Agency Name: Department of Social Services

Statutory Authority: 43-1-80 and 63-11-30

Document Number: 4771

Proposed in State Register Volume and Issue: 41/9

House Committee: Regulations and Administrative Procedures Committee

Senate Committee: General Committee

120 Day Review Expiration Date for Automatic Approval 05/09/2018

Final in State Register Volume and Issue: 42/5

Status: Final

Subject: Wilderness Therapeutic Camps for Children

History: 4771

By Date Action Description Jt. Res. No. Expiration Date

- 09/22/2017 Proposed Reg Published in SR

- 01/09/2018 Received by Lt. Gov & Speaker 05/09/2018

H 01/09/2018 Referred to Committee

S 01/09/2018 Referred to Committee

H 03/01/2018 Committee Requested Withdrawal

120 Day Period Tolled

- 03/01/2018 Withdrawn and Resubmitted 05/09/2018

S 03/21/2018 Resolution Introduced to Approve 1135

H 04/17/2018 Resolution Introduced to Approve 5248

- 05/09/2018 Approved by: Expiration Date

- 05/25/2018 Effective Date unless otherwise

provided for in the Regulation

Document No. 4771

**DEPARTMENT OF SOCIAL SERVICES**

CHAPTER 114

Statutory Authority: 1976 Code Sections 43-1-80 and 63-11-30

114-600. Wilderness Therapeutic Camps for Children.

**Synopsis:**

The Department of Social Services is charged with administering the provisions of the law relating to child welfare agencies and with making and promulgating such rules and regulations relating to licensing standards and other matters as may be necessary to carry out the purposes of the laws relating to child welfare agencies, including group homes. The existing regulations regarding group homes (S.C. Code of Regulations Section 114-590) are not adequate to address wilderness therapeutic camps for children. These proposed regulations set forth the requirements for wilderness therapeutic camps to be licensed by the Department and enable the Department to enforce health and safety standards for wilderness therapeutic camps. These regulations protect the health, safety, and well-being of children residing at or receiving services through wilderness therapeutic camps.

The Notice of Drafting was published in the *State Register* on August 25, 2017.

**Instructions:**

The Department of Social Services proposes the placement of these regulations in a new section of the South Carolina Code of Regulations Chapter 114, Article 5, Subarticle 9 governing the licensing of residential group care facilities for children. Specifically, the new section will be placed immediately following Section 114-595 titled Standards for Supervised Independent Living.

**Text:**

114-600. Wilderness Therapeutic Camps for Children.

A. Definitions.

(1) Administrative Office - The office where business operations, public relations, and the management procedures take place.

(2) Agency - Refers to the South Carolina Department of Social Services.

(3) Chemical Restraints - Are drugs administered to temporarily restrain a child who poses a threat to harm themselves or others.

(4) Child - For the purposes of these regulations, a person between the ages of eight and twenty-one.

(5) Child Care Staff - A paid professional who works at a wilderness therapeutic camp who has responsibility for direct care of the children.

(6) Corporal Punishment - Physical punishment inflicted directly upon the body.

(7) Executive Director - The person responsible for coordinating the general management, administration, and care of the children of a wilderness therapeutic camp in accordance with licensing requirements and policies established by the advisory board.

(8) Expedition - An off-site wilderness experience, including wilderness therapeutic camp staff and children, lasting no longer than twenty-eight (28) days. The experience may include hiking, canoeing/kayaking and other outdoor adventure activities.

(9) Group Care - Refers to the care and services provided by the wilderness therapeutic camp.

(10) Isolation - Defined as the involuntary confinement of a person in a room where the person is physically prevented from leaving.

(11) Permanent Building - A durable, fixed structure with a roof and walls that has indoor plumbing, electricity and heating and air conditioning.

(12) Program Director - The person who assists the executive director and is responsible for the day to day operations of a wilderness therapeutic camp.

(13) Restraint - Defined as any manual method, physical or mechanical device, material, or equipment attached or adjacent to the child’s body, that the individual cannot remove easily which restricts freedom of movement or normal access to one’s body.

(14) Standard License - Issued when a wilderness therapeutic camp meets all the requirements to obtain a license.

(15) Time Out - Defined as the temporary restriction of an individual for a period of time to a designated area from which the person is not physically prevented from leaving, for the purpose of providing the individual an opportunity to regain self control. Time out will last only for the shortest amount of time needed.

(16) Volunteers - Are persons, who of their own free will, provide goods or services to a wilderness therapeutic camp with no monetary or material compensation.

(17) Wilderness Therapeutic Camp - A therapeutic camp, organization, or facility with an outdoor or wilderness focus that is engaged in receiving children for care and maintenance, either part or full time, but shall not include any summer camp, day camp, or after school program, and shall also not include any other outdoor education or youth development program or facility where participants usually attend for less than 15 days, and does not include any licensed residential group care organization, child caring institution or group home or facility that meets the facility requirements of S.C. Code of Regulations Section 114-590.

(18) Wilderness Structures - A permanent or semi-permanent shelter constructed of wood and other materials used at a wilderness therapeutic camp for sleeping, cooking, eating, and/or other group activities. Wilderness structures might not be totally enclosed during all seasons and typically do not have electricity or mechanical heating and cooling systems.

B. General.

(1) Purpose of Licensing. The South Carolina Department of Social Services is legally empowered to regulate facilities for children pursuant to S.C. Code Section 63-11-30. The overall purpose of licensing by the South Carolina Department of Social Services is to assure that wilderness therapeutic camps for children provide well rounded programs of care which include adequate protection, supervision and maintenance of children in care; safe wilderness structures and/or physical facilities; and opportunities for appropriate learning experiences which allow for the healthy physical and mental growth of the children in care and are directed toward maximizing the potential of each individual to be well adjusted, independent, and responsible.

(2) Compliance with Other Laws. All wilderness therapeutic camps must comply with all other applicable requirements of State and Federal laws.

C. Organization and Administration.

(1) Purpose and Need.

(a) At the time of application for licensing of a new wilderness therapeutic camp, a wilderness therapeutic camp shall submit a concise written statement addressing the following:

(i) Definitive statement of purpose and objectives with respect to type of residential child care to be provided;

(ii) Description of services offered;

(iii) Ages and genders of children accepted;

(iv) Types of children accepted (e.g., abused, neglected, emotionally disturbed, dependent, neglected, status offenders, etc.) and types of children not appropriate for the wilderness setting;

(v) The geographical areas from which children are accepted.

(b) The wilderness therapeutic camp shall reevaluate its functions periodically and redefine them as changing community needs necessitate. A copy of the revised statement shall be submitted to the agency when changes occur.

(2) Board of Directors.

(a) A for profit organization may elect to have a board which functions in accordance with the organization’s articles of incorporation or bylaws, complies with these licensing regulations and with applicable state and federal laws. A list of names of board members must be submitted annually or whenever there is a change outlining the chain of command and the appropriate contact person(s) including names, addresses, and related phone numbers.

(b) A not for profit organization shall be chartered by the Secretary of State and shall have a board which functions in accordance with the organization’s constitution and bylaws. A list of names of board members must be submitted annually or whenever there is a change outlining the chain of command and the appropriate contact person(s) including names, addresses, and related phone numbers. Wilderness therapeutic camps operated by a state agency are exempt from this requirement.

(c) The bylaws of a board of a not for profit organization must provide for the following:

(i) at least one annual meeting held at the wilderness therapeutic camp;

(ii) a limitation of the number of consecutive terms a member may serve;

(iii) an orientation for new board members; and

(iv) a provision that prohibits board members from receiving financial compensation for their services.

(d) Responsibilities of a board of a not for profit organization shall include:

(i) selecting the director to whom administrative responsibility is to be delegated;

(ii) assuring that adequate funds are available;

(iii) formulating or approving policies;

(iv) accounting for the expenditure of funds;

(v) evaluating on an annual basis the performance of the director; and

(vi) ensuring that the Agency is informed of changes in administration.

(3) Finances.

(a) The wilderness therapeutic camp shall have a sound plan of financing which assures adequate funds to carry out its defined purpose and to provide proper care for children.

(b) A new wilderness therapeutic camp shall have a predictable source of funds to finance its first year of operation and reserve funds or documentation of available credit equal to the operating costs of the first three months. However, existing licensed wilderness therapeutic camps that are in good standing with the agency, and increasing the capacity by no more than twenty five (25) percent are exempt from the requirements to submit evidence of reserve funds or available credit.

(c) The wilderness therapeutic camp shall prepare a budget each year for its wilderness therapeutic camp showing anticipated income (including sources thereof) and expenditures. A copy shall be submitted to the agency.

(d) All board administered accounts shall be reviewed at least annually by a certified public accountant who does not serve on the board nor is otherwise employed by the wilderness therapeutic camp. The report shall be made a part of the wilderness therapeutic camp’s record and a copy of the balance sheet submitted to the Agency at the time of relicensing.

(e) In the event financial stability is questionable, the Agency may require a financial audit to be conducted by a certified public accountant.

(4) Procedural Manual.

(a) The wilderness therapeutic camp shall develop and implement (and update as appropriate) a procedural manual to include, but not be limited to policies in the areas of: finance, procedures for appeals, complaints and grievances, emergency care in the event of a placement disruption, routine and emergency medical care, hospitalization, dental care, control of and administering medications, restraints, management of children’s money, off-site expeditions, religion, community involvement for children, confidentiality, disaster plans, independent living services (if applicable), personnel, admission (including types of children not appropriate for the wilderness setting), discharge, discipline and firearms.

(b) The staff of the wilderness therapeutic camp shall be familiar with the procedural manual and a copy shall be made available to staff and the Agency.

(c) The wilderness therapeutic camp shall develop and implement personnel policies to include, but not be limited to: written job descriptions, orientation for new employees, training and staff development, role of all staff as mandated reporters, written organizational plans/chart, routine or universal health precautions and infection control, use of tobacco, work schedule requirements, volunteers, disciplinary actions, grievances and procedures for revisions of personnel policies.

(5) Directors.

(a) Executive Directors shall have qualifications consistent with the responsibilities of the position as determined by the governing board.

(b) Program Directors are responsible for the day to day operations of a wilderness therapeutic camp. The Executive Director or the Program Director shall have the following qualifications: a Master’s or Doctorate degree in social work or other related areas of study, a minimum of one year of outdoor youth program experience as well an additional one year experience in the management or supervision of child care personnel, a child care program and/or a closely related field; or a Bachelor’s degree, a minimum of one year of outdoor youth program experience as well as an additional two years of experience in the management or supervision of child care personnel, a child care program and/or a closely related field; or an Associate’s degree and four years of experience in child care or a closely related field, including a minimum of one year of outdoor youth program experience as well as one year of experience in the management or supervision of child care personnel and program. Closely related fields acceptable in meeting these qualifications may include, but are not limited to social work, counseling, education, psychology, sociology, criminal justice, nursing, and recreational therapy.

(c) Each program shall designate support staff responsible for delivery of supplies to the field, mail delivery, communications and first aid support as necessary.

(d) Documentation of qualifications (e.g., a copy of diploma or transcript) shall be on file at the wilderness therapeutic camp and shall be reviewed at the time of licensing/relicensing.

(e) Wilderness therapeutic camp directors must report suspected child abuse and neglect as defined in S.C. Code Section 63-7-310 *et seq* to the Out of Home Abuse and Neglect Unit of the South Carolina Department of Social Services or to a law enforcement agency in the county where the child resides or is found.

(6) Staff.

(a) At a minimum, child care staff shall be responsible for the care, nurture, monitoring and supervision of children; supporting and promoting parental involvement when appropriate; reporting suspected child abuse and neglect to the Out of Home Abuse and Neglect Unit of the South Carolina Department of Social Services or to a law enforcement agency in the county where the child resides or is found; and guidance on independent living services, as appropriate.

(b) Child care staff shall have a minimum of a high school diploma, certificate or equivalent, and shall be at least twenty one (21) years of age. No staff member shall supervise a child unless the staff member is at least 5 years older than the child.

(c) Documentation of qualifications (e.g., a copy of diploma or GED) shall be on file at the wilderness therapeutic camp and shall be reviewed at the time of licensing/relicensing.

(7) Training.

(a) Staff who work directly with the children must have a minimum of fourteen (14) hours annually of training related to child care.

(b) The director shall submit an outline of proposed training to the Agency for the upcoming licensing period to include training topics and a general timeline.

(c) Documentation of completed training shall be on file at the wilderness therapeutic camp and shall be reviewed at the time of licensing/relicensing.

(d) Prior to working with children, staff must have undergone a general orientation of the wilderness therapeutic camp.

(e) A wilderness therapeutic camp shall require at least one staff member present in each camp site to be certified in standard first aid and cardiopulmonary resuscitation.

(f) Standard first aid and cardiopulmonary resuscitation training shall be completed in person. Training shall not be completed online.

(g) At least one staff person who escorts children on expeditions off site shall be trained in wilderness first aid by someone certified in wilderness first aid.

(h) Within the first year of employment, staff must have fourteen (14) hours of training (not including first aid and cardiopulmonary resuscitation). Training topics shall include but not be limited to: skill training in specific methods employed by the program, crisis management protocol, significance and value of birth and extended family, identifying and reporting child abuse and neglect, role of all staff as mandated reporters, basic communication, interviewing skills, HIV/AIDS, information relating to transmission and prevention of infection, group dynamics, fire life safety, water safety, history and development of the service being provided (from the wilderness therapeutic camp) and its current status, grief and loss issues for children in care, low impact wilderness expedition and environmental conservation skills and procedures, navigational skills, including map and compass use and contour and celestial navigation, local environmental precautions, including terrain, weather, insects, and poisonous plants, specific organizational policies and procedures, supervision and teaching skills, prudent parenting and other education and/or training required by the state.

(i) Training topics for annual continuing education (14 hours of training) may include but not be limited to: working with children who may have emotional, behavioral, or physical problems, developmental delays, treatment care specific to the needs of the population served, individualized education and development plans, developmental needs of children, discipline, de-escalation and behavior management techniques, and suicide prevention.

(j) Training shall be completed by qualified staff on-site or may include off-site training opportunities, conferences, etc.

(k) The initial staff training must be completed and documented before the staff person may be included in the staff to child ratio.

(8) Volunteers.

(a) If volunteers are used as part of a wilderness therapeutic camp’s program of services, the wilderness therapeutic camp shall have written policies to screen, select and supervise volunteers.

(b) Those volunteers who have opportunity for unsupervised contact with children shall supply a written application and have an interview with the staff who is responsible for the supervision of volunteers before volunteering. The wilderness therapeutic camp shall provide the following for all volunteers who have the opportunity for unsupervised interaction with children prior to volunteering and annually thereafter: background screenings including a South Carolina Central Registry Check, National Sex Offender Registry Check, SLED (South Carolina Law Enforcement Division) Check, FBI fingerprint check, Sexual Offenders Registry Check, and documentation of freedom from communicable or contagious diseases.

(c) Volunteers shall be provided an orientation that includes a review of the wilderness therapeutic camp’s program, policies and procedures, review of the duties of the volunteer, and a tour of the wilderness structures and/or physical facilities.

(d) Volunteers shall not substitute for staff and there must be a defined line of supervision with clear written expectations of the supervisor and volunteer.

(e) Volunteers shall be invited to participate in annual training required of other child care staff.

(f) Individuals or groups who offer to provide a one time or occasional voluntary service (parties, trainings, entertainment, etc.) and do not have unsupervised access to children, are not required to undergo a full background screening by the wilderness therapeutic camp. At least one wilderness therapeutic camp staff person must supervise the interaction between such individuals or groups and the children being supervised by the wilderness therapeutic camp.

(9) Staff to Child Ratio.

(a) Wilderness therapeutic camps are expected to maintain staffing levels that provide children with quality services and adequate supervision. Different camps may have different staffing needs based on the population of children served. The needs of the children shall be the predominant factor in determining the numbers of staff members needed.

(b) Wilderness therapeutic camps shall maintain a minimum staffing ratio of one (1) staff for every eight (8) children during the day and of one (1) staff for every ten (10) children during sleep hours.

(c) A minimum of two (2) staff shall be available at all times.

(d) The Agency may, at the Agency’s discretion, temporarily require awake staff during sleep hours if additional supervision is deemed necessary.

(e) The Agency may, at the Agency’s discretion, temporarily require a higher staff/child ratio if an on site review indicates that a child is at risk of abuse and more supervision is needed to maintain appropriate control, discipline, adequate care and safety.

(f) All wilderness therapeutic camps must have a responsive system to provide for back up staff in the event of an emergency or disruption.

(10) Staff Medical Reports.

(a) Staff shall have medical examinations at the time of employment (completed on the medical form provided by the Agency) to include written evidence from a physician or health resource attesting that the staff is in good health and free from communicable tuberculosis pursuant to state statute or the South Carolina Department of Health and Environmental Control regulations or policy.

(b) Any staff member who, upon examination or as a result of tests, has symptoms of a condition that could be detrimental to the children or staff, or which would prevent satisfactory performance of duties, shall not work or continue to work at the wilderness therapeutic camp until the healthcare provider indicates that the condition no longer presents a threat to children or staff.

(c) Any staff member who is hospitalized must have a satisfactory medical report prior to resuming responsibilities at the wilderness therapeutic camp.

(d) Annually, the wilderness therapeutic camp must obtain written evidence from a physician or health resource attesting that each staff member is free from communicable tuberculosis pursuant to state statute or the South Carolina Department of Health and Environmental Control regulations or policy.

(11) Time Off for Residential Staff. Each full time residential staff member shall have at least one weekend off each month (or equivalent) in addition to one day off each week, except when the staff member is on expeditionary trips.

(12) Criminal Activity.

(a) No person shall be employed, volunteer, or live on the premises of a wilderness therapeutic camp who has been convicted, pled guilty or nolo contendere to:

(i) a substantiated history of abuse or neglect; or

(ii) an “Offense Against the Person” as provided for in Chapter 3, Title 16; or

(iii) an “Offense Against Morality or Decency” as provided for in Chapter 15, Title 16; or

(iv) contributing to the delinquency of a minor as provided for in Section 16-17-490; or

(v) the common law offense of assault and battery of a high and aggravated nature when the victim was a person seventeen years of age or younger; or

(vi) criminal domestic violence, as defined in Section 16-25-20; or

(vii) criminal domestic violence of a high and aggravated nature as defined in Section 16-25-65; or

(viii) unlawful conduct toward a child as provided for in Section 63-5-70; or

(ix) cruelty to children as provided for in Section 63-5-80; or

(x) child endangerment as provided for in Section 56-5-2947; or

(xi) a felony drug related offense under the laws of this state; or

(xii) a person who has been convicted of a criminal offense similar in nature to a crime previously enumerated when the crime was committed in another jurisdiction or under federal law.

(b) The chief executive officer or the person authorized to hire staff shall agree to comply with the conditions of the Memorandum of Agreement on Criminal Record Checks.

(c) No person shall be employed, volunteer, or live on the premises of a wilderness therapeutic camp who is listed on the State or National Sex Offender Registry.

(13) Reports.

(a) Detailed written summary reports shall be made to the Department of Social Services Group Home Licensing Unit staff via email or fax within 24 hours. This report shall be made regarding occurrences involving children in care, including but not limited to:

(i) Any federal, state or private legal action by or against the wilderness therapeutic camp which affects any child, the conduct of the camp or any person affiliated with the camp;

(ii) Closure of a living unit due to disaster or emergency situations such as fires or severe weather; and

(iii) A decision to evacuate the wilderness therapeutic camp (if possible) and the names and location of all children who have evacuated in the case of an emergency.

(b) The wilderness therapeutic camp shall report to the Agency:

(i) Any change in executive director; and

(ii) Any impending change that would necessitate a change in the conditions of the license, i.e., capacity, age range, gender, location or name.

D. Buildings, Grounds and Equipment.

(1) Zoning Compliance and Building Codes.

(a) The construction of a new wilderness therapeutic camp, the conversion of an existing building for residential child care purposes, or the remodeling of a wilderness therapeutic camp must comply with all applicable zoning regulations and local and state building and fire codes.

(b) Architectural plans for new construction or structural changes must be approved by the State Fire Marshal’s Office.

(2) Health Inspection.

(a) Each wilderness therapeutic camp shall have an annual safety and sanitation inspection.

(b) Based on the recommendations of the safety and sanitation inspections, the Agency will make a determination as to whether or not the wilderness therapeutic camp meets standards of health and sanitation for child caring purposes.

(c) A wilderness therapeutic camp is responsible for any fees or related expenses for the health inspection.

(3) Fire Inspection.

(a) There shall be an annual inspection by the State Fire Marshal’s Office or by a legally authorized local fire authority at the request of the State Fire Marshal.

(b) Based on the recommendations of the fire authorities, the Agency will make a determination as to whether or not the wilderness therapeutic camp meets standards of fire safety for child caring purposes.

(c) A wilderness therapeutic camp is responsible for any fees or related expenses for the fire inspection.

(d) A fire escape plan shall be posted in the wilderness therapeutic camp in areas accessible to staff and children.

(4) Fire Safety.

(a) The wilderness therapeutic camp shall equip each wilderness site with a fire extinguisher as required by the state fire marshal.

(b) Fireplaces, hot water/steam radiators and pipes, or any other heating device capable of causing a burn shall be protected by a screen or otherwise effectively shielded.

(c) If heating stoves are utilized, the wilderness therapeutic camp shall install and ventilate heating stoves that use combustible fuel in a manner that prevents fire hazards and dangerous concentration of gases.

(5) Condition.

(a) Routine maintenance must be performed as needed to ensure wilderness structures and buildings and equipment are safe and in good working order.

(b) Wilderness therapeutic camp sites and buildings will be kept clean, orderly, and free of debris and trash, both indoors and out.

(c) Fences must be in good repair.

(d) Swimming and wading pools must be enclosed with protective fencing to restrict children’s access and must be well maintained as mandated by DHEC (South Carolina Department of Health and Environmental Control).

(e) Grounds within the housing site shall be free from debris, noxious plants (poison ivy, etc.) and uncontrolled weeds or brush.

(f) All camp sites shall be well drained and free from depressions in which water may stand. Mosquito breeding shall be prevented in such areas containing water not subject to such drainage or filling.

(g) Housing shall have flooring constructed of rigid materials, smooth finished, readily cleanable and so located as to prevent the entrance of ground and surface water.

(6) Heating/Cooling.

(a) Permanent buildings located at the wilderness therapeutic camp should contain heating equipment that shall be capable of maintaining a room temperature of not less than 68 degrees Fahrenheit as well as cooling equipment that shall be capable of maintaining a room temperature of not more than seventy five (75) degrees Fahrenheit.

(b) Wilderness structures located at campsites shall be capable of providing adequate warmth during cold weather months and adequate ventilation during hot weather months, considering the wilderness nature of the program and the needs of children in the program.

(c) Permanent buildings and wilderness structures and rooms with toilets, bathrooms, and bedrooms without operable windows must have adequate ventilation.

(7) Food Preparation and Storage. Food shall be prepared and stored in compliance with regulations established by the Department of Health and Environmental Control where applicable. If food is prepared away from a central dining building, the wilderness therapeutic camp shall:

(a) Store food in a manner that deters spoilage and contamination and does not attract animals, insects, or vermin;

(b) Require that perishable food stored in ice chests is maintained at a refrigerated temperature;

(c) Require that all surfaces that come in contact with food are clean and, when preparing meat products and other foods, not sources of cross contamination;

(d) Clean thoroughly and store all dishes, cooking, and eating utensils in a manner to avoid contamination;

(e) Ensure that all water from natural sources be treated for sanitation to eliminate health hazards; and,

(f) Use hot water and detergent to wash all food utensils after each meal at campsites.

(8) Sleeping Rooms and Bedding.

(a) Sleeping quarters for children shall be suitable and adequately furnished with beds that are placed at least two feet apart.

(b) The quarters shall have outside window exposure or auxiliary means of ventilation.

(c) Bedroom quarters shall provide a minimum of fifty square feet of space per child.

(d) Bunk beds shall not be used in a wilderness setting.

(e) Children of the opposite gender shall not share a bedroom or portable structure.

(f) Children shall not sleep in a bed with an adult under any circumstances.

(g) No child shall sleep in an area designated or commonly used for other than bedroom purposes unless it is allowed temporarily during an emergency as part of the camp’s disaster plan.

(h) Each child shall have a separate bed with a level mattress, or sleeping bag when on expeditions, long enough to accommodate him/her. Sufficient bed coverings to include linens shall be provided.

(i) Waterproof mattresses and pillow coverings shall be provided as needed.

(j) The wilderness program shall use bedding that is adequate for protection and comfort in cold weather.

(k) Bedding provided by the wilderness therapeutic camp shall be clean and sanitary. All bedding shall be laundered, at minimum, between assignments to different children.

(l) Linens shall be changed as often as required for cleanliness and sanitation, but not less frequently than once a week.

(9) Bathroom Facilities.

(a) Bathroom Facilities in Permanent Buildings.

(i) There shall be indoor bathrooms with at least one lavatory for every six children, a tub or shower and one indoor flush toilet for every eight children. Multiple toilets in one area shall be in separate compartments.

(ii) The wilderness therapeutic camp shall maintain all toilet and personal hygiene areas in a sanitary manner to eliminate health or pollution hazards.

(iii) Hot and cold water must be available. Water temperature for hot water must be limited to 120 degrees Fahrenheit or below.

(iv) Separate bathroom facilities shall be provided for girls and boys.

(v) Ventilation shall be provided with either an open screened window or functioning exhaust fan.

(vi) Mirrors or non breakable reflective surfaces shall be provided in the bathrooms at levels easily accessible to children.

(b) Privies at Campsites.

(i) There shall be at least two sanitary type privies at each campsite.

(ii) The wilderness therapeutic camp shall locate privies no closer than 65 feet but within a reasonable distance from a sleeping area.

(iii) Privies shall be cleaned regularly and maintained so as to prevent access of flies and animals to the contents therein, to prevent fly breeding and to prevent contamination of water supply.

(10) Staff Facilities. Staff who reside on-site shall be provided with sleeping and bathroom facilities separate from the children, with the exception of campsite privies.

(11) Personal Effects.

(a) Personal effects, towels, wash cloths, toothbrushes, combs and other toilet articles shall be supplied for each child’s use and an appropriate and clean location for storage of such items shall be provided.

(b) Each child shall have a place separate from that of other children to keep his/her own personal effects (toys, books, pictures, etc.) as well as his/her clothing.

(c) Each child shall be permitted to bring safe and appropriate personal possessions with him/her and to acquire belongings of his/her own.

(d) A clothes washing machine and clothes dryer must be available.

(12) Activities.

(a) Provision shall be made for space and suitable equipment for both indoor and outdoor recreation activities.

(i) Equipment shall be age appropriate, in good working condition, and well maintained.

(ii) Stationary equipment such as swings and slides shall be securely anchored and located to avoid accidents.

(b) Children shall be provided with opportunities for interaction in the community through age and developmentally appropriate activities that are educational, recreational, cultural, and social in nature.

(c) Appropriate activities for children’s participation may include school events, church activities, utilization of community recreation facilities, participation in community affairs, and attendance at cultural events.

(d) Documentation of recreational activities that are implemented and are appropriate to the developmental needs, and interests of children shall be on file in the wilderness therapeutic camp and available for review by the Agency licensing representative. In addition, documentation of at least three months of activities shall be submitted along with other relicensing documentation.

(e) Staff trained in water safety and an accountability system shall be present during water activities if personal flotation devices are not worn. Documentation of training in water safety shall be provided. A certified lifeguard shall be present during swimming in a swimming pool if personal flotation devices are not worn.

(f) Staff engaged in leading adventure activities such as rock climbing, canoeing, caving, etc. shall be adequately trained in the skills needed to participate in the activity, and at least one staff member shall have adequate experience in leading the activity.

(g) Off Site Activities. Wilderness therapeutic camps may make decisions regarding a child’s participation in routine activities that involve a child spending the night (or several nights) away from the wilderness therapeutic camp for activities such as: camping trips, school related activity, church activity, or an overnight stay with a friend. Wilderness therapeutic camps must obtain consent from the legal guardian or parent(s) to allow such activities. If the child is in the Agency’s custody, then the identified prudent parent can provide consent. The following must be taken into consideration when deciding the appropriateness of a child’s participation in any off site event:

(i) Stipulations of a court order;

(ii) The child’s background, presenting problems, developmental level, abilities and interests;

(iii) If the activity is suitable, positive, and if it will contribute to the child’s development; and

(iv) The maturity and responsibility of the adults supervising the activity.

(13) Power or Vocational Tools.

(a) Staff must provide appropriate, direct supervision of children while children are using equipment or tools.

(b) All equipment must be well maintained and in good working order.

(c) Power tools shall have intact safety devices.

(d) Power tools must be stored in a locked area not accessible to children when not in use.

(e) Axes and knives must be stored in a locked area unless in use by camp staff or otherwise under camp staff supervision.

(14) Expeditions.

(a) There shall be a written plan for expedition groups approved by the program director or executive director, which shall not expose children to unreasonable risks.

(b) The expedition plan, including maps, routes, anticipated schedules and times, and sources of emergency care and methods of communication with such facilities as hospitals, police, and forest service shall be carried by the staff leading the expedition and a copy shall be available at the administrative office.

(c) Each expedition group shall have a telephone or comparable means of communication while on an expedition. If either of these is impossible, individual arrangements shall be made by the camp and approved by the Agency.

(d) Expedition group size shall maintain a minimum staffing ratio of one (1) staff for every five

(5) children.

(e) An expedition shall last no more than twenty-eight days, except upon written permission of the Department granting an extension, after which children on the camping expedition shall return to the base camp.

(f) Children must remain at the base camp at least ten days between mobile camping expeditions and activities.

(g) While on an expedition, the camp shall provide:

(i) Personal hygiene supplies that are biodegradable;

(ii) Means for a child to bathe or clean his or her body at least twice weekly;

(iii) Females with hand sanitizing wipes or similar products as well as feminine products for feminine hygiene purposes; and

(iv) A way to launder clothes or provide clean clothes at least weekly.

(15) Hiking.

(a) Hiking shall not exceed the physical capability of the weakest member of the group.

(b) The weight of a backpack to be carried by each child shall be based upon the physical condition of the child.

(c) Hiking shall be prohibited at excessive temperatures or weather conditions.

(d) Staff shall carry thermometers which accurately display the current outside temperature.

(e) If a child cannot or will not hike, the group shall not continue unless eminent danger exists. The reasons for refusal or inability to continue will be established and resolved before hiking continues. Program directors are responsible to train staff regarding this standard and to regularly monitor compliance.

E. Services to Children.

(1) Admissions.

(a) Intake policies shall be clearly defined, and admission shall be in keeping with the intake policies and limited to those children who fall within the scope of the wilderness therapeutic camp’s purpose.

(b) Assessment and decisions about admissions shall be based upon an intake study (completed prior to admission) of the total situation of the needs of the child and family. Emergency admissions shall not be made.

(c) The intake study shall be prepared by the social service worker and shall be maintained in the child’s record. The study shall include a summary of at least the following information:

(i) Current (within 1 year) evaluation by a licensed psychiatrist or psychologist or mental health evaluation by a licensed physician;

(ii) A description of family relationships and the circumstances that make the placement necessary;

(iii) The child’s developmental history and ability of the child to communicate;

(iv) The parents’ or placement agency’s expectation of placement;

(v) The child’s understanding of placement;

(vi) A description of the child’s personality, behavior, and interests;

(vii) The child’s school history;

(viii) History of previous placements;

(ix) A statement about the child’s legal status;

(x) A statement of the child’s room, board and watchful oversight needs;

(xi) The immediate and long-range goals of placement;

(xii) The name of the family member or the placement agency who will be responsible for the relationship with the wilderness therapeutic camp and the child;

(xiii) Medical/dental history;

(xiv) Religious preference; and

(xv) List of friends or others that may be permitted to have contact with the child if approved by the facility (this shall include for legal reasons or special circumstances those individuals that must not have contact with the child as well).

(d) A child who has a history of highly sexualized behavior, is considered to have perpetrated on other peers, and has a history of peer to peer sexual activity shall not be considered appropriate for placement at a wilderness camp.

(e) Decisions regarding admissions shall be the responsibility of either the director and/or a Case Committee (which may include the director, the wilderness therapeutic camp’s social worker, the child care worker/houseparent, etc.) and shall be limited to those persons to whom this responsibility is assigned.

(f) Children under eight (8) years of age shall not be admitted for care in a wilderness therapeutic camp.

(g) The intake process shall include a discussion with the child about placement and his or her parents or Placement Agency. It shall also include a visit to the Camp.

(h) The wilderness therapeutic camp shall provide orientation for new children.

(i) The wilderness therapeutic camp shall comply with the Interstate Compact on the Placement of Children when admitting children from another state.

(j) No child shall reside at the camp for more than twelve consecutive months unless the camp has completed a full evaluation that determines the child is not ready for reunification with the child’s family or guardian. In order to ensure the safety, health and care of a child residing longer than twelve consecutive months, the wilderness therapeutic camp shall obtain:

(i) A report of a physical examination by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner, or certified nurse-midwife. Any written documentation of the physical examination shall be completed by the individual who conducted the examination; and

(ii) A report of a psychiatric or psychological examination conducted by a psychologist, psychiatrist or other appropriately licensed professional or a mental health evaluation by a licensed physician with no direct affiliation to the camp. Any written documentation of the psychiatric or psychological examination shall be completed by the individual who conducted the examination.

(2) Clothing and Equipment.

(a) The wilderness therapeutic camp shall request that the parent, legal guardian or placing agency provides each child with an adequate supply of individually selected, properly fitted clean clothing, suitable for outdoor living and appropriate for weather conditions, as well as sturdy, water resistant outdoor shoes or boots.

(b) If the parent, legal guardian or placing agency is not able to or does not provide adequate clothing, then the wilderness therapeutic camp shall provide the necessary clothing.

(c) Whenever possible, children shall be involved in the purchase and selection of new or donated clothing. Donated clothing may be used if in good condition.

(d) Clothing belonging to a child shall be taken with the child upon discharge.

(e) Children will be provided with the necessary equipment and supplies for outdoor activities at the wilderness therapeutic camp. Such equipment shall include the following:

(i) Sunscreen; the program staff shall ensure appropriate consumer usage;

(ii) Insect repellent;

(iii) Personal hygiene items; and

(iv) Female hygiene supplies for females.

(3) Nutrition.

(a) Meals with nutritional content that conforms to USDA recommendations shall be provided three times per day and wholesome, nutritious, and enjoyable snack options shall be provided between meals.

(b) Adults shall be present and providing appropriate supervision during the preparation and serving of meals.

(c) Menus encompassing four weeks that have been approved by a qualified nutritionist or dietician (i.e., degreed or certified in the area of nutrition) shall be submitted annually by the wilderness therapeutic camp. Documentation of the approved menus shall be on file for review at the time of licensing/relicensing.

(d) Menus shall be posted and followed.

(e) The only allowable substitutions are those that replace one item of a food group for another item of the same food group. Substitutions shall be documented on the posted menu.

(f) The same meal shall be provided for staff and children with the exception of the beverage.

(g) Water shall be available at each campsite.

(4) Discipline.

(a) The wilderness therapeutic camp shall adopt (and revise as appropriate) a written discipline code which shall include all policies, procedures and practices on disciplinary actions which are to be utilized by staff and procedures to be followed in administering and reporting discipline. The discipline code shall be submitted at the time of licensing/relicensing and when revisions occur.

(b) The written discipline code shall be shared (initially and when changes occur) with all staff members, children, parents, guardians and referral sources.

(c) The wilderness therapeutic camp is subject to South Carolina laws relating to child abuse and neglect. The wilderness therapeutic camp must immediately report incidents of suspected abuse or neglect to the South Carolina Department of Social Services Out of Home Abuse and Neglect Unit or to a law enforcement agency in the county where the child resides or is found. All staff shall be apprised of their role as a mandated reporter.

(d) Cruel, inhumane and inappropriate punishment is prohibited. This includes but is not limited to the following: head shaving or any other dehumanizing or degrading act; deprivation of food or family visits; deprivation of mail; slapping or shaking; the use of handcuffs; a pattern of threats of removal from the wilderness therapeutic camp as a punishment; disciplining a child for a medical or psychological problem over which he/she has no control (e.g., bedwetting, stuttering, etc.); denial of communication and visits with family members; demeaning acts designed to embarrass children (i.e., pushing a peanut with your nose etc.); denial of essential program services; denial of shelter, clothing, or personal needs; excessive physical exercise; excessive work tasks; verbal abuse.

(e) Efforts will be made to ensure the language of the discipline procedures shall be within each child’s cognitive ability.

(f) All discipline techniques must begin with the least restrictive methods. Children who have been placed by a public agency or who are in the custody of the state shall not be subjected to corporal punishment. Otherwise, written permission must be obtained by the parent or legal guardian.

(g) Isolation rooms or techniques shall not be used.

(5) Restraints.

(a) Wilderness therapeutic camps that use restraints shall have a written restraint policy that complies with the following:

(i) All child care staff must be trained and certified through a nationally accredited restraint training curriculum.

(ii) Restraints shall only be used in circumstances in which the child poses a significant threat to himself or others, when less restrictive interventions have already been attempted or are not appropriate, and when the client’s condition has been taken into consideration.

(iii) Chemical restraints may be implemented only under the supervision of a physician, physician’s assistant or nurse practitioner with prescriptive authority.

(iv) Wilderness therapeutic camp staff shall be aware of each child’s medical and psychological conditions, as evidenced by written acknowledgement by the affected staff of such awareness, to ensure that the emergency safety intervention that is utilized does not pose any undue danger to the physical or mental health of the child.

(v) Restraints must be discontinued as soon as the child demonstrates compliance or is no longer deemed dangerous.

(b) At a minimum, the restraint training curriculum that is utilized shall include the following:

(i) Techniques for de-escalating problem behavior including child and staff debriefings;

(ii) Appropriate use of emergency safety interventions;

(iii) Recognizing aggressive behavior that may be related to a medical condition;

(iv) Awareness of physiological impact of a restraint on the child;

(v) Recognizing signs and symptoms of positional and compression asphyxia and restraint associated cardiac arrest;

(vi) Instructions as to how to monitor the breathing, verbal responsiveness, and motor control of a child who is the subject of an emergency safety intervention;

(vii) Appropriate self-protection techniques;

(viii) Policies and procedures relating to using manual holds, including the prohibition of any technique that would potentially impair a child’s ability to breathe;

(ix) Camp policies and reporting requirements;

(x) Alternatives to restraint;

(xi) Avoiding power struggles;

(xii) Escape and evasion techniques;

(xiii) Time limits for the use of restraint;

(xiv) Process for obtaining approval for continual restraints;

(xv) Procedures to address problematic restraints;

(xvi) Documentation;

(xvii) Investigation of injuries and complaints;

(xviii) Monitoring physical signs of distress and obtaining medical assistance; and

(xix) Legal issues.

(c) Wilderness therapeutic camps shall submit to the Department of Social Services Group Home Licensing Unit electronically or by facsimile a report in a format acceptable to the Agency at the conclusion of each month whenever the following conditions apply:

(i) For any wilderness therapeutic camp with a licensed capacity of 20 children or more, any 30-day period in which three or more instances of restraints of a specific child occurred and/or whenever the wilderness therapeutic camp has had a total of 15 restraints for all children in care within the 30-day period; and

(ii) For any wilderness therapeutic camp with a licensed capacity of less than 20 children, any 30-day period in which three or more instances of restraints of a specific child occurred and/or whenever the wilderness therapeutic camp has had a total of 10 instances for all children in care within the 30-day period.

(d) At least once per quarter, the wilderness therapeutic camp, utilizing a master restraint log and the child’s case record, shall review the use of all restraints for each child and staff member, including the type of intervention used and the length of time of each use, to determine whether there was a clinical basis for the intervention, whether the use of the restraint was warranted, whether any alternatives were considered or employed, the effectiveness of the intervention or alternative, and the need for additional training. Written documentation of all such reviews shall be maintained. Where the wilderness therapeutic camp identifies opportunities for improvement as a result of such reviews or otherwise, the wilderness therapeutic camp shall implement these changes through an effective quality improvement plan.

(6) Family Relationships/Visitation.

(a) Unless a child has been removed from the custody of his/her own family and visitation is specifically prohibited by a court order or other legal document, every effort shall be made (in coordination with the referral agency when one is involved) to strengthen family relationships and to help the parent(s) make a responsible plan for the permanent care of their child(ren). This shall include encouraging the parents/relatives to visit on-site and to have the child visit with them off-site as appropriate.

(b) Plans for family visitation shall be included in the written plan of care for the child.

(c) Correspondence between the child and the family shall not be censored, except in extreme circumstances (e.g., sending/receipt of contraband, dangerous materials, sexually explicit, etc.) with those involved being advised that their correspondence is being censored. The reason for censorship shall be documented in the child’s record.

(d) All incoming mail may be required to be opened in the presence of staff.

(7) Exploitation.

(a) A wilderness therapeutic camp shall not use a child for solicitation of funds, without the written permission of the parent or legal guardian and the child (if more than ten years of age). This shall include the child making or giving public statements pertaining to his/her history or dependency on or gratitude to the wilderness therapeutic camp; the wilderness therapeutic camp making such public statements about a particular child; or having a child collect or solicit donations on behalf of the wilderness therapeutic camp.

(b) A wilderness therapeutic camp shall obtain the written consent of the child’s parent(s), or legal custodian before using the child’s name, photograph or other identifying information in any form of written, visual or verbal communication which will be made public (e.g., social media, newspaper, television or radio articles/publicity materials; materials mailed or otherwise distributed by the wilderness therapeutic camp to the public, etc.).

(8) Medical Care.

(a) Health Care.

(i) There shall be adequate provision for immediate, current, and routine health care needs, including mental health, with services available at all times. A child’s general health care shall be under the direction of one specific doctor, clinic, or other licensed health facility.

(ii) A wilderness therapeutic camp must be apprised of a child’s physical condition, physical disability, or communicable diseases.

(iii) Within six months prior to or within seventy two hours after admission to a wilderness therapeutic camp, the parent, legal guardian, or placing Agency shall ensure a child has a recorded medical examination conducted by a licensed physician or a licensed nurse practitioner.

(iv) The executive director shall develop policies and procedures to assure that State laws prohibiting minors from smoking are enforced in all wilderness therapeutic camps. Policies and procedures shall assure that children are not exposed to second-hand smoke while at the wilderness therapeutic camp or in the custody of staff.

(v) Each child shall be provided with all required inoculations as well as such additional inoculations as may be appropriate under the circumstances, except with a documented medical or religious exemption obtained from a licensed physician or from the Department of Health and Environmental Control. All necessary medical care with respect to treatment of illness and correction of physical disabilities shall be carried out promptly.

(vi) A wilderness therapeutic camp shall maintain on file a record as to each child of an annual health examination by a licensed physician or a licensed nurse practitioner.

(b) Hospitalization.

(i) The wilderness therapeutic camp shall make provision and establish procedures for hospitalization when needed for children under its care.

(ii) If a child is in need of hospitalization or medical treatment, the child’s legal guardian, parent or caseworker must be notified as soon as possible.

(iii) Medical consent for planned hospitalization or a medical treatment must be obtained from the child’s legal guardian, parent or an appropriate Agency representative.

(c) Illness and First Aid.

(i) Each member of the child care staff shall be able to recognize the common symptoms of illness of children and to note any obvious physical disability.

(ii) A wilderness therapeutic camp shall ensure at least one staff member per working shift is certified in first aid and cardiopulmonary resuscitation. At least one staff person who escorts children on expeditions off site should be trained in wilderness first aid.

(iii) A written first aid plan and a first aid kit shall be available to child care staff.

(iv) First aid supplies shall be available and administered by a trained staff member.

(d) Dental Care.

(i) Children shall have had a dental examination by a licensed dentist within the six months prior to admission. Dental treatment shall be provided as recommended by the examining dentist.

(ii) Each wilderness therapeutic camp shall have a specific plan for dental care and dental health that shall be consistently followed. The plan shall provide for, at a minimum, annual checkups by a licensed practitioner.

(e) Health Records. A continuous medical record reflecting each child’s growth and development, illnesses, treatments, inoculations, dental care, etc., shall be kept at the wilderness therapeutic camp.

(f) Medications.

(i) Persons administering medication shall have received appropriate training. Documentation of training shall be filed in the individual’s personnel record.

(ii) A wilderness therapeutic camp shall designate and authorize specific staff to administer medications and supervise the taking of medications. Only designated and authorized staff shall administer and supervise the taking of medication. Staff will ensure medication has been taken by the person to which it is prescribed. If a designated and/or authorized staff member makes three medicine errors in 30 days, then that staff member shall not administer medications until the staff member receives additional training by the facility director or designated staff as appropriate to the specific circumstances. Documentation of how the issue was addressed shall be maintained by the facility.

(iii) All medications shall be kept in a double locked secure area, accessible only to staff.

(iv) If children are away from the camp during the time they need to take their medication or over 24 hours, camp staff shall keep medicines locked in the daypack and kept on the staff person who is responsible and trained to administer medication.

(v) All prescription medication shall be labeled for the individual child including the dosage and frequency of the dose.

(vi) A log must be maintained to document the time the medication was administered, the dosage and the name of the person administering the medication. The log must also record any changes in medication or treatment or incidents when the child failed to receive the medication.

(vii) If medications are discontinued, the remaining medications shall be destroyed following the recommendations of the South Carolina Department of Health and Environmental Control.

(g) Medical Costs. The person or entity with custody shall be responsible for payment of any medical services received that are not covered by insurance.

(9) Academic and Vocational Training.

(a) Each wilderness therapeutic camp shall be responsible for providing an opportunity for academic training and/or vocational training in accordance with the abilities and needs of the children.

(b) Wilderness therapeutic camps providing on-site educational programs must meet compulsory education requirements as defined by the South Carolina Department of Education.

(c) Children who are eligible (based on federal standards) shall have independent living goals and strategies as part of their service plan.

(d) Children shall be permitted and encouraged to participate in extracurricular activities such as sports, art, and music to the extent of their interests.

(e) School attendance shall be in accordance with state law requirements and be in accordance with the ability and best interests of the child.

(10) Religion.

(a) Each wilderness therapeutic camp shall have clearly defined policies regarding the availability of religious training for the information of those considering the placement of a child. This information shall be made available to parents, legal guardians and children.

(b) The wilderness therapeutic camp shall provide access to religious services and/or religious counseling at least once each week. Attendance shall be voluntary. A minor shall be allowed to participate in other program activities if he/she elects not to participate in religious programs.

(c) Religious programs shall provide for, at minimum:

(i) opportunity for religious services;

(ii) availability of clergy; and

(iii) availability of religious diets.

(11) Disaster Plans.

(a) A written disaster plan, including a plan for transportation, must be included as part of the policy and procedure manual. Types of disasters for which the facility must prepare include, but are not limited to: hurricane, severe thunderstorm, tornadoes, chemical emergency, power outage, wildfire, heat wave, flood and winter storm. The plans shall include options for evacuation sites that are a safe distance away from the disaster. The plans shall be reviewed annually by all staff and resubmitted as part of the annual relicensing requirements.

(b) In the event of a mandatory evacuation order due to a disaster, children are to be evacuated to a designated shelter or a safe location that is not threatened by the disaster.

(12) Discharge and Aftercare.

(a) The wilderness therapeutic camp shall adopt and update, as appropriate, written policies concerning discharge and aftercare.

(b) Careful evaluation shall be made on an ongoing basis in order to assess when and if a child may be returned to his/her own home, placed in a foster home or with relatives, or transferred to another facility better suited to meet his/her needs.

(c) A wilderness therapeutic camp shall provide sufficient notice to the child and the referral source prior to discharge to allow arrangements for an appropriate alternative placement to be made.

(d) A wilderness therapeutic camp will complete a discharge report for a child residing in a wilderness therapeutic camp for ninety (90) or more days. The discharge report shall include major recommendations and outcomes, list records to be transferred, and be available to the Agency or legal guardian within ten (10) days of discharge.

(13) Foster Home Care. Children placed in a wilderness therapeutic camp of a particular organization may not be moved to one of its foster homes unless the wilderness therapeutic camp is licensed as a Child Placing Agency, the foster home is licensed, and the wilderness therapeutic camp has the permission of the placing entity.

(14) Records.

(a) Every wilderness therapeutic camp shall maintain a confidential case record as required by South Carolina Code Section 63-11-80, stored in a locked or secure area, which may not be disclosed except for purposes directly connected with the administration of the wilderness therapeutic camp or for the care and well-being of a child.

(b) The file shall contain the following:

(i) Application for services;

(ii) A study of the child in context of their family, provided by the referring party, including a statement regarding custody and legal responsibility for the child;

(iii) A copy of the birth certificate provided by the placing entity;

(iv) Authorization for medical treatment signed by parent or guardian;

(v) Reports on medical care, inoculations, dental care, and psychological and psychiatric reports, if any are available;

(vi) Current record of the child’s physical, emotional, social and academic progress in residential group care, and relationships with the family while the child is under care;

(vii) Discharge information and plan for return to the community;

(viii) Documentation that the legal guardian or parent has been informed whenever a child has been involved in a major behavior incident;

(ix) Documentation of major behavior incidents; and

(x) Documentation that the designated prudent parent has brought to the child’s attention multiple age or developmentally-appropriate activities as required by the Prudent Parent Standard.

(15) Transportation.

(a) Vehicles transporting children will comply with all state and federal laws.

(b) No vehicle shall transport more children than the manufacturer’s rated seating capacity.

(c) The bed of an open body or stake bed vehicle must not be used for transporting children.

(d) Each vehicle shall be equipped with an adequately supplied first aid kit.

(e) Staff and children shall wear seat belts at all times while the vehicle is moving.

(f) Each wilderness therapeutic camp must have a policy and written disaster plan for transporting children in the event of an emergency or disaster.

(g) Drivers of vehicles shall have a valid driver’s license and follow safety requirements of the State.

(h) At least one driver must be certified in cardiopulmonary resuscitation and first aid.

(16) Tasks.

(a) Assigned tasks shall be appropriate to the age and abilities of the child and assigned for the purpose of training in skills and attitudes and in the proper assumption of personal responsibility.

(b) The wilderness therapeutic camp shall differentiate between tasks of daily living, jobs to earn spending money, and jobs to gain vocational training.

(c) Daily living tasks shall be made known to the child during orientation and the child shall be given some choice in chores with duties that provide a variety of experiences.

(d) The rules on jobs to earn spending money or gain vocational training shall be made known to all age appropriate children. Opportunities to participate shall be made available in accordance with the child’s age and abilities and so as not to interfere with other educational activities.

(e) Children shall not substitute for staff nor regularly perform tasks more appropriately assigned to staff.

(f) The wilderness therapeutic camp shall comply with the Fair Labor Standards Act (child labor laws).

F. Licensing.

(1) Inquiries. Requests for information regarding an application for a license shall be sent to the South Carolina Department of Social Services (SCDSS). SCDSS will then send a copy of the rules and regulations governing the license. Consultation will be available upon request.

(2) Procedure for Initial Licensing.

(a) With the initial application for a license, the following information shall be sent to the South Carolina Department of Social Services:

(i) A completed formal application, including all forms assuring compliance with Federal laws;

(ii) A copy of the charter or law establishing the wilderness therapeutic camp;

(iii) A copy of the constitution or bylaws, and operating procedures;

(iv) A copy of a map for the entire camp;

(v) A copy of the floor plan for each wilderness structure used for sleeping;

(vi) A statement of the purpose, scope of services to be provided, intake policy specifying age, gender, type of children to be accepted for care, and the area of the state in which it plans to operate and serve;

(vii) A current list of governing board members, including names, positions, addresses and phone numbers for each, and committees;

(viii) A financial statement showing assets, income and sources thereof, verification of a minimum of three (3) months operating capital on hand;

(ix) The wilderness therapeutic camp’s initial budget, including estimated income and expenditures for the first year;

(x) A copy of the current policy and procedural manual;

(xi) The number of buildings and a statement regarding the general condition of the wilderness structures and/or physical facilities;

(xii) Verification of local building and zoning compliance;

(xiii) A current fire inspection report;

(xiv) A current health and sanitation inspection report;

(xv) Disaster plan, including plan for transportation of children;

(xvi) Documentation of recreational activities that will be implemented and are appropriate to the developmental needs, and interests of children;

(xvii) Menus encompassing four weeks that have been approved by a qualified nutritionist or dietician;

(xviii) Job descriptions, including education and work experience requirements for staff;

(xix) Names and job titles of staff, and proof of education and work experience as evidenced by completed applications or resumes;

(xx) Medical examination reports for all child care staff;

(xxi) Tuberculosis screening for all staff;

(xxii) Memorandum of Agreement on Criminal Record Checks;

(xxiii) South Carolina State Law Enforcement Division (SLED) criminal records checks and FBI fingerprint checks for all staff and volunteers who have unsupervised contact with children;

(xxiv) South Carolina Sex Offender Registry Check verification for all staff and volunteers who have unsupervised contact with children;

(xxv) National Sex Offender Registry Check verification for all staff and volunteers who have unsupervised contact with children;

(xxvi) South Carolina Child Abuse and Neglect Central Registry checks for all staff and volunteers who have unsupervised contact with children;

(xxvii) Documentation of orientation training completed by each staff member;

(xxviii) Documentation of a nationally accredited restraint training certification for all child care staff who may restrain children; and

(xxix) Documentation of first aid and cardiopulmonary resuscitation for at one staff member per working shift and wilderness first aid for at least one staff person who escorts children on expeditions off site.

(b) As soon as possible after the receipt of the application for a license, a representative of the South Carolina Department of Social Services will visit the wilderness therapeutic camp and will secure information on which to evaluate the program in relation to licensing standards.

(c) If the wilderness therapeutic camp wishes to operate a foster home or adoptive home program in addition to caring for children in residential group care, it will be necessary to submit additional information as required for a license to operate a Child Placing Agency.

(3) License.

(a) The terms of the license, the number, age and gender of children to be maintained will be stated in the license issued.

(b) A License will be issued when a wilderness therapeutic camp meets all applicable regulations. A License is effective for twelve months from the date of issuance.

(c) The license shall be displayed at all times.

(d) The wilderness therapeutic camp shall not deviate from the provisions specified in the license issued.

(e) The license is not transferable, is specific to the location, owner or governing organization, and existing buildings at the time of licensure.

(4) Denial or Revocation of a License.

(a) The Agency may refuse to issue a license, or may revoke the license of a current licensee, if the applicant/licensee:

(i) Fails to comply with wilderness therapeutic camp licensing regulations;

(ii) Violates state or federal laws;

(iii) Abuses or neglects children as defined in S.C. Code Section 63-7-20 (also refer to Discipline, E(4));

(iv) Knowingly employs, on a paid or volunteer basis, a person with a past/current history of child abuse or is on the South Carolina Central Registry of Child Abuse and Neglect or fails to terminate their employment once the record is known;

(v) Makes a false statement or a misrepresentation to the Department of Social Services that adversely impacts the care and safety of children;

(vi) Refuses to submit licensing or child specific information or reports to the Agency as it relates to care and safety of children;

(vii) Fails to cooperate, withholds information, or impedes an investigation of child abuse or neglect;

(viii) Fails to provide, maintain, equip, and keep safe and sanitary the wilderness therapeutic camp to care for children;

(ix) Fails to provide adequate financial resources to maintain the wilderness therapeutic camp; or

(x) Fails to notify the Agency of any structural improvements or new construction within three (3) working days.

(b) The Agency is empowered to seek an injunction against the continuing operation of a wilderness therapeutic camp as provided in Section 63-7-1210, including the following:

(i) When a wilderness therapeutic camp is operating without a license; or

(ii) When the Agency determines a threat of harm exists to children in the wilderness therapeutic camp.

(c) Notification. Written notice will be given to an applicant or wilderness therapeutic camp by certified mail or hand delivered by an Agency representative, if the license is revoked or denied.

(d) Appeals. Any wilderness therapeutic camp whose application has been denied or revoked, may request a hearing within thirty (30) days of receipt of notification of the Agency’s decision. Requests for appeals must be forwarded to the South Carolina Department of Social Services, Office of Administrative Hearings.

(5) Termination of License.

(a) Expiration of License. A License expires automatically at the end of twelve months from the date of the issuance of the license unless renewed or cancelled prior to that date.

(b) Cancellation of License. A license shall be cancelled if there is a deviation from the provisions of the license or if the location of the wilderness therapeutic camp or the wilderness therapeutic camp organization operating the facility changes.

(6) Annual Review and Relicensing.

(a) Annually, all licensed wilderness therapeutic camps must submit the material listed below to the South Carolina Department of Social Services. Continued licensing will be based on a review of this material and a visit(s) by a representative of the Agency to tour the wilderness therapeutic camp, review the program, audit children’s records, and interview staff and/or children as appropriate. The material to be submitted includes the following:

(i) A completed formal application;

(ii) An annual population report;

(iii) A current list of governing board members, including names, positions, addresses and phone numbers for each, and committees;

(iv) A copy of the wilderness therapeutic camp’s most recent financial statement;

(v) An estimated budget for the wilderness therapeutic camp’s current fiscal year;

(vi) A copy of the discipline policy;

(vii) A report of any major changes in program or the wilderness structures and/or physical facilities planned for the coming year;

(viii) A report of a fire inspection that was completed within the past licensing period;

(ix) Record of monthly fire drills for fire and emergency evacuation that are held at different times;

(x) A health and sanitation inspection report that was completed within the past licensing period;

(xi) Disaster plan, including plan for transportation of children;

(xii) Documentation of at least three months of recreational activities that were implemented and were appropriate to the developmental needs, and interests of children;

(xiii) Menus encompassing four weeks that have been approved by a qualified nutritionist or dietician;

(xiv) The names and job titles of current staff and completed applications or resumes for staff who have been employed since the last license was issued;

(xv) Reports of medical examinations for each new child care staff employed after the date of the previously issued license and a statement of freedom from contagious disease for all other child care staff;

(xvi) Tuberculosis screening for all staff;

(xvii) Memorandum of Agreement on Criminal Record Checks if a new chief executive officer has been hired and the completed agreement has not yet been obtained;

(xviii) Current South Carolina Law Enforcement Division (SLED) criminal records checks and FBI fingerprint checks for all staff and volunteers who have opportunity for unsupervised contact with children;

(xix) South Carolina Sex Offender Registry Checks for staff and volunteers who have opportunity for unsupervised contact with children;

(xx) National Sex Offender Registry Check verification for all staff and volunteers who have unsupervised contact with children;

(xxi) South Carolina Child Abuse and Neglect Central Registry checks for all staff and volunteers who have opportunity for unsupervised contact with children;

(xxii) Documentation of at least fourteen (14) hours of training within the last year for all child care staff;

(xxiii) Documentation of a nationally accredited restraint training certification for all child care staff who may restrain children;

(xxiv) Documentation of first aid and cardiopulmonary resuscitation for at one staff member per working shift and wilderness first aid for at least one staff person who escorts children on expeditions off site; and

(xxv) Documentation from a county building inspector may be required if the Agency suspects a new or existing building or structure poses a risk of harm to children.

(b) Any deficiencies or corrective action plans previously cited must be cleared prior to the renewal of the license unless otherwise approved by the Agency.

(7) Authorized actions by the Agency.

(a) Licensing staff from the agency may make visits to the wilderness therapeutic camp without prior notice to ascertain continued compliance with these requirements.

(b) The Agency shall investigate complaints to determine if the wilderness therapeutic camp is meeting licensing requirements and shall take appropriate and necessary actions based on its findings.

(c) The Agency shall inform the director of the wilderness therapeutic camp of any deficiencies or corrective action plans that have been implemented as the result of a complaint or unannounced visit.

(d) If the director is the subject of the complaint, the chairman of the board will be notified.

**Fiscal Impact Statement:**

The proposed regulations will have no substantial fiscal or economic impact on the State or its political subdivisions. Implementation of this regulation will not require additional resources beyond those allowed. There is no anticipated additional cost by the Department or State Government due to any inherent requirements of this regulation.

**Statement of Rationale:**

These regulations are proposed to enhance and improve the licensing regulations for wilderness therapeutic camps for children. The existing group home regulations set forth in S.C. Code of Regulations Section 114-590 do not adequately address the unique nature of wilderness therapeutic camps. The proposed regulations are intended to fill that void. The proposed regulations shall establish standards that protect the health, safety, and well-being of children residing at or receiving services through wilderness therapeutic camps. The overall purpose of licensing by the South Carolina Department of Social Services is to assure that wilderness therapeutic camps for children provide well rounded programs of care which include adequate protection, supervision and maintenance of children in care; safe wilderness structures and/or physical facilities; and opportunities for appropriate learning experiences which allow for the healthy physical and mental growth of the children in care and are directed toward maximizing the potential of each individual to be well adjusted, independent, and responsible.