's Camp Staff Application (Form FM10N), which contains an appropriate, criminal record question and Fair Credit Reporting Act authorization.

Do you have a volunteer worker application? If you don't, consider developing one that includes space for volunteer work experience, as well as past paid work experience. The same questions about conviction of crimes, etc., should be incorporated.

Some directors are incorporating the authorization required by the Fair Credit Reporting Act to conduct a criminal background check right into their application. Others have decided to use separate documents dedicated to this purpose. Whichever approach you decide to take, make sure the document contains proper legal notice

Forms Available from the ACA Bookstore

- FM10N — Camp Staff Application
- FM16 — Voluntary Disclosure Statement

To order, visit www.ACAcamps.org/bookstore.

Resources

There are a number of informative articles on criminal background checking and several ACA Business Affiliates that offer background checking services. Visit the ACA Web site in the Knowledge Center at www.ACAcamps.org for more information. Check out the section dedicated to Human Resources. The State of Wisconsin Department of Justice has an excellent Web site, which includes contacts with links for each state for information on conducting criminal background checks in that state. The information is accessible by typing www.doj.state.wi.us/dles/cib/sclist.asp#A into your Internet Browser.

and disclosure wording. Check with the background screening service with which you've selected to work or your attorney for guidance on this issue.

What about CITs? Aren't they volunteer workers? We consider CITs volunteer workers to some degree, but because each camp's leadership development program is a little different, it is difficult to offer advice that applies to each program's subtlety. For example, some camps only accept former campers into their CIT programs so the director and others in the organization already know them. Some camps don't require CITs to be former campers. Some CITs pay tuition; others don't.

Since CITs are minors, the best advice is to make sure there is a formal application process, which includes personal references. Be sure to check these personal references with the same diligence you apply to paid staff references. Include a personal interview if you can, especially if your program doesn't require CITs to be former campers.

Criminal history investigation of minor employees under eighteen doesn't yield information because criminal convictions — or brushes with the law — are usually "sealed" by juvenile courts and are unavailable to the public. We recommend that minor employees go through the same employment screening process as adults. Although some directors have questioned this approach, we believe it is justifiable since

there is considerable anecdotal evidence of inappropriate sexual behavior between minor staff and campers, as well as with other employees. However, instead of a criminal history check, consider the completion of an affidavit of good conduct or the ACA Voluntary Disclosure Statement.

Some directors have questioned the need to rescreen current staff. If employees are year-round employees, chances are your organization would be aware of any criminal activity. So, as long as you investigated their criminal history before you hired them, it is not necessary to check them periodically during employment. Risk management and insurance professionals may have differing opinions about this, however. Some are recommending rechecking full-time staff every three years or so.

We recommend putting your employee background checking policy in writing. It should be an integral part of your camp's human resource policy. It should be reviewed periodically to make sure it is current. Your board of directors and attorney are critical partners in approving the policies and developing and approving any changes.

Some directors have expressed concern about putting these policies in writing. These concerns are legitimate and are based upon past experience. They emerge from the idea that if something goes wrong and we didn't follow our written policy, we "hang ourselves." Your human resource policies shouldn't be a secret. Publishing them is the best way to communicate your rules and clarify what you expect from your employees. However, if you don't intend to live by the rules you establish, don't put them in writing.

Developing a criminal background checking policy as part of your human resource and risk management plan is a critical task. If you haven't reviewed and updated your criminal background checking procedures recently, now is a good time to do so. Consider these recommendations, and investigate resources (see the Resources sidebar). Use them as a guide in creating your camp's unique plan. Enlist your board of directors, attorney, and business and insurance advisors in the process to ensure a multidisciplinary approach. ■

Colorado Law Lets Parents Waive Minor's Right to Sue

by Win Gilliland, *The Outdoor Network* © 2003*

Colorado Senate Bill 253 was signed into law by the Governor on May 14. The new legislation expedites the legal process by making it legal for parents to release their minor's rights to sue for negligence. Such a lawsuit could be decided in summary judgment (before trial), saving both plaintiffs and defendants significant court costs and legal fees. Currently, most courts around the country will not enforce a waiver signed by a parent on behalf of their child attempting to release the rights of their child. Consequently, most courts will allow the child to bring suit.

"Allowing a parent to release a child's rights provides significant protection for organizations offering recreation and sport programs," said Cathy Hansen-Stamp, co-editor of the *Outdoor Education & Recreation Law Quarterly*. According to co-editor Charles Gregg, parental waiver of a minor's right to sue is currently supported by the courts in California, Connecticut, Massachusetts, Ohio, and Wisconsin. Colorado, however, will be the first state to pass a law applying the doctrine specifically to general recreation. Gregg believes that the legislation will influence other states. "It is natural to assume that other states will take a second look at their policy, particularly states that have recreational interests that are well represented with their legislature," he explained.

Anchorage-based outdoor recreation attorney Tracy Knutson agrees. "What's happened in Colorado has sent a ripple through the entire industry," she said. "There is no doubt that you will see this legislation in other states. We have every intent of introducing this legislature in the new session next fall, and I expect that a lot of Western states will do the same."

Attorney Stephen Hopkins, who helped draft the original bill, said, "It might prompt recreational interests to lobby for similar legislation. This bill was successful in Colorado because

an economically important group was saying 'we want this, we need this.'"

Public policy in most states reflects the states' interest in protecting minors, but these policies can have a detrimental effect on those who provide recreational opportunities for minors. Travis Baier, owner of Rimrock Adventures, a river outfitter based in Fruita, Colorado, notes, "We have always required both the parent and the child to sign acknowledge and assumption of risk

business. It could have jeopardized our ability to find insurance."

Outward Bound West Executive Director Bruce Fitch agreed. "Big insurance companies are already retreating from adventure travel and wilderness education. This legislation will help alleviate some of the pressures of finding affordable insurance, especially for smaller programs."

For many of these small programs, even those with comprehensive

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The *Outdoor Network Newsletter (ONN)* is the only globally distributed publication devoted exclusively to providing news, information, and resources for outdoor recreation and adventure program directors and operators. Since 1989, the *ONN* has provided readers with expert opinion, insight into industry trends, and concrete tools for running an outdoor program.

For a limited time, The Outdoor Network is offering ACA members a special introductory discount on the *ONN*. To receive a 25 percent discount on the regular \$85 subscription price, call Stephanie Guerrero at 800-688-6387 and mention that you are an ACA member.

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waivers, but under the old law we still could have been sued."

"The specter of some child coming back and suing years down the road is not a pleasant scenario," said Tom Klema, owner of Durango-based Peregrine River Outfitters. "For outfitters, this protection comes at a very opportune time." The insurance market is tight, and many programs, including Peregrine, have seen hikes in premiums upwards of 50 percent. "Without this added protection, we might have seen insurers refusing to cover minors and outfitters going out of

insurance coverage, a lawsuit brought by a minor could spell ruin for the company. "Even though insurance would protect us from a lawsuit," said Baier, "we would still have to close our doors. A claim like that would make it nearly impossible to find coverage."

For David Blaine, director of programming for Mancos-based Deer Hill Expeditions, the new protection mainly translates into an added sense of security. "We are relieved to see it pass," Blaine said, "but we aren't going to change any of our programming based on the outcome of the bill. We

will continue to run our courses as safely as possible, and like always, risk management will be a top priority.”

Outfitters are the most obvious beneficiaries of the new law, but they are not the only ones. Without protection, many outfitters might eventually have been forced to limit participation to clients over eighteen years of age. As a result, many of Colorado’s amazing recreation opportunities would be lost to a segment of the population that arguably receives the greatest benefit: minors. Jim Moss, an attorney who

the rubric of protecting children, the old law was actually limiting a child’s opportunities.”

Hansen-Stamp noted that although children can assume risks in certain cases, they can’t enter into binding contracts to release their right to sue for negligence — or for anything else. “Recreational activities are full of inherent risks that can’t be eliminated by outfitters and those providing recreational opportunities,” she said. “There is often a gray area between whether injuries result from inherent

Melanie Mills, vice president of public policy at Colorado Ski Country USA, explained: “If you are unable to use waivers for children, over time you are going to get this hodgepodge of court decisions on what recreational providers have to do,” she said. “You are going to have providers who have insurers saying that they don’t want children participating in certain activities.” Even in the last season, Mills reports that some insurers did not want minors participating in some sorts of competitions. From their perspective, the risk was just too great.

“This is definitely a good thing for children,” agreed Blaine. “Eventually it could have reached the point where children couldn’t do anything that involves risk.”

“I don’t want any kid to die, but I wouldn’t be anywhere near the person I am today if I didn’t let my parents put me at risk,” concluded Moss. “Participating in these activities has shaped a major component of my life.”

The new law allows parents, and only parents or legal guardians, to sign a liability release for their children. With this in mind, outfitters must be administratively prepared for the inevitable scenario where a babysitter or a neighbor comes to registration to sign up a minor. Statute 13-22-107 may be read in full by searching on “253” at the Colorado General Assembly Website: www.leg.state.co.us/2003a/pubhome.nsf. ■

“What’s happened in Colorado has sent a ripple through the entire industry.”

— Tracy Knutson, Anchorage-based outdoor recreation attorney

specializes in outdoor law, supports the legislation. “Without the ability of the parent to waive liability, children’s participation in many outdoor activities would essentially be done away with. It is an extremely important issue for children,” he said.

“It really is about options for young people,” said Fitch, who sends approximately two thousand minors into the backcountry each year. “I am all for children’s rights and looking out for the welfare of children, but under

risks (no liability) or whether they result from provider negligence (potential liability). A release, if enforced by the court, would eliminate this gray area.” Giving parents the ability to release their minors’ rights to sue means that parents must accept a greater responsibility for the risks they permit their minors to take. “Parents should take an active role in researching and choosing responsibly run programs for their children to participate in,” she said.

Stay informed about the latest **educational events** in the youth development field.

Visit www.ACAcamps.org/events.htm

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- **Nine medical concerns:** including outbreaks of viruses, infections, rashes, and bed bugs. One was about a previous summer's camper's injury that was being brought to litigation.
- **Seven personnel-related issues:** including hiring and firing, overtime requirements, staff contracts, breach of personnel policies, and the arrest of a staff member after camp was over.
- **Six allegations of sexual abuse at camp:** including four camper-to-camper allegations and two adult staff-to-camper allegations. Many callers are unclear about reporting requirements.
- **Five issues concerning camper behavior:** including inappropriate language, stealing, bullying, and a camper believed to be intentionally cutting herself.
- **Three allegations by campers that they are abused at home:** most cases involved campers accusing parents or siblings of physical or sexual abuse.
- **Two issues concerning parent behavior:** one concerning a parent who refused to pick up their child from camp; the other concerning one parent requesting that the camp not release their child to the other parent.
- **Numerous other issues:** including one fire (big reduction compared to last year's outbreak of forest fires that affected many camps); the arrest of an international staff member after camp ended for the downloading of child pornography; and keeping a terminated staff member from participating in public events of the camp.

In addition to the calls received by the hotline, ACA was made aware of a number of other camp-related incidents this past summer, including:

- **Deaths:** including the drowning of four staff (several of whom were lifeguards) while off-duty, off-site, and swimming in rain-swelled waters; the automobile accident death of two off-duty counselors riding in a car without wearing their seat belts; and the death of a camper

riding in a camp van that blew a tire and ran off the road.

- **Flooding:** a camp's access roads were inaccessible because of tremendous rainfall and flooding in the area.
- **Loss of power:** resulting from the August 14 blackout in the northeastern United States.
- **Inappropriate activities:** counselors arranging the pay-to-watch fist fighting of campers.

*The hotline staff
can help you
think of issues and
questions, and
identify
other resources
that can assist you.*

While most camps that contact the hotline have already taken some actions regarding their crisis, they generally want to talk to an objective third-party about options and things they might not have thought to do.

In many cases, the hotline staff do not know what the final actions were in particular situations. Because the hotline serves as an avenue to discuss alternatives, ACA does not always know what a camp decided to do in the end. Since the hotline is confidential, it is not our normal practice to initiate follow-up calls when the camp has not asked for that additional assistance. Nevertheless, the following true-life examples can help your camp expand its risk management plans and procedures. These scenarios are an excellent starting point for staff discussion.

What would you do if . . .

. . . you found out after camp was over that a number of campers had bullied and threatened other campers?

All of your staff left weeks ago, and you were unaware of what had happened.

Things to consider — contacting staff to find out what happened; legal/liability issues; how would you respond to the parent who called to complain about the treatment of her son; what about other campers who may have been mistreated?

. . . an international staff person, still in the country after camp ended (staying with another staffer for a week or so), is arrested for downloading child pornography from the Web? You are confident that nothing happened at camp. Staff had no access to the Internet, and you have a strict "three-person" rule where no one goes with another person alone.

Things to consider — would you notify your camp families?

. . . an international staff person collapsed and died while leading a session with campers?

Things to consider — who would you contact; what kind of support will be needed for campers and staff; what/how will you tell camp families; what steps would you take that may or may not be different than the death of an American staff person; will you hold a memorial service; do your medical screening procedures require a review?

. . . money was being stolen from your campers. You'd already provided campers with a safe place to keep their money, but some campers chose to keep money in their possessions and it was stolen.

Things to consider — gathering campers together to discuss the problem; providing an easy option for the money to be returned anonymously; more vigilant staff supervision.

. . . a camper returns from an off-site overnight and shows evidence that she was cutting herself. You talk with her and she admits the problem and asks you to keep watch over her so she does not do it again.

Things to consider — contacting her parents; discussing mental health counseling opportunities; vigilant supervision of her.

. . . a staff member you terminated last year repeatedly shows up at camp events even though you have talked to him about him being unwelcome.

Things to consider — is he trespassing since you made it clear that he is not welcome on your property; does your state law allow you to bar someone from a camp event; how would you handle other trespassers; do you call the police?

... a parent of a camper you are trying to send home because of numerous incidents refuses to come get their child. You even have a “contract” with the parent that says they will pick up their child if there are any behavioral, health, or safety issues. What do you do when the parent refuses to come?

Things to consider — would your state’s laws consider this an “abandoned child”; is contacting child protective services in the best interest of the child; can you get permission to transport the child home yourself; what is the purpose of your “contract,” if the parent refuses to abide by it?

... a father calls you to say that his ex-wife has been served papers that indicate that she no longer has custody of their son. He wants to be sure that you will not release the son to her at the end of the day when she comes to pick him up (he knows that he cannot get to the camp before her).

Things to consider — can you get a copy of the papers; what does your legal counsel recommend; what are your camper sign-out policies and how are they enforced; what do you communicate to the child?

... a returning senior counselor is due to arrive at camp in a few days. You find out that he has been arrested for marijuana possession. He is out of jail and is planning to come to camp. Do you release him from his contract?

Things to consider — should you gauge the issues between that counselor serving as a role model and giving him another chance because what he did was not on camp time nor in season; what might parent reactions or expectations be; can you and do you require a drug test (in many states, yes, you may test employees if you enforce that requirement in a fair and equitable manner)?

... a returning camp lifeguard has not produced his current certification card — even after repeated reminders. You tell him that he must produce it or not get paid.

About the ACA Hotline (317-365-5736)

The ACA Camp Crisis Hotline is available year-round as a service to all ACA camps. The hotline is not a medical nor legal advice hotline, but it does serve as an “ear” to help you talk through your crisis. The hotline staff can help you think of issues and questions, and identify other resources that can assist you.

Things to consider — is it legal to withhold pay (probably not); what if he is not really certified; what if he is not really certified and an accident occurs; can you place him on other duty until he produces the card; are any revisions needed in your hiring policies?

... last year, a camper who was very upset and homesick asked to go home repeatedly. All your efforts did not change his mind. You called the parents. They refused to come and get him. Your staff spent the rest of the time “babysitting” him. Now the boy has reapplied for this year. You wonder if you can deny his application.

Things to consider — what would be your basis of denying his application; do you consider a “contract” with the parents and the boy that says he will go home if he refuses to participate in the camp program?

... your camp’s fifteen-passenger van blows a tire and runs off the road. In the accident, one of your campers is killed. The media hears the police call, arrives, and photographs the accident — including a picture of your wrecked van (with your camp’s name on it). The media is asking you, “Why are you still using a fifteen-passenger van when everyone knows how dangerous they are?”

Things to consider — what is your driver training program; what are your use policies; what would you say to the media if this occurred; who would say it; what does your insurance company and lawyer recommend concerning the use of fifteen-passenger vans?

Some of the most important key issues that arose this year can serve as lessons for your camp. In a crisis, here’s what we know from some of the lessons learned.

- **You need to understand mandated reporting of abuse.** You are required to report if you have reason to believe that abuse has occurred. It does not matter if the accused is a minor or adult — if the alleged victim is a minor, you must report. Know the specific laws in your state. It is not your job to investigate. Be prepared, however, that the authorities will not always choose to pursue the situation (especially, if they deem it a minor camper-to-camper occurrence). No matter, you still must report it — and decide what other steps you would take — such as talking with parents.
- **You need medical counsel.** If you do not have a camp doctor, make sure you have already determined whom you would call for advice should something come up — such as an outbreak of a strange rash that your camp nurse cannot identify.
- **You need clear personnel policies.** Policies up-front concerning hiring, firing, breach of policies, etc., will only serve to make it clear what to do if a personnel issue arises. Stand firm. Don’t break your policies just because “s/he is such a nice guy/girl.”
- **You need legal counsel.** Ideally, this should be counsel that is expert in liability issues, and who is familiar with your organization. This counsel can give you invaluable advice in a crisis.
- **If you choose to transport campers in fifteen-passenger vans, be prepared to explain why you chose that mode of transportation.** Before deciding to use a fifteen-passenger van, carefully weigh your transportation strategies and be aware of the sensitivity to fifteen-passenger van use. Be sure all drivers are carefully trained and experienced in driving your vehicles — especially when fully loaded. Seek out training programs specific to the vehicles you use. Be sure all vehicles undergo a visual inspection before each use. Then play out the worst-case scenario and know what you will say to defend your choice.
- **You need mental health counsel you can call on in an emergency.** Quick access to trained professionals can make all the difference in the world. ■

2003” the procedure was followed regarding long-term power loss. This procedure addresses issues regarding depressurization of our holding tanks, the location of water main shut-off valves, and a list of emergency direct-dial numbers to power companies, generator suppliers, and water-supply companies.

Tim Fox — Due to the timing of the blackout, our first thoughts were how to provide food and how to provide enough light to keep safe. From previous power outage experience, we had already purchased battery and propane-powered lanterns. We had already discussed appropriate places to place each of these lanterns to provide sufficient light and to keep campers safe. Thus, each cabin was given a minimum of two lanterns, the bathhouse had multiple lanterns, and then we utilized the propane lanterns and mounted them to our light poles around our pathways and mounted a lantern at our nurse’s station. The food was an easy solution since it was the last day of camp. We were able to pull out charcoal, and grill hamburgers that we had available in the freezer. We added chips and had a cookout with the kids.

Rich Garbinsky — In all honesty, we lost power for only ten minutes. Parents called our office to see if everything was fine, and our response was that we had 275 people in camp who had no idea of what was going on in the rest of the world. We have a call list and phone tree ready for emergencies that we would have used if we lost power.

David T. Birkhead, Associate Executive Director of Camping Services

The YMCA of Greater Cleveland, Centerville Mills
Location: Bainbridge Twp., Ohio
Number of campers: 200 – 400
Number of staff: 65

Tim Fox, Director of Camp Services

Camp Cheerful (day and resident camp)
Location: Strongsville, Ohio
Number of Campers: 130; 80 Day Campers, 50 Residential
Number of staff: 50

Rich Garbinsky, Director

CYO Camp Christopher
Location: Bath
(half way between Akron and Cleveland), Ohio
Number of campers: 225 (during the week of August 14)
Number of staff: 50

Doris Rudolf, Recreation Supervisor

Strongsville Recreation Department (summer day camp)
Location: Strongsville, Ohio
(Drake Road Facility and Ehrnfelt Recreation Center)
Number of campers: 35 in each camp
Number of staff: 5-7

Doris Rudolf — We used the emergency action plan for the facilities and the section on what to do in case of a power outage.

What changes have you made or what procedures have you developed because of this experience?

David Birkhead — Just through coincidence, Centerville Mills had reviewed our emergency procedures regarding water supply just the week before the blackout. We realized that as a facility without any back-up generators, we did not have a back-up supply of water. As a result, the day before the blackout we received an order of enough back-up water to supply the camp’s capacity with a twenty-four-hour supply of drinkable water. This then allows a period of time for adjustment, location of generators, and additional water if needed. Despite the blackout, power outages are not rare to our area, and in the future, we are planning the installation of back-up generators. The last area of change/preparation comes from our Port-a-Potties that supplement our existing facilities for day camp use. We hate them. They are an eyesore and often smell, but when your power is out and you can’t flush toilets, they are a miracle invention.

Tim Fox — Like I mentioned, we had a previous power outage; however, the earlier power outage only lasted a couple of hours, and the lights were restored before dark. Due to that outage, we had a plan already put in place. The only addition we made to the plan as we were enacting this was that our evening program was automatically switched to a campfire gathering, and we had staff do additional bed counts, staying aware that kids may be afraid of camp being a little darker than normal.

Rich Garbinsky — The change we made on the fly was to check with other area camps and recreation departments to make sure they were ok and had contingency plans. One area recreation department day camp did come and spend the day with us on Friday because they had no water or power.

What was the most difficult part of the lack of power to handle? How did you handle it? Will you now do something different/additional to address this contingency?

David Birkhead — The most difficult part was the management of calls from day camp parents stuck in traffic and trying to pick up their kids as well as the incoming calls from resident camper parents concerned about their children. With an adequate number of phone lines, this was just a staffing situation of manning phones and assuring parents that procedures were in place for the safety of campers and quality of the water. This same message was placed on our outgoing voice mail as well as a reassurance that camp would continue for the remainder of the week.

Tim Fox — I think the most difficult part of the lack of power was running short on water. We now know we need to have a larger bottled water supply available at all times and have a contingency plan to handle that as well. I feel the overall effectiveness of the lanterns worked well, and the food was well prepared too. I think we will be purchasing more lanterns now that we see what was needed to better light more areas of camp.

Doris Rudolf — The most difficult part was the lack of water and communication. We used walkie-talkies to communicate to other staff members that were not in the building. We did evacuate and close our building.

Can you estimate the financial impact this blackout had on your operation (for example, lost food, purchase of generator or bottled water, etc.)? Was any of this impact covered by insurance?

David Birkhead — Centerville Mills did not have any significant financial impact with exception to the creation of a back-up water supply.

Tim Fox — Nothing was covered by insurance, but I would estimate loss being approximately \$2,000. Luckily, this was our last night of camp, and we had very little amounts of food left over in the kitchen. Added costs included the purchase of batteries and additional propane.

Doris Rudolf — Close to \$1,500. I sent out “REC BUCKS” (parents/children can use them toward any future program or merchandise) instead of refunds for day camp.

What was the most unexpected situation that arose during the blackout?

David Birkhead — With cell phone towers being overwhelmed by the increased communication, it was difficult to contact our out-trips group. Fortunately, through the remote design of our out-trips program, they don't rely on electricity and were unaffected.

Tim Fox — I don't believe anything unexpected took place. We felt we were well prepared.

Rich Garbinsky — We actually only received less than ten phone calls regarding the power outage. I thought we would have had more.

Doris Rudolf — The length of time of the blackout was unexpected. We closed day camp on Friday, August 15.

What were you able to do to address communication needs — with parents, with groups out of camp, with any necessary emergency transportation needs?

David Birkhead — After providing customer service to the large majority of incoming calls and concerns, a clear and reassuring outgoing voice mail message seemed to handle most communication needs.

Tim Fox — Our community is very aware of our program and knew we could have needs. Our phone system does have a battery backup, so we were able to maintain phones to notify parents that their children were safe and not to try to drive during this situation. The local hospitals all have emergency generators and operated as normal, so emergency needs were well covered.

Doris Rudolf — There was a meeting with the assistant fire chief the evening of the blackout; parents were not called to pick up their kids early from day camp because the phone lines were down. We called parents early Friday morning to inform them that the facilities were being closed and that day camp was being cancelled. ■

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