

SB 955 (Portantino) Roxie's Rules Recreational and organizational camps

PROBLEM

Thousands of California camps are not licensed or properly inspected, thereby potentially putting more than a million children in harm's way.

BACKGROUND

Roxie Mirabelle Forbes, a six-year-old living in Pasadena, drowned in a summer camp pool on June 28, 2019. According to documents and accounts from first responders and medical professionals, Roxie's preventable death was the result of camp counselors who were distracted.

Parents Doug Forbes and Elena Matyas discovered that Roxie's camp was not licensed by the Los Angeles County Department of Public Health, the California Department of Public Health or the California Department of Social Services.

The couple also determined that the vast majority of camp inspections focused solely on facilities—building code compliance—and did not address personnel or programming.

Unlicensed camps have not been required to provide criminal background checks, emergency action plans, training and certifications.

Many of these camps offer "high-risk activities" which include riflery, archery, fencing, zip lines, horseback riding, tomahawk throwing, steep rock climbing and aquatics.

Roxie's preventable drowning is not an anomaly. Other children attending California camps have died, become catastrophically injured or suffered sexual abuse.

SUMMARY

SB 955 would define "recreational camp" as a camp that operates for profit or nonprofit purposes, serves 5 or more children, and operates for at least 5 days during any season. The bill

would exempt a licensed daycare facility from the definition of recreational camp.

This bill would require an organized camp and a recreational camp to obtain a license from the local agency of the jurisdiction where the camp is located before operating a camp. The bill would establish a procedure for a camp to submit an application to a local agency for a license and would authorize a local agency to charge an application fee in a specified amount. The bill would require the local agency to inspect a camp for compliance with these provisions before issuing a license to operate.

This bill would additionally require the State Public Health Officer to adopt rules and regulations governing the operation of recreational camps. The bill would require the State Fire Marshal to adopt minimum fire safety regulations for recreational camps. The bill would require local health officers to enforce building standards and the other rules and regulations adopted by the State Public Health Officer relating to recreational camps, in addition to organized camps. The bill would require each local agency to report to the State Department of Public Health whether each camp within its jurisdiction complies with the licensing and operational requirements established in the bill.

This bill would establish the Recreational Camp Safety Advisory Council within the state government to advise and consult on policy matters relating to recreational camps.

This bill would require each recreational camp to employ a camp director and health director to meet specified requirements. The bill would impose various age and training requirements on camp counselors, junior counselors, and other staff and volunteers. The bill would re-

Office of Senator Anthony J. Portantino

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Contact: Tara McGee– (916) 651-4025 or Tara.McGee@sen.ca.gov

quire each camp operator to review the criminal background of each camp staff member and volunteer. The bill would require each recreational camp to develop an emergency action plan and require each counselor and member of camp staff to be trained in the procedures of the plan. The bill would require each camp to comply with a specified counselor-to-camper ratio, depending on the age of the campers and the specific activities provided. The bill would require the health director to develop a health care policy for the camp that addresses various camp procedures, including daily health supervision, medication storage and administration, and the provision of medical, nursing, and first aid services.

This bill would impose specified requirements on specific camp activities including, among others, riflery, archery, horseback riding, climbing, swimming, and scuba diving. The bill would require each camp to obtain specified certifications before offering high-risk activities.

This bill would authorize a local agency to levy a civil penalty on each camp that fails to comply with the requirements of the bill, in an amount not to exceed \$200 per day until the local agency finds the camp is in compliance.

The Child Abuse and Neglect Reporting Act requires a mandated reporter, which includes an administrator of a public or private day camp, to report whenever the mandated reporter, in a professional capacity or within the scope of employment, has knowledge of or has observed a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. Failure by a mandated reporter to report an incident of known or reasonably suspected child abuse or neglect is a misdemeanor.

This bill would designate a recreational camp operator, camp director, or other staff of a rec-

reational camp licensed pursuant to these provisions as a mandated reporter.

EXISTING LAW

Existing law requires the State Public Health Officer to establish rules and regulations establishing minimum standards for organized camps. Existing law requires the State Fire Marshal to adopt minimum fire safety regulations for organized camps. Existing law requires local health officers to enforce building standards relating to organized camps and the other rules and regulations adopted by the State Public Health Officer. Existing law defines “organized camp,” for these purposes, as a site with a program and facilities established for the primary purposes of providing an outdoor group living experience with social, spiritual, educational, or recreational objectives, for 5 days or more during one or more seasons of the year.

SUPPORT

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