

Introduced by Senator WaltersFebruary 15, 2012

An act to amend Section 8484.3 of the Education Code, and to amend Sections 1596.793 and 18897 of, and to add Section 18897.8 to, the Health and Safety Code, relating to organized camps.

LEGISLATIVE COUNSEL'S DIGEST

SB 1087, as introduced, Walters. Organized camps.

(1) Existing law requires the Director of the State Department of Public Health to establish rules and regulations establishing minimum standards for organized camps and regulating the operation of organized camps that the director determines are necessary to protect the health and safety of the campers.

This bill would require the department, in amending the rules and regulations pertaining to organized camps, to obtain the input and advice of organizations in the field.

(2) Existing law permits a participating program operated by a city, county, or nonprofit organization in the After School Learning and Safe Neighborhoods Partnership Program to operate for up to 30 hours per week without obtaining a license or special permit otherwise required under existing law.

The bill would increase the authorization to 60 hours per week and provide that an individual child cannot be in care in the program for more than 30 hours per week.

(3) Existing law regulates the licensure and administration of day care centers and family day care centers and exempts specified recreation programs conducted for children from these regulations.

The bill would expand the scope of this exemption.

(4) Existing law establishes minimum standards for the operation, regulation, and enforcement of organized camps, as defined.

The bill would recast the term “organized camp” as “organized resident camp” and define that term. The bill would define the term “organized day camp” and require an organized resident camp and organized day camp to develop an operating plan.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The State Department of Public Health, in
2 amending the rules and regulations pertaining to organized resident
3 camps and organized day camps as set forth in Sections 30700 to
4 30753, inclusive, of Title 17 of the California Code of Regulations,
5 shall obtain the input and advice of organizations in the field. All
6 costs incurred by the participating organizations shall be borne by
7 the organizations themselves. The department shall implement this
8 section in the most cost-effective manner deemed feasible.

9 SEC. 2. Section 8484.3 of the Education Code is amended to
10 read:

11 8484.3. (a) Programs established pursuant to this article shall
12 not be required to comply with the requirements of other provisions
13 of this chapter or requirements set forth in Chapter 19 of Division
14 1 of Title 5 of the California Code of Regulations.

15 (b) Notwithstanding any other provision of law or regulation,
16 ~~a program~~ *an After School Education and Safety Program (ASES)*
17 operated by a city, county, or nonprofit organization pursuant to
18 this article may operate for up to ~~30~~ 60 hours per week without
19 obtaining a license or special permit under Chapter 3.4
20 (commencing with Section 1596.70) or Chapter 3.5 (commencing
21 with Section 1596.90) of Division 2 of the Health and Safety Code.
22 *A child shall not be in care in the program for more than 30 hours*
23 *per week.*

24 SEC. 3. Section 1596.793 of the Health and Safety Code is
25 amended to read:

26 1596.793. This chapter and Chapters 3.5 (commencing with
27 Section 1596.90) and 3.6 (commencing with Section 1597.30) do
28 not apply to recreation programs conducted for children by the
29 Girl Scouts, Boy Scouts, Boys Club, Girls Club, or Camp Fire, or

1 similar organizations as determined by regulations of the
2 department. Child day care programs conducted by these
3 organizations and the fees charged for that specific purpose are
4 subject to the requirements of this chapter, Chapter 3.5
5 (commencing with Section 1596.90), and Chapter 3.6 (commencing
6 with Section 1597.30). *YMCA, Girl Scouts of the USA, Boy Scouts
7 of America, Boys and Girls Clubs, Camp Fire USA, organized
8 resident camps, organized day camps, or similar organizations.*

9 SEC. 4. Section 18897 of the Health and Safety Code is
10 amended to read:

11 18897. (a) (1) “Organized *resident camp*” means a site with
12 ~~program~~ *programs* and facilities established for the primary
13 purposes of providing an outdoor group living experience with
14 social, spiritual, educational, or recreational objectives, for five
15 *consecutive* days or more during one or more seasons of the year.
16 *An overnight stay is not required to meet this definition. Programs,
17 retreats, conferences, and events held on organized resident camp
18 sites that are less than five consecutive days in duration shall not
19 be required to meet the provisions of this section, but shall comply
20 with subdivision (a) of Section 30751 of Title 17 of the California
21 Code of Regulations. Camps accredited or operated by
22 organizations including, but not limited to, the YMCA, Girl Scouts
23 of the USA, Boy Scouts of America, Camp Fire USA, Boys and
24 Girls Clubs, Salvation Army, and Christian Camp and Conference
25 Association camps, shall be considered prototypes of an organized
26 resident camp.*

27 (2) “Organized *day camp*” means a site serving schoolage
28 children up to 17 years of age, inclusive, which operates seasonally
29 during times when school is not regularly in session. An organized
30 day camp focuses on group-based recreation and expanded
31 learning opportunities with social, spiritual, educational, or
32 recreational objectives. An organized day camp does not typically
33 provide for overnight stays and frequently transports campers to
34 parks, beaches, campsites, and other excursion locations for
35 activities. A qualified program director who preferably has at least
36 two seasons of administrative or supervisory experience at an
37 organized camp and a staff adequate to carry out the program
38 shall be present at the organized day camp. A day camp shall use
39 the same counselor-to-camper ratio as that required of an
40 organized camp. Each employee of an organized day camp shall

1 *have a criminal record check as specified in subdivision (a) of*
2 *Section 30751 of Title 17 of the California Code of Regulations.*

3 *(3) Membership in any of the following organizations shall also*
4 *be indicative of status as an “organized resident camp” or*
5 *“organized day camp” for purposes of this section:*

6 *(A) The American Camp Association.*

7 *(B) The Association for Environmental and Outdoor Recreation.*

8 *(C) Christian Camp and Conference Association.*

9 *(D) Western Association of Independent Camps.*

10 *(E) The Boy Scouts of America.*

11 *(F) The YMCA.*

12 *(G) Other similar camping associations.*

13 *(b) The term terms “organized resident camp”—does and*
14 *“organized day camp” do not include a motel, tourist camp, trailer*
15 *park, resort, hunting camp, auto court, labor camp, penal or*
16 *correctional camp and—does do not include a licensed child care*
17 *institution or home-finding agency.*

18 *(c) The term “organized resident camp” or “organized day*
19 *camp” also does not include any charitable or recreational*
20 *organization that complies with the rules and regulations for*
21 *recreational trailer parks.*

22 *(d) Organized resident camps or organized day camps operated*
23 *by cities or counties shall meet the provisions of this chapter.*

24 SEC. 5. Section 18897.8 is added to the Health and Safety
25 Code, to read:

26 18897.8. (a) An organized resident camp or day camp shall
27 develop a written operating plan and file the plan with the local
28 health department at least 30 days prior to operation. The local
29 health department shall acknowledge receipt of the operating plan
30 within 30 days. The acknowledged plan shall be posted, with the
31 accompanying acknowledgment letter, in a conspicuous location,
32 on camp premises, and on any available Internet Web site
33 associated with the camp.

34 (b) (1) If an organized resident camp or day camp also
35 constructs or operates educational facilities and programs, which
36 include, but are not limited to, ropes courses, challenge courses,
37 climbing walls, rappelling towers, zip lines, canopy tours, or other
38 similar adventure challenges, the camp shall include in the written
39 operating plan prepared pursuant to subdivision (a) a provision
40 keeping campers separated from individuals who use these facilities

1 on a day-use basis, and also provisions that meet the construction
2 and operating standards of one or more of the following:
3 (A) The American Camp Association.
4 (B) The Association of Challenge Course Technology.
5 (C) Project COPE standards.
6 (D) An equivalent certification program.
7 (2) A written operating plan prepared pursuant to this
8 subdivision shall be filed with the local health department at least
9 30 days prior to construction, and shall also be filed annually
10 thereafter. Camps shall submit their plans and any associated fees
11 to the local health department by certified mail.

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