

Youth Camp Advisory Committee Meeting Notes & Action Items

Purpose or Goal: Youth Camp Advisory Committee Meeting	Location: Highland Lakes Baptist Encampment
Meeting Date: 08/25/2010	Time: 10:00 – 2:15

Attendees		
Michael Bainton Committee Member	Beau Biron Committee Member	Danny Dawdy Committee Member
William Hinton Committee Member	Patricia Osborn Committee Member	Kathryn Ragsdale Committee Member
Paula Anderson DSHS	Mary Hoffman DSHS	Julie Loera DSHS
Michael Minoia DSHS	Heather Muehr DSHS	Laura Pfefferle DSHS
Heather Welles Rep. Bolton's Office	Courtney Hoffman C.A.M.P. Representative	Douglas Crawford
Ruby L. Crawford	Kevin Edney	Terry Hall
Traci Hall	E.J. Head	Hans W. Meinardus
Jon Oreutt	Chad Patterson	Jerry Ratliff
John Renshaw	Gina Rock	Phil Springer
Mike Wilson	Gail J. Zahara	

Minutes
<p>10:00 a.m. Call to Order by William Hinton. Introduction of people present at the meeting. There will be two opportunities for public comment at this meeting. The first after the review of the 2010 youth camp season, and the second after Topics for the next committee meeting.</p> <p>Agenda Item # 4 – Review and discuss 2010 youth camp season inspections, issues, and concerns. Michael Minoia gave a summary of the 2010 youth camp inspections. Of the 521 licensed youth camps, according to the list provided at the meeting, so far there have been 408 youth camps inspected and reported to Central Office. This represents a 78.2% inspection rate of licensed youth camps. There may be additional inspections yet to be received by Central Office, which would increase the inspection ratio. This year, if any camp was found to have deficiencies, the Department of State Health Services (DSHS) has required a Corrective Action Plan (CAP) from the camp to address the deficiencies. If a CAP is found to have adequately addressed all of the issues, then the inspection was closed without further action. The exceptions to this were camps found to be operating without a license. These cases were forwarded immediately for escalated enforcement. Also, if a youth camp failed to provide a CAP, those cases were also forwarded to enforcement. To date, there have been about eight cases sent to enforcement, three of which was operating without a license. Among the most common violations noted this year were appropriate documentation of criminal background checks, character and integrity records, lack of a bound medical log, and lack of</p>

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a written swim policy.

The meeting was opened to the first public comment opportunity. Participants were asked if they had any comments about youth camp inspections conducted this year. Among the comments received were one inspector acted more like a regulator than an inspector, but that issue had already been addressed by DSHS; last year the inspector took two days to complete the inspection, but that this year it only took seven hours; that one inspector takes up to four hours for an inspection, while another inspector gets in and out fairly quickly; an inspector conducted an inspection while there were no campers present; one inspector did not like a tear in a life vest, so the inspector ripped it open; and that an inspector closed a pool the camp was using that did not belong to the camp, so be careful about using pools that are not owned. One person was unaware that playgrounds had to be inspected, but it was explained that this was a new provision of the rules. Overall it was felt that the inspections this year were more thorough, but that DSHS still needed to work on consistency of the inspectors and needed to ensure that all inspectors receive youth camp training. It was noted by Paula Anderson that standardization training for inspectors conducting youth camp inspections was in development. Part of the training would be side-by-side inspections with field staff and central office senior staff to increase consistency.

Agenda item # 6 – Discuss potential issues for upcoming legislative session.

It was felt that the new rules went fairly smoothly by DSHS and that there had not been a lot of negative feedback received by the Department. Mr. Minoia discussed a bill that was proposed last legislative session concerning a potential category of youth camp that did not meet for four or more consecutive days, only on the weekends, but did operate for more than 14 days per year. He did not know if a similar bill would be introduced again this session. There was discussion about what is meant by “school vacation” periods in the general characteristics of a youth camp. Does this mean public school vacation periods? It was explained that it is dependent on the school vacation periods of the campers attending a youth camp, and that home schooled children might have different vacation periods from public school students. There was also a discussion of enforcement and liability of sessions that do not meet the definitions of a youth camp, such as weekend sessions, conducted at a licensed youth camp facility. If the session does not meet the definitions of a youth camp, then DSHS does not regulate that session. DSHS could not comment about the liability issue.

Agenda item #7 – Discuss duties and obligations of youth camp advisory committee members.

Laura Pfefferle explained the difference between statute and rules, and explained the duties of the committee as described in both statute and rule. Ms. Pfefferle went over the committee composition, terms, appointment and roles. The advisory committee is to advise the executive commissioner in the development of standards and procedures. However, DSHS and/or Health and Human Services Commission are not required to follow the advice or recommendations of the committee. It was noted that the committee could not lobby for DSHS, but that individual members of the committee could lobby as an individual. The committee can recommend to DSHS to initiate a legislative initiative regarding changes to the statute. There was a discussion about the abolishment date of the committee, which included that the abolishment date was never incorporated into the new rules because at the point of the rules development that section of the rules could not be changed. This will be added to any future changes to the youth camp rules.

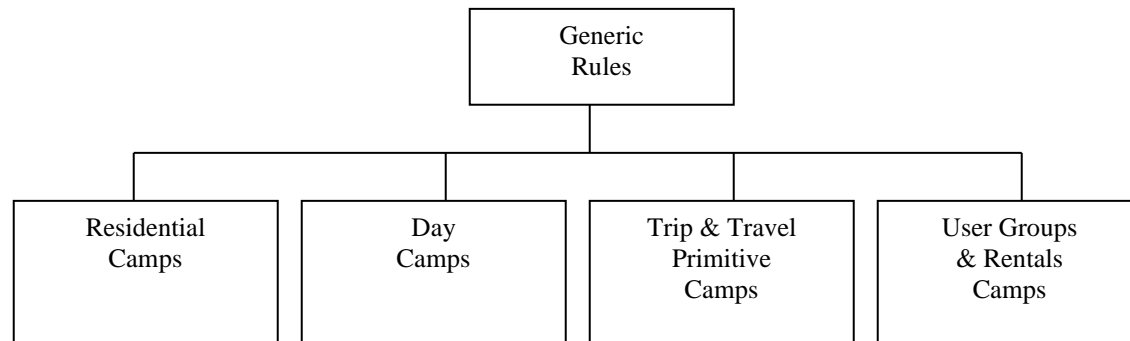
Agenda item #3 – Review and approval of meeting minutes from last meeting.

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Ms. Ragsdale made the motion for approval of the minutes as written, Mr. Bainton seconded the motion. All members voted to accept the motion, there were no dissenting votes. The motion was passed, and the minutes were approved.

Agenda item #8 – Discuss progress on assignments for youth camp advisory committee members, and workgroups since last meeting.

Mr. Hinton began the discussion with a review of the direction the committee wanted to structure the rules. He made a graphic to illustrate.



There will be a section of the rules containing generic rules that apply to any type of camp, such as first aid kits, CPR, written procedures and orientation. Then there would be sections of the rules that apply only to a specific type of camp. Each section should contain definitions and rules that apply to that section. The intent was not to try and fit every camp under one rule when there are different types of facilities and operations. This will also help the sanitarians become more efficient. Each camp type may have a different inspection checklist.

As an example, he handed out a draft section for Trip, Travel and Primitive Camping (TTPC), see attachment 1. It was confirmed by the committee that this was the type of structure they had agreed upon at the last meeting. Ms. Ragsdale said she thought the rules should be more detailed. Mr. Biron observed that many camps have field trips that might be covered under the TTPC section. Camps may fall under more than one section. The intent is to get ideas from people in each area of the industry and make the rules more user friendly. If the rules are more user friendly, then camps would get a lot more competent lower level employees.

Ms. Ragsdale thought they should agree to a time-line for the working groups. It was decided that everybody should have the sections assigned to them ready by the next committee meeting.

There was also a discussion about transportation issues. Camps putting kids in small cars, busses/vans tonnage, and seat belt usage.

Agenda item #9 – New assignments for youth camp advisory committee members, workgroups, or subcommittees.

- Kathy Ragsdale – Residential camps
- Michael Bainton – Day camps – Patricia Osborn and Beau Biron were added to this group.

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- Danielle Shaw – Core rules for all camps – William Hinton and Beau Biron were added to this group.
- Danny Dawdy – Rental/User Group camps
- William Hinton – Travel/Primitive camps

Mr. Dawdy motioned to adjourn for lunch. Mr. Bainton seconded the motion. All members voted in favor of the motion, there were no dissenting votes. Motioned was passed, and the meeting adjourned for lunch.

Lunch Break – 11:55 a.m.

The meeting was called back to order at 1:01 p.m. by Mr. Hinton.

Heather Welles with Representative Bolton's office talked about the upcoming legislative session. Among the main items the legislature will be working on in this session is the state budget deficit, and redistricting. Anything that requires funding would not get passed by the legislature this session. They are not sure if they are going to re-file the bill concerning weekend camps, or what the wording might be at this point. She reminded everyone that if they thought changes should be made to a statute, they should start working with a legislator. She reminded the audience that they don't want to put something in statute that would impede people from running their business. The rule stratification project may help them with some possible statutory wording changes.

Agenda item #12 – Set next meeting date.

The next youth camp advisory committee meeting will take place on January 6, 2011 at 9:30 am at Camp Flaming Arrow.

Danny Dawdy gave a review of the workgroup meeting held the previous night with faith based camps concerning User Groups Camps. They discussed the part of the rules that address felonies. This aspect of the rules limits Recovery & Forgiveness programs at faith based camps. Also discussed were the ability of the camps to control program aspects of the regulation concerning the user groups. He stated that although he started with the faith based camps, he was going to continue with other User Groups Camps such as Boy Scouts of America and others.

Beau Biron discussed the gray area between Child Care Facilities and Youth Camps. He suggested that maybe the rules should be expanded to include other operations that call themselves camps. It was suggested that maybe it would be better to wait until the Department of Family and Protective Services (DFPS) can get a better handle on what they are regulating after the recent changes to DFPS rules.

Mr. Bainton wanted to know how DSHS finds youth camps that are operating without a license. Mr. Minoia explained that one way was that the inspectors find them when traveling, and that some are reported to DSHS. There are probably some youth camps that are operating without a license, but that when it comes to DSHS's attention, we send an inspector. The question was asked about camps that are operated by a local government, such as a city Parks and Recreation Department. These types of camps are exempted because the definition of a person in the statute does not cover governmental entities.

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Agenda item #10 – Topics for next committee meeting.

Basically there is going to be only one agenda item for the next committee meeting, working on new rules. Maybe elect a new presiding officer.

Agenda item # 11 – Public comment.

Hans W. Meinardus with Frontier Camp discussed his objections to Section 265.12(g) of the rules concerning persons whose presence at a youth camp shall be precluded. He stated that this section was interfering with a session held at Frontier Camp targeted for troubled youth. The Interchange Freedom Initiative and its Angel Tree program is severely limited by the camp not being able to determine who may be present at a youth camp. Instead, the rules now take the determination away from the camp, and just prohibit persons with certain criminal convictions, without regard to any mitigating factors. He wanted the committee to change this section to pare down the list of offenses that would prohibit a person from being at a camp, add a process that would allow vetting of personnel back with the camps, and include a provision for parental notification. After his presentation he provided a handout to the committee, see attachment 2. A transcript of his talk is included as attachment 3.

Mr. Dawdy asked for clarification of this section. Specifically, how DSHS interpreted “Youth camps shall not employ paid or unpaid staff members or volunteers at a youth camp, or permit any person to have unsupervised contact with campers other than their own children ...” Mr. Minoia explained that this was interpreted in two sections. Youth camps shall not employ paid or unpaid staff members or volunteers at a youth camp for any position at any time. Additionally, youth camps shall not permit any other person at the camp, such as delivery personnel or other parents, to have unsupervised contact with campers other than their own children. There is not a clear dividing line between staff/volunteer and guest/speaker. If a person comes to a camp for a limited amount of time, they are not staff or a volunteer. Some campers travel by themselves from activity to activity and there may be an opportunity for anybody at the camp to be alone with a camper.

Ms. Pfefferle discussed the rules process involved with that section of the rules. She stated that she advised the program and she navigates us. The program comes up with the rules and she advises. In this particular case, the origin of the list of offenses in the rules that prohibit a person from being at a camp came from DFPS, and DSHS followed their lead because DSHS is not a child-protection agency. There are no provisions to preclude certain educational activities from the requirement. DSHS anticipated a lot of comments and were surprised when we didn’t receive any. Mr. Hinton and Ms. Ragsdale said they were told that their comments would be taken under advisement and then they were told that it was ignored. Mr. Hinton stated that in October they requested changes. He went to commissioner meetings and spoke to the fact that none of the committee’s recommendations were taken.

Julie Loera, with DSHS, stated that one of the issues with rules is that DSHS doesn’t really have authority to approve rules any more. DSHS council is also advisory in nature. Executive Commissioner Suehs makes final determination. Decisions about what would and would not go were made by Dr. Lakey and Executive Commissioners Hawkins/Suehs. We looked to our sister agency because they are the experts on childcare and it also fosters consistency. That doesn’t mean that we

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can't work on changes to the rules, but there is no guarantee that rules would go forward.

Ms. Osborn supports rules to protect children. Mr. Meinardus said this is his livelihood and it depends on the comfort of parents with his camps. But he takes exception to the authority being taken out of his hands to make those decisions. Mr. Hinton said the committee would look at adding a waiver. Mr. Biron said that we needed to keep the mission in mind. Part of the problem is looking at the best benefit for all camps not just a few camps. Mr. Hinton stated at this point it is mute because it is already in rule and he will just have to wait for the rules process. Mr. Dawdy asked if the TAC allows program staff to approve variances. Ms. Pfefferle stated that policy, rules, procedures need to be established to address the issue. Ms. Anderson said DSHS would research and see what we could do. Ms. Loera stated that there are some programs that have that ability and again she is not sure how receptive management will be.

There was discussion concerning exemptions for camps at colleges and universities. Visitors and committee members expressed concern over the lack of regulation. Ms. Anderson explained that the exemption was in statute and not a rule that could be changed by the committee.

There were no further items for discussion.

Ms. Ragsdale motioned to adjourn the meeting. Ms. Osborn seconded the motion. All members voted in favor of the motion, there were no dissenting votes. The motion to adjourn the meeting passed.

Meeting adjourned – 2:13 p.m..