

Certification of Criminal Background Checks for Youth Skill Camps

NHPRA Meeting
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NH Department of Environmental Services
Drinking Water and Groundwater Bureau

Background

In response to local and regional incidences that called into question the safety and well being of children entrusted to unregulated youth programs

- **2013 - NH amended RSA 485-A:23-24**
 - **To require Youth Skill Camps to maintain a policy regarding criminal background checks for camp owners, employees, and volunteers who may be left alone with any child or children**

Youth Skill Camp

A nonprofit or for-profit program that lasts 8 hours total or more in a year for the purpose of teaching a skill to minors. Such camps include, but are not limited to, the teaching of sports, the arts, and scientific inquiry.

Program

A specific curriculum that-

- Has been developed by individuals knowledgeable and experienced in the field to impart a specific skill over a period of 3 or more consecutive days; and**
- Is taught by at least one instructor who is knowledgeable and experienced in the skill being imparted**

Applicability

- **The requirement applies to organizations, entities, or individuals conducting a “program” that meets the definition.**
 - **Few exceptions**
 - Licensed youth recreation camps
 - Licensed childcare programs
 - Programs provided by educational institutions that conduct background checks under Title XV of NH statutes.

Any individual or entity that owns property on which a YSC operates or that owns buildings or structures in which a YSC operates in whole or in part shall not be required to conduct background checks and submit certifications to the department, provided such person or entity obtains written certification signed by the YSC operator stating that background checks have been completed in accordance with statute.

Policy

- **Written Background Check Policy**
- **No staff shall have a criminal conviction for:**
 - **Causing or threatening direct physical injury to any individual; or**
 - **Causing or threatening harm of any nature to any child or children**
- **All staff members who might be left alone with a child or children are subject to a background check**

Policy

- **Prohibits anyone who has not been subject to a background check from working with children unless a staff member for whom a background check has been completed is also present**

Policy

- **Require camp operator to review background checks, references, employment history, and volunteer history to determine whether to allow an individual to work directly with youth**

Policy

- **Identify frequency of background checks**
- **Sources used to conduct checks**
- **Maintain an up to date listing of all staff that may possibly be left alone with a child or children with a status of their background check**

Background Checks

- **Confidential**
- **Validated database**
- **In each state of residence**
and
- **National sex offender registry**

Background Checks

- **Minors (<18 y/o)**
 - **At least 2 written references**
 - **at least 1 from a non-relative**
 - **attesting to their knowledge of the minor's character as it relates to whether the minor has caused or threatened to cause direct physical injury to any individual or harm of any nature to any child or children and their opinion on whether the minor is a good candidate to work directly with youth**

Background Checks

- **Non US Residents**
 - **May rely on the background check required to get a visa**
 - **If the individual entered the US under the auspices of an organization that provides opportunities for foreign nationals to be camp counselors.**

Certification

- **Camp name**
- **Year**
- **Location(s)**
- **Owner/operator**
- **Contact information**
- **Web-site &/or social media**
- **Number of sessions**

Certification

- **\$25 fee**
 - **No fee for political subdivisions**
- **Annually**
 - **Prior to youth arriving**
- **Certifying that**
 - **The camp has an acceptable policy**
 - **Will comply with it**
 - **Review it each year**
 - **Make policy available on-line (social media)**

LIVE FREE OR DIE

New
HAMPSHIRE

NEW HAMPSHIRE

Department of Environmental Services

NH-DES

Post programs that certify on the Web

Youth Skill Camp Summary

- **Programs not regulated any other NH statute**
- **Meet 8 or more hours per year**
- **3 or more consecutive days**
- **Background check policy**
 - **Criminal background checks**
- **Certify**

RSA 169-C:29 thru 31

Anyone who suspects that a child is being abused or neglected is required by law to report it immediately.

(800) 894-5533 (in-state)

(603) 271-6562 (out of state)

Local Law Enforcement

911 (For immediate emergencies)

Questions!?!



Chip Mackey

Jackie Howarth

Nothing you do for children is ever wasted. They seem not to notice us, hovering, averting our eyes, and they seldom offer thanks, but what we do for them is never wasted.

- Garrison Keillor