



# COVID RISKS AT CAMP

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A conversation with leading experts



As camp leaders prepare for their second season in the COVID-19 era, CCCA sought advice from three leading experts on COVID-19 risk management and health and wellness at camp. Here we share their responses to our top questions about providing a safe environment for staff and guests while maintaining the ability to execute exceptional programs and experiences. *Note: Some responses have been lightly edited for length and clarity.* ▶

Photo courtesy of Fir creek Day Camp at The Firs (2020)

Our interviewees:



Dr. Tracey Gaslin, executive director  
of Association of Camp Nursing



Jonathan A. Ruybalid,  
CCCA legal counsel



Tracy Schmeltzer, director of camps  
and conference centers, Church Mutual  
Insurance Company

## CCCA: What can camps and conference centers do to make their properties safer for staff and campers returning in 2021?



**T.G.** — Having a health care professional on-site at your property plays an extremely important role in encouraging overall health and wellness at camp. These licensed health care providers have the formal knowledge, skills and training to help your leadership team plan and execute a wellness plan for your property before, during and after summer 2021 programming.



**J.R.** — Camp leaders will want to have meetings with their local health department and use their guidance to establish practices that align with the guidance they receive. You want to remind registrants that, as they should know, the risk of transmission of COVID does exist in groups and being around others. Let them know that the camp or conference center has worked with its local health department to establish practices for camp this year and the camp is working with and providing information that the local health department recommended. Still, the risk does exist, and no amount of precautions can completely eliminate the risk. Camps and conference centers normally have guests sign forms that are commonly referred to as “release of liability,” that includes a “hold harmless, assumption of risk, and waiver of claims provisions.” Camp leaders will want to put this in the release of liability that guests and campers sign. However, note that this does not eliminate the risk if the camp is found negligent.



**T.S.** — It is important for camps to be prepared, have a plan in place and be aware of and comply with state and local health and safety regulations. All staff and guests should be aware of and trained on these safety protocols in order to adhere to local regulations. Camp leaders should consider using CDC guidelines, readiness assessments and other resources to develop a plan that best fits their camp as they prepare for Summer 2021.

Camps should avoid making statements on their websites or on forms/contracts *guaranteeing* their camp is safe.

## CCCA: What precautions can camp leaders put in place to help minimize the potential for a COVID outbreak?



**T.G.** — It starts with having solid assessment and pre-arrival screening procedures in place, alongside nonpharmaceutical interventions (NPIs) that serve as prevention protocols. NPIs include sanitation, social distancing, ventilation, cohort models, etc. Having written instructions for these NPIs not only helps with the staff training process but can also be communicated to parents and guests.

After you have established assessment and pre-screening plans, your health care professional can move into an intervention role should it be necessary. They can provide a holistic assessment to a camper or guest who isn't feeling well by asking good questions and doing investigative work to determine the next steps. Good assessments lead to good decisions about patient care.

Finally, should outbreak management be needed, an on-site health care professional can manage multiple complex situations at once while still directing normal health care activities such as routine injuries, dispensing medication, etc. They can manage a true outbreak scenario in a community-based environment.

Managing staff's time off is the biggest variable in executing a program that is mindful of COVID risk. It is the most critical and challenging piece of the puzzle. Encouraging and supporting staff, many of whom are dealing with high levels of stress and anxiety, cannot fall to the wayside. However, finding creative ways to allow staff to enjoy their time off while still maintaining COVID-appropriate behavior needs to be on the to-do list for camp and conference center leaders. Consider designating someone on your team to create activities for staff that honor your NPIs while still allowing community to flourish in a healthy way. ►

Finding creative ways to allow staff to enjoy their time off while still maintaining COVID-appropriate behavior needs to be on the to-do list for camp and conference center leaders. —Tracey Gaslin, Association of Camp Nursing



Photo courtesy of Carolina Creek (2020)





Steps are being taken in some jurisdictions that would require campers to be vaccinated to participate in camp. There are also considerations that employees under some licenses such as day care or camps would be required to be vaccinated. —Jonathan A. Ruybalid, CCCA legal counsel

**CCCA: What kind of liabilities do camps and conference centers have if staff or guests contract COVID while at the property?**



**T.S. —** The kind of liability camps and conference centers face will depend on the specific situation. If a claim is brought against the camp by a guest or third party, alleging that the camp's negligence resulted in bodily injury (which includes sickness), liability may exist. The guest, or third-party, would need to show that the camp's negligence in the ownership, maintenance or use of the camp property caused them to sustain a bodily injury.

If an employee alleges he or she contracted COVID-19 at his or her place of employment, an investigation would need to be done to determine if there was an increased risk or hazard of the employment as defined by specific state statute deeming it a compensable work injury or not.



**J.R. —** The apparent concern is that the camp would be blamed for the person contracting COVID, or responsibility would be assigned to the organization. From a legal standpoint, it is not much different from other potential blame or "liability" for a camp from any camper injury. Of course, there is a heightened awareness of COVID concerns, unknown variables about transmission and intensity around precautions and protocols. However, a person wanting to assign blame, cause or liability to a camp or conference center would still have to prove that the camp's action or nonaction was the cause, and its action or nonaction satisfies the standard of legal negligence. Simply stated, legal negligence is established by proof by a preponderance of the evidence that the organization did not act as a reasonable person would in the circumstances. By following health department and other expert or government agency guidance, your organization is presumptively acting as a reasonable person in the circumstances.

**CCCA: Are there any legal considerations regarding the upcoming vaccine that camps need to be aware of?**



**J.R. —** It seems that there is the potential that some states will require an individual to be vaccinated to participate in certain activities. Camp leaders should check with their local health department and any state or local agency that licenses all or part of their camp activity. There are steps being taken in some jurisdictions that would require campers to be vaccinated to participate in camp. There are also considerations that employees under some licenses such as day care or camps would be required to be vaccinated. Stay informed and stay tuned.

**CCCA: Are there insurance changes or additions camp leaders need to be thinking about in this COVID era? What does camper insurance involve, and would it be beneficial for camp and conference centers to look into?**



**T.S. —** Although camper insurance coverage is not intended for "sickness," as a general statement, camps may want to consider this option as a benefit to campers. This coverage may be available on a primary or excess basis to reimburse a camper for medical expenses incurred as a result of bodily injury caused by an accident.



**J.R. —** This is a question best answered by your specific insurance agent. They are all working hard on this because it is their business, and it is always good practice to review your coverages regularly. However, camp leaders should not assume that insurance companies will convey critical changes to them. Leaders should schedule a call with their agents to talk through the current recommendations and what coverages to pursue. ►



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—Tracy Schmeltzer, Church Mutual



Photo courtesy of Camp Lurecrest [2020]

**CCCA: What else would you like camp and conference center leaders to know as they prepare for the 2021 season?**



**T.S.** — Communication is absolutely essential. The way leaders communicate with their staff, parents, guests and campers may have potential legal impacts. Clear, honest, up-to-date communication will go a long way to have people recognize that camps and conference centers are trying to find the balance of offering a program and working to have a healthy experience in the midst of an uncertain environment.



**J.R.** — One area that should be emphasized is privacy and issues surrounding the distribution of sensitive information. This applies to camp employees as well as guests. COVID has everyone wanting to know if a positive case has occurred and who that case is connected to. Camps should avoid communicating any identifying information for a positive COVID case involving an employee, a camper or anyone else. It is important both legally and for organizational and individual trust to maintain that privacy.

Camp leaders should work with their local health department to know what expectations exist regarding reporting a positive case, without personal identification, and if multiple cases (i.e., an “outbreak”) occur.

It is also crucial for camp and conference centers to stay informed about what the Occupational Safety and Health Association (OSHA) is communicating about an employer’s responsibility to maintain a safe workplace. Some of OSHA’s communications indicate that having temperature checks, testing or CDC guidelines for quarantines or other precautions are part of a safe workplace. Stay informed about OSHA’s guidance and any updated requirements.



**T.G.** — It’s important to remember that camps and conference centers that operated in summer 2020 did very well! Based on our research, campers were quite resilient and did well with the COVID-related changes and requirements.

Additionally, in order to avoid information overload during staff training, camp and conference center leaders should consider feeding pieces of information to their staff virtually prior to in-person training. By scheduling Q&A calls, sending out emails and doing online training modules, staff can be prepared for a COVID-mindful camp environment before they set foot on your property.

Finally, answering the question, “How is camp going to look different?” is essential when communicating with staff, parents and guests. Especially if they did not attend programs in 2020, it is important to frame their expectations about what camp will look like. It is also helpful to share success stories of 2020 programming through photos, videos and blog posts. These visual reminders help people prepare for a new camp experience.

Even though in 2021 there may be significant changes compared to how camp and conference centers operated in 2019, camp is still powerful in the development of people, and it is even more of a blessing to be able to come together now than it was before. ■



*Tracey Gaslin, PhD, CPNP, FNP-BC, CRNI, RN-BC is a professor and dual-certified nurse practitioner in pediatrics and adults. She holds a Ph.D. in educational and organizational leadership. Dr. Gaslin periodically works as a camp consultant and legal consultant and currently serves as the executive director of the Association of Camp Nursing.*



*Tracy Schmeltzer has more than two decades of insurance management experience and is currently the director of camps and conference centers at Church Mutual Insurance Company, S.I. Tracy brings understanding and experience to help mitigate the unique risks these organizations face. She is in constant communication with hundreds of camps and conference centers, getting a close look at their daily operational challenges and supporting them as they manage potential risks. Tracy received her degree in business administration and management from Upper Iowa University.*



*Jonathan A. Ruybalid, CCCA’s legal counsel, has represented U.S. and overseas nonprofits for more than 25 years. He has also served as a board member and general counsel for Forest Springs Ministries and Camp Forest Springs. Email him at [jrlaw15@gmail.com](mailto:jrlaw15@gmail.com).*