

**Requirements for
Camps for Children with Developmental Disabilities
(Enrollment of 20% or More Campers with Developmental Disabilities)
April 2022**

The following guidance is provided to assist camp operators of a Camp for Children with Developmental Disabilities to comply with [section 7-2.25\(b\)](#) of Subpart 7-2 of the State Sanitary Code (SSC) and [Justice Center for the Protection of People with Special Needs](#) (Justice Center) requirements.

Camps for Children with Developmental Disabilities are camps that have an enrollment of 20 percent or more campers with developmental disabilities as defined in [section 7-2.2\(d\)](#) of Subpart 7-2 of the SSC any time during the season. See the Requirements for Campers with Disabilities at Children’s Camps Frequently Asked Questions document for additional guidance that applies to all camps enrolling one or more campers with a physical or developmental disability.

Pre-Employment Checks for Camp Staff

Camps for Children with Developmental Disabilities must screen staff who will or may have direct contact with campers through the Justice Center’s Staff Exclusion List (SEL) and Office of Children and Family Services Statewide Central Registry (SCR) of Child Abuse and Maltreatment. Camp staff are defined in regulation and include employees, volunteers and other persons that have regular and substantial contact with individuals who are cared for by the children’s camp. SEL and SCR checks must be conducted prior to initial hiring of staff and every three years thereafter for staff previously screened. Camps may elect to screen staff more frequently but SCR checks on current employees cannot be made more often than once in any six-month period.

- 1. Check the Justice Center’s Staff Exclusion List (SEL).** The SEL is maintained by the Justice Center and individuals listed on it are deemed ineligible to work in a position involving regular and substantial contact with campers. Forms and information for gaining access to the SEL are available from the [Justice Center](#). The ID number requested on the SEL “Authorized Person Designation Statement Form” is the Camp’s Operation ID number, which may be listed at the bottom of the camp’s DOH permit or obtained by contacting your [local health department](#).

Once SEL access is approved by the Justice Center, batch checks of up to 100 individuals may be submitted at one time. Instructions for submitting batch checks are available at on the [Justice Center’s website](#).

- 2. Check the Statewide Central Register (SCR) of Child Abuse and Maltreatment.** Checks of the SCR are done through the Office of Children and Family Services (OCFS) web-based application known as the Online Clearance System (OCS). Information about the OCS is available on [OCFS’s website](#). If your camp/organization has not already been assigned a SCR Resource Identification (RID), you will need to obtain one through your [local health department](#) to complete the necessary paperwork. Initial access to the SCR can take 2-4 weeks.

Camp operators are not prohibited from hiring or allowing access to children, staff who are the subject of an indicated child abuse and maltreatment report on file with the SCR; however, prior to hiring and allowing access to children, the subject of a report must be evaluated using the Office of Children and Family Services guidelines entitled “Evaluating Applicants/Employees who are the Subject of Indicated Report(s) of Child Abuse and Maltreatment.” These guidelines are available from the local health department that has jurisdiction in the county in which the camp is located. The guidelines require a camp operator to conduct a thorough evaluation and

assessment of reports and determine that employment at the camp would not present a risk to the safety or welfare of camp participants. If a determination is made to hire the individual, written justification for the reasoning must be provided to the local health department and maintained at the camp.

In addition to SEL and SCR checks, camp operators must also verify a prospective staff's background and character through reasonable and diligent inquiries, including but not limited to character references submitted and checking the State Sex Offender Registry.

Staff Training

In addition to requirements specified in section 7-2.5(n)(6), camp staff with direct care responsibility of a camper with a disability must be trained in the specific needs of the campers in their charge. Camp staff at Camps for Children with Developmental Disabilities must also have the following training:

- **Mandated reporting training.** All camp staff are designated as mandated reporters and must report required incidents to the Justice Center Vulnerable Person Central Registry. The Justice Center provides required training for mandated reports through a [free online webinar](#), which may be viewed as a group during staff training or individually by staff.
- **Code of Conduct training.** The [Code of Conduct](#) must be read and signed by all camp staff at the time of initial employment and annually thereafter. Supervisors and administrators who do not have regular and substantial contact with campers should also familiarize themselves with this Code of Conduct and must follow all other legal and regulatory requirements of the Justice Center.
- The identification and reporting of possible crimes against campers with disabilities.

All required training must be documented, and records of training kept on file at the camp.

Incident Reporting

All staff must immediately report incidents specified in [Section 7-2.25\(b\)\(1\)\(iv\)](#) of Subpart 7-2 of the SSC that involve a camper with a developmental disability to the [Justice Center Vulnerable Person Central Registry](#) and the [local health department](#) having jurisdiction. However, staff are not required to make duplicate reports of an incident when the following two conditions are met:

1. Staff has actual knowledge that the incident was already reported to the Justice Center and local health department; **and**
2. Staff has actual knowledge that he or she was named in the report as a person with knowledge of the incident.

To have “actual knowledge”, camp staff must have a direct and clear awareness that the report was made, such as witnessing, reading, or overhearing the report being made. Having actual knowledge may also include those circumstances in which someone who has reported an incident informs the would-be reporter that the report was made and that the would-be reporter was named in the report. If staff maintains doubts as to whether the report was made, or whether he or she was named in the report that was made, the individual should report the incident him or herself. Additional information for camp staff regarding multiple reports of the same incident is available on the [Justice Center website](#).

The types of incidents to be reported include the following categories:

CATEGORIES	DEFINITIONS
Physical Abuse	Intentional or reckless (disregarding risk) physical contact that causes or is likely to cause physical injury to a disabled camper or impairment of that person's physical, mental or emotional condition. Some examples include hitting, kicking, biting, choking, smothering, shoving, dragging, throwing, shaking, burning, cutting, or corporal punishing.
Sexual Abuse	Conduct that violates the Penal Code. Some examples include inappropriate touching, indecent exposure, taking or distributing sexually explicit pictures, voyeurism or other sexual exploitation, rape or sexual assault.
Psychological Abuse	Intentional or reckless conduct that negatively affects a disabled camper and results in or is likely to result in a substantial deterioration of that person's emotional, social, or behavioral condition. Some examples include name-calling, ridicule, taunts, intimidation, and threats.
Deliberate Misuse of Restraint	Use of a restraint when the technique, force, or the situation in which the restraint is used is deliberately inconsistent with a disabled camper's individual treatment plan and/or applicable laws, regulations or policies. A restraint includes the use of any manual, pharmacological or mechanical measure or device to limit the ability of a person to freely move his or her arms, legs or body.
Aversive Conditioning	Use of unpleasant physical stimulus to cause pain or discomfort in order to modify behavior without the legal authority to do so. Some examples include the use of noxious odors, noxious tastes, blindfolds, withholding meals or substituting food in an unpalatable form.
Neglect	Any action, inaction or lack of attention by staff that results in or is likely to result in physical injury or serious or delayed impairment of the physical, mental or emotional condition of a camper. Some examples include lack of supervision resulting in misconduct between campers, inadequate food, insufficient clothing, shelter, health care, or access to an educational right.
Controlled Substances	Using, administering or providing any controlled substance without a physician's prescription.
Obstruction	Interfering with the discovery, reporting or investigation of abuse or neglect. Some examples include falsifying records, intentionally making false statements, or persuading a mandated reporter not to report an incident.

<p>Significant Incident</p>	<p>Any situation that has resulted or may result in harm to the health, safety, or welfare of a disabled camper including but not limited to camper-to-camper and camp staff conduct as defined below:</p> <p><u>Camper-to-Camper Conduct:</u> Conduct between disabled campers that would constitute abuse if committed by a custodian.</p> <p><u>Camp Staff Conduct:</u> Conduct on the part of a camp staff member which is inconsistent with a disabled camper’s individual treatment, care or behavioral plans and/or applicable federal and state laws, regulations or policies and which impairs or creates a reasonably foreseeable potential to impair the health, safety, or welfare of a disabled camper, including but not limited to:</p> <ul style="list-style-type: none"> • <i>Unauthorized Seclusion:</i> the placement of a disabled camper in a room or area from which he or she cannot, or perceives that he or she cannot, leave at will. • <i>Unauthorized Use of Time-Out:</i> the use of a procedure in which a disabled camper is removed from regular programming and isolated in a room or area for the convenience of a staff member. • <i>Improper Medication Administration:</i> the administration of prescribed or over-the-counter medication, which is inconsistent with a prescription or order issued by a health care by a health care practitioner and which has an adverse effect on a disabled camper. • <i>Inappropriate Use of Restraints:</i> the use of a restraint when a technique that is used, the amount of force that is used or the situation in which the restraint is used is inconsistent with a disabled camper’s individual plan, generally accepted treatment practices, and/or applicable laws.
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The Justice Center operates a call center Hotline (855-373-2122) which receives reports of incidents 24 hours a day and 7 days a week. Camp operators must ensure that the telephone number for the Justice Center's hotline for the reporting of reportable incidents is conspicuously displayed in areas accessible to camp staff and campers. Posters in a variety of languages are available on the [Justice Center’s website](#). (Scroll down to the bottom of the page, filter for the desired language, and then look for the “Keeping People with Special Needs Safe is Everyone’s Responsibility” poster.)

Please note that in addition to reporting the incidents listed above, camp operators must also:

- Report incidents listed in Section 7-2.8(d) of Subpart 7-2 of the SSC to the [local health department](#) having jurisdiction. These incidents include specified injuries and illnesses, potential rabies exposures, and the administration of epinephrine.
- Establish a policy on identifying and reporting possible crimes against campers with disabilities to local law enforcement and the local health department.

The camper’s parent or guardian should be notified of all reportable incidents involving the camper.

Immediate Protections

Immediately upon becoming aware of an allegation of abuse or neglect, the camp operator or designee shall ensure that appropriate actions are taken to address the immediate physical and psychological needs of the camper(s) and implement protections to ensure the safety and mitigation of further risk to

campers. For incidents of abuse and neglect that have been accepted by the Justice Center for investigation, immediate protections should be documented and provided to the local health department or Justice Center, if requested.

Allegations of Abuse/Neglect Interview Notifications and Protocols

The Justice Center has developed written protocols, [*Justice Center Protocols for Interviewing People who Receive Services*](#), to ensure the safety of campers during interviews for abuse and neglect investigations. After notification that the Justice Center will be investigating an incident of abuse or neglect, the camp operator must notify alleged victims and potential witnesses that they may be interviewed as part of the investigation. Notifications may be made through oral or written communications and must be documented. The Justice Center has developed an [optional notification documentation form](#) that can be used to satisfy the documentation requirement. A narrated training presentation that covers both the notification requirements and the interview protocols are available on the [Justice Center's website](#). If a personal representative requests to be present during an interview with the service recipient, the camp operator should advise the personal representative that the request may not be granted if confidential information will be disclosed during the interview. Personal representatives with questions about the interview process may contact the Justice Center's Individual and Family Support Unit at 1-800-624-4143.

Justice Center Investigations

In an effort to clarify the process for staff who may be involved in a Justice Center investigation either as a subject or as a witness, the Justice Center has issued guidance for staff entitled [*What to Expect if You Are Involved in a Justice Center Investigation*](#). The guidance provides information about the reporting and investigation process, as well as the appeals process.

Incident Review Committee

Each Camp for Children with Developmental Disabilities must establish and convene an incident review committee (IRC) composed of members of the governing body of the camp and others identified by the camp operator, including some members of the following: camp administrative staff, direct support staff, licensed health care practitioners, service recipients, the permit-issuing official or designee and representatives of family, consumer and other advocacy organizations. The committee may not include the camp director.

The IRC is required to meet each year in which there is a reportable incident or within 45 days of the conclusion of an investigation when the IRC is responsible for approving or developing corrective action plans. The IRC is to review and provided recommendations regarding:

- the camp's responses to reportable incidents including timeliness, thoroughness and appropriateness;
- opportunities for improvement;
- incident trends and patterns; and
- recommendations to reduce reportable incidents.

Camp operators may seek an exemption from establishing an IRC based on hardship, provided that granting an exemption would not create an undue risk of harm to campers' health and safety. Additional factors considered for granting IRC exemption include the size of the program and whether the program is seasonal. Request for exemption from the IRC should be made to the [local health department](#) that has jurisdiction in the area the camp operates.

IRC members will have access to confidential information. Camp operators are responsible for training committee members on their legal requirements to protect and preserve the security and confidentiality of all information and records pertaining to service recipients.

Administrative Action Reporting Mechanism (AARM)

Children's camp operators are required to submit information to the Justice Center's Administrative Action Reporting Mechanism (AARM) for administrative actions, if any, taken against camp staff with a substantiated finding of reportable abuse or neglect. At least one camp staff person must be designated and registered as the camp's Authorized Person (AP) to receive email notifications regarding substantiated findings and access the AARM web application to submit the administrative action information. Forms and information for registering an AP and accessing the AARM are available from the [Justice Center](#).

Adult Campers with Disabilities

Subpart 7-2 of the SSC does not define the term camper. As a result, Subpart 7-2 and Justice Center requirements apply to all persons with a qualifying disability enrolled at a Camp for Children with Developmental Disabilities, regardless of the individual's age. To qualify as an overnight or day Camp for Children with Developmental Disabilities there must be 10 or more children under the age of 18 or 16, respectively, with an enrolment of 20% or more developmentally disabled campers at any time during the season.