

HEALTH

PUBLIC HEALTH SERVICES BRANCH

DIVISION OF EPIDEMIOLOGY, ENVIRONMENTAL AND OCCUPATIONAL HEALTH

YOUTH CAMP SAFETY PROGRAM

New Jersey Youth Camp Safety Standards

Readoption with Amendments: N.J.A.C. 8:25

Adopted Repeals and New Rules: N.J.A.C. 8:25 Appendices A through D

Proposed: February 20, 2024, at 56 N.J.R. 233(a).

Adopted: May 13, 2024, by Kaitlan Baston, MD, MSc, DFASAM, Commissioner,
Department of Health, in consultation with the Public Health Council.

Filed: May 17, 2024, as R.2024 d.057, **with a non-substantial change** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3), **and with the proposed amendments at N.J.A.C. 8:25-1.2, 1.4 (definitions of “applicant,” “criminal history record check,” and “youth camp operator”), 2.1, 2.2(c)1ii, and 3.2 not adopted, but still pending.**

Authority: N.J.S.A. 26:12-1 et seq.

Effective Date: May 17, 2024, Readoption;

June 17, 2024, Amendments, Repeals, and New Rules.

Expiration Date: May 17, 2031.

Summary of Public Comments and Agency Responses:

The official comment period ended April 20, 2024. The following is a summary of the comments received from members of the public and the Department of Health's

(Department) responses. The Department received comments from the following 280 individuals, organizations, and individuals on behalf of their respective organizations:

1. Jeff Lake Camp
2. Fernbrook Farms Summer Camps
3. Aaron Crandall, Simpliverified LLC
4. Aashna Choudhary, Girl Scouts of Northern New Jersey
5. Adam Baranker, Jeff Lake Camp
6. Adar Darnov, Girl Scouts of the Jersey Shore
7. Adena Feinstein, JCC Camp Ruach
8. Alanna Steinberg, JCC Camp Ruach
9. Alec Morano
10. Alejandro Martinez, Lakeland Hills Family YMCA
11. Alessa Laraia
12. Alison Deeney, Sparta Recreation
13. Alma Dhuyvetter, Metro Y of the Oranges
14. Althea Ford, New Jersey Business and Industry Association
15. Amanda Kelly, Girl Scouts of Central & Southern NJ
16. Amy Gophses, GSCSNJ
17. Amy Steinberg, JCC Camp Ruach
18. Amy Weinstein, JCC Camp Ruach
19. Andrew Pritikin, Liberty Lake Day Camp, American Camp Association, Burlington County Chamber of Commerce, NJ Camps, Camp Owners & Directors Association
20. Andrew Yankowitz, Tall Pines Day Camp

21. Andy Sun, JCC Camp Ruach
22. Anna Kats, Princeton-Blairstown Center
23. Anne Hatos, JCC Camp Ruach
24. Antinica Armstrong, East Orange YMCA
25. Ashley Schmitz, KE Camps
26. Assaf Langer, Girl Scouts of the Jersey Shore
27. Aviv Wagner, JCC Camp Ruach
28. Barbara Cruz, Girl Scouts of the Jersey Shore
29. Barbara Spevak, Tall Pines Day Camp
30. Beau Byrtus, New Jersey Recreation and Park Association
31. Ben Clawson, Rutgers University/ New Jersey 4-H Camp
32. Bill Sanfilippo, Metropolitan YMCA of the Oranges
33. Bob Kilmurray, Metro YMCA of the Oranges
34. Brian Vandongen, Borough of Sayreville
35. Bruce Skversky, Girl Scouts of Central & Southern, NJ
36. Callie Rommel, Girl Scouts of the Jersey Shore
37. Carla Scarabino, Girl Scouts of the Jersey Shore
38. Carol Sacca, JCC Camp Ruach
39. Carrie Springer, Somerset County Park Commission
40. Caryn Kenin, JCC Camp Ruach
41. Caylei Hoffman, Girl Scouts of the Jersey Shore
42. Charisse Taylor, Girl Scouts of Northern New Jersey
43. Charles Maltzman, Willow Lake Day Camp

44. Cheryl Tuteurice, Metro YMCA of the Oranges
45. Cheryl Westeyn, Borough of Fort Lee
46. Christina Messner, JCC Camp Ruach
47. Christopher Gabriel, Country Roads Day Camp
48. Christopher Myers, Township of Millburn / New Jersey Recreation & Park Association
49. Christopher Purdue, ACA: American Camping Association & NJ CAMPS
50. Christopher Raphel, JCC Camp Ruach
51. Chrystina Kepreos, Metro Y of the Oranges - Sussex County YMCA
52. Cindy Elgrably, JCC Camp Ruach
53. Colby Marques, Department of Recreation and Parks, Colts Neck Township
54. Colin Nilson
55. Corey Brown, Metro YMCA of the Oranges - Sussex County YMCA
56. Crystal Water, JCC Camp Ruach
57. Dan Hayes, Somerset County Park Commission
58. Danielle Abreu, Greater Bergen County YMCA
59. David White, JCC Camp Ruach
60. Dawn Thompson, New Jersey Recreation & Park Association
61. Debbie Golden, JCC Camp Ruach
62. Debbie Oliver, NJRPA
63. Dena Mayo, Girl Scouts of the Jersey Shore
64. Denise Lanza, NJRPA
65. Edith Lynch, Sussex County YMCA

66. Edward Philipp
67. Elisa Bowser, SSBJCC
68. Ellen Mccloskey, JCC Camp Ruach
69. Ellie Willoughby, JCC Camp Ruach
70. Emily Fisher, Sparta Parks and Recreation - Sparta Township, NJ
71. Emily Kagan, Jeff Lake Camp
72. Emily Rearer, Fairview Lake YMCA Camps
73. Eric Appelbaum, Girl Scouts
74. Erica Waldman, JCC Camp Ruach
75. Erick Koenig, Metro YMCA of the Oranges
76. Faith Appelbaum, Girl Scouts of the Jersey Shore
77. Fernando Perez, NJ Camps and American Camp Association, New York and New Jersey
78. Francine Egnizzo, West Essex YMCA
79. Frank Marshall, NJ State League of Municipalities
80. Gabriel Dimasi, West Caldwell
81. Gabrielle Bolarakis, The Township of Readington
82. Gary Maser, Pine Grove Day Camp
83. Gayle Dettlinger, Girl Scouts of the Jersey Shore
84. Genevieve Hill, Girl Scouts of Central & Southern New Jersey/The Girl Scouts of New Jersey
85. Glendon Carper, Johnsonburg Camp & Retreat Center
86. Greg Keresztury, YMCA of the Pines

87. Griffin Dunne, Hillsborough Township Parks & Recreation
88. Ian Burke
89. Ian Feibelman, Black Bear Lake Day Camp
90. Ilyse Hahn, Eagle's Landing Day Camp
91. Iris Brown
92. Jacob Weissman, Willow Lake Day Camp
93. Jacqueline Leduc-Garbe, Girl Scouts of the Jersey Shore
94. Jake Hinerman, JCC Camp Ruach
95. Jake Weissman, Willow Lake Day Camp
96. James Goodger, Metropolitan YMCA of the Oranges
97. Jamie Secula, Tall Pines Day Camp
98. Jane Gaffin
99. Janice Grasso, New Jersey Recreation & Parks Association
100. Janice Reese-Berardo, Girl Scouts of the Jersey Shore
101. Jared Kaufman, JCC Camps at Medford
102. Jason Kelly, Greater Bergen County YMCA
103. Jay Lastra, West Essex YMCA
104. Jeanne Montemarano, NJRPA President/ Sparta Twp. Parks and Recreation
Director
105. Jeffrey Bershada, NJ Camps
106. Jennifer Donahue, Fanwood-Scotch Plains YMCA
107. Jennifer Gander, New Jersey Recreation & Park Association
108. Jennifer Griffin, Fairview Lake YMCA

109. Jennifer Holmes, Girl Scouts of the Jersey Shore
110. Jennifer Macafee, Metro YMCA's of the Oranges
111. Jessica Goretski, Pine Grove Day Camp
112. Jessica Kichura, JCC Camp Ruach
113. Jessica Malas, Wayne YMCA
114. Jill Arzonico, Jeff Lake Camp
115. Jillian Oliastro, Girl Scouts of Central & Southern, NJ
116. Jinny Strawderman, JCC Camp Ruach
117. Joan Basilotto, Girl Scouts of the Jersey Shore
118. Joanne Browne, American Camping Association
119. Joe Marroli, Princeton Recreation Department
120. Joel Blender, New Horizons Day Camp
121. John Martin, East Orange YMCA
122. John Odell, New Horizons Day Camp
123. John Roche, New Jersey Recreation & Parks Association (NJRPA)
124. John Ryan, NJRPA
125. John Yousset, JCC Camp Ruach
126. Jonathan Gold, Oak Crest Day Camp
127. Joseph Curci, Country Roads Day Camp
128. Joseph Marroli, Municipality of Princeton
129. Joseph Passaro, Township of Warren
130. Joseph Plescia, Twp of Parsippany / NJRPA
131. Julia Rigatti, JCC Camp Ruach

132. Julie Gallanty, NJ YMCA State Alliance
133. Justin Beaumont, Johnsonburg Camp and Retreat Center
134. Justin Efros, Jeff Lake Camp
135. Justin Hirsch, Eagle's Landing Day Camp
136. Kate Greci, Girl Scouts Heart of New Jersey
137. Katelyn Johnston, Girl Scouts of the Jersey Shore
138. Katherine Cawley, New Horizons Day camp
139. Kathy Jones, Girl Scouts of the Jersey Shore
140. Katie Frey, Rdgewood Parks and Recreation
141. Katie Loane-Secret, Camp Dark Waters
142. Katrina Gabriel, Country Roads Day Camp
143. Kelly Mchugh, Summit Area YMCA
144. Ken Kaus, JCC Camp Ruach
145. Ken Riscinti, Metro YMCA of the Oranges
146. Keri Kenavey, Eagle's Landing Day Camp
147. Kerry Klug, NJRPA
148. Kim Crump, Willow Lake Day Camp
149. Kristina Kassick, JCC Camp Ruach
150. Kylie Breisch, JCC Camp Ruach
151. Laci Holmes, Girl Scouts of the Jersey Shore
152. Lakiesha Jackson, JCC Camp Ruach
153. Laura Friedman, JCC Camp Ruach
154. Laura Toth, Wyckoff Family YMCA

155. Lauren Colon, Girl Scouts of the Jersey Shore
156. Lauren Paniccia, JCC Camp Ruach
157. Lauren Redmond, Camp Briar Hill
158. Laurie Ann Weinstein
159. Laurie Goganzner, YMCA of Greater Monmouth County
160. Leah Greene, East Orange YMCA
161. Lia Pila, Fairview Lake YMCA
162. Libny Sanchez, Robbinsville
163. Lily Wong, International Ivy LLC
164. Linda Tiner, JCC Camp Ruach
165. Lindsay Robertson, Morris County Park Commission - Recreation
166. Lisa Cordeiro Kricun, Girl Scouts of Central and Southern NJ
167. Lou Halasz, JCC Camp Ruach
168. Luis Guerra, Metro YMCA of the Oranges
169. Mallory Milhisler, New Horizons Day Camp
170. Marc Koch, Fairview Lake YMCA, a branch of Metropolitan YMCAs of the Oranges
171. Marilyn Klein, JCC Camp Ruach
172. Mark Dibble, YMCA of the Pines
173. Mark Lynn, Camp Briar Hill
174. Mark Monteyne, Totowa Borough Board of Recreation
175. Marta Acosta, JCC Camp Ruach
176. Marty Collett, Westfield Area YMCA
177. Mary Gresco, Girl Scouts of the Jersey Shore

178. Mason Goldberg, Meadowbrook Country Day Camp
179. Matthew Lifschultz, Metro YMCA of the Oranges
180. Megan Purdue, NJEA
181. Megan Schaffer, NJRPA
182. Meghan Tavormina, New Jersey Association for the Education of Young Children
183. Melynda A. Disla, the Gateway Family YMCA
184. Melissa Lorincz, Girl Scouts of the Jersey Shore
185. Melissa Mulvaney, JCC Camp Ruach
186. Mercedes Rolandelli, River Edge Polo Farm LLC Riding Camp
187. Micah Lynn, Camp Briar Hill
188. Michael Bright, YMCA of Newark and Vicinity
189. Michael Deloreto, Esq., Gibbons P.C. on behalf of NJ Camps, ACA NY & NJ
190. Michael Laughner, South Mountain YMCA
191. Michael Mckeown, Harbor Hills Day Camp
192. Michael Mckeown, Harbor Hills Day Camp
193. Michael Reissner, East Brunswick Recreation & Parks
194. Michael Reissner, East Brunswick Recreation & Parks
195. Michael Wynne, New Horizons Day Camp
196. Michelle Kessler, Not Applicable
197. Mickey Bonett, NJ-Camps.com
198. Mindy Pearlman
199. Mitchell Kessler
200. Mona Cholowinski, New Jersey Recreation and Parks Association (formally

Manalapan Township Parks and Recreation)

201. Monica Bason Lynch, Girl Scouts of the Jersey Shore
202. Nancy Casey, Girl Scouts of the Jersey Shore
203. Oded Kraus, JCC Camps at Medford
204. Paige Silberfein, JCC Camp Ruach
205. Pam Gregory, Princeton-Blairstown Center
206. Pamela Parker, JCC Camps at Medford
207. Patricia Carone-Curtis, Girl Scouts of the Jersey Shore
208. Patricia Karl, Princeton-Blairstown Center
209. Patricia Tamaro, Girl Scouts of the Jersey Shore
210. Patrick Linfors, Garden State Council, BSA
211. Patti Conroy, NJRPA
212. Paul Breene, Camp Riverbend
213. Penny Shank, Girl Scouts of the Jersey Shore
214. Rachel Jaffe, Willow Lake Day Camp
215. Rajni Chopra
216. Ray Gaffney, Metro YMCA of the Oranges - Sussex County YMCA
217. Richard Campbell, Happiness Is Camping
218. Richard Sherer, Meadowbrook Day Camp
219. Robbin Mcgeady, JCC Camp Ruach
220. Robert Bubadiaz, Girl Scouts of the Jersey Shore
221. Robert Wagner, Hillsborough Township
222. Robert Wojciechowski, JCC Camp Ruach

223. Robert Young, Black Bear Lake Day Camp
224. Roger Breene, Camp Riverbend
225. Ronnie Marmo, NJ-Camps.com
226. Roxie Zeek, Girl Scouts Heart of New Jersey
227. Russell Surace, Bernards Township
228. Ruth Weiss, Eagle's Landing Day Camp
229. Ryan Cox, Morris County Park Commission
230. Ryan Horne, Township of Lacey/ New Jersey Recreation and Park Association
231. Sabeen Kalyan-Masih, Girl Scouts of NJ
232. Sadie Coords, Briar Hill School and Camp
233. Samantha Dawson, Girl Scouts of the Jersey Shore
234. Sandra Kenoff, Girl Scouts of Northern New Jersey
235. Sara Holtz, NJ-Camps.com
236. Sara Sideman, American Camp Association
237. Scott Rothschild, NJ Camps and American Camp Association, New York and New Jersey
238. Seth Blender, New Horizons Day Camp
239. Shamida Marc, Metropolitan YMCA of the Oranges
240. Shanna Gryder, NJ 4-H Camp
241. Shannon Cornine, Girl Scouts of Northern New Jersey
242. Shannon Frank, The Metro YMCA of the Oranges
243. Shannon Maida, Girl Scouts of the Jersey Shore
244. Shari Goldberg, JCC Camps at Medford

245. Sharon Eber, NJ Camps and American Camp Association, New York and New Jersey
246. Sharon Mcqueen, Country Roads Day Camp
247. Sheryl Feinstein
248. Shira Gladstone, JCC Camp Yachad
249. Shira Sklar
250. Siobhan Riggsbee, Willow Lake Day Camp
251. South YMCA, South Mountain YMCA
252. Stacey Lastella, YMCA of Greater Monmouth County
253. Stacey Staaterman Feeney, West Essex YMCA
254. Stacy Petti, Girl Scouts of the Jersey Shore
255. Stephanie Smida, Girl Scouts of the Jersey Shore
256. Stephen Persche, Girl Scouts of Central & Southern NJ (GSCSNJ)
257. Steve McNally, JCC Camp Ruach
258. Sue Rynar, Jeff Lake Camp
259. Susan Bond-Masterson, Girl Scouts of the Jersey Shore
260. Susan Goldman, NJ-Camps.com
261. Susan Pontoriero, Girl Scouts of the Jersey Shore
262. Tammy Verderber, Borough of Florham Park
263. Tara Campistrous, Garfield YMCA
264. Tatum Stout, Girl Scouts of the Jersey Shore
265. Teresa Montini, Girl Scouts of Central & Southern NJ, Inc.
266. Theresa Quercia

267. Thomas M Frank, Colts Neck Health Department
268. Tim Roetman, NJRPA, Director of Parks & Recreation
269. Tina Driscoll, Girl Scouts of Central & Southern NJ
270. Township of Sparta
271. Tyler Nivison, Lindley G. Cook 4-H Camp
272. Veronica Laureigh, Township of Lacey
273. Victoria Powers, Girl Scouts of the Jersey Shore
274. Washima Redding, Metro YMCA of the Oranges-East Orange YMCA Branch
275. Wayne Holmes, Greater Somerset County YMCA
276. Wendi Sue Grisanti, Pine Grove Day Camp
277. Wendy Saiff, Willow Lake Day Camp
278. William Foelsch, Township of Morris
279. Yaniv Hamdi, Camps
280. Zugelis Garcia, Girl Scouts of the Jersey Shore

1. COMMENT: A number of commenters stated that the definition of “high risk activity” at proposed N.J.A.C. 8:25-1.4 is too broad and in need of clarification. Many of the comments generally question why off-site field trips, field sports, and aquatics are considered high risk activities. The commenters suggest that because the term “high risk activity” is subject to interpretation, and because the Department does not list every possible high risk activity, that the regulated community is unable to determine from the rules which activities are high risk. (30, 34, 39, 45, 53, 57, 60, 64, 79, 80, 81, 87, 107,

123, 128, 129, 139, 174, 210, 220, 267, and 269). Five commenters stated that singing is not a high risk activity. (34, 60, 107, 174, and 269).

RESPONSE: The Department disagrees that the definition of “high risk activity” at proposed N.J.A.C. 8:25-1.4 is too broad and in need of clarification. The Department proposed to readopt the existing definition of “high risk activity” with only minor amendments because the definition has been working well from a regulatory perspective. The definition requires that in order to be high risk, the activity must expose the camper to a life-threatening or serious injury and the activity must require a high level of adult supervision at all times. Rather than attempting to list each possible high risk activity, which are voluminous, the definition is straightforward, plain language that sets forth a two-prong test for determining when an activity is high risk and provides examples of same. Field sports meet this definition because there is a risk of a life-threatening or serious injury from engaging in the sport, necessitating a high level of adult supervision. Aquatic activities come with the risk of drowning, also necessitating a high level of adult supervision. The Department agrees that off-site field trips are not a good example of a high risk activity and should, therefore, not be listed as an example of one. The Department notes that it proposed to readopt existing paragraph 2 from the definition, which provides that the Department may determine whether any recreational component, sport, or activity of a youth camp is a high risk activity based on a Departmental review of the components of the activity, which would help eliminate questions over whether certain activities are high risk. Singing is not listed as a high risk activity in the definition at N.J.A.C. 8:25-1.4. However, because singing can contribute to the spread of respiratory diseases, the Application for Certificate of Approval to

Operate a Youth Camp at proposed N.J.A.C. 8:25 Appendix A asks whether singing is an activity at the camp to provide the Department with situational awareness during times when respiratory diseases are circulating in the State. For all of the foregoing reasons, the Department adopts the definition of “high risk activity” as proposed, except that the Department does not adopt “off-site field trips” as an example of a high risk activity.

2. COMMENT: Several commenters stated that it was too expensive to hire a physician or nurse to serve as the camp’s health director. (39, 45, 57, 64, 87, 199, and 220). One commenter stated that it was difficult to fund “medical teams.” (45)

RESPONSE: There is nothing in the rules proposed for readoption with amendments, repeals, and new rules that requires youth camps to hire a physician, nurse, or “medical team.” Pursuant to existing N.J.A.C. 8:25-5.2, resident youth camps are required to have a “health director” on duty at all times. This person must be an adult. This person may be a physician or a nurse, but this person may also be an individual who is certified in advanced first aid, a paramedic or emergency medical technician, or a first responder/CIM accredited by a certification agency recognized by the Department as listed at N.J.A.C. 8:25 Appendix D. Pursuant to existing N.J.A.C. 8:25-5.2(b), day youth camps are required to have a health director who is an adult and certified by the American Red Cross in Standard First Aid, or its equivalent, as approved by the Department, as listed at N.J.A.C. 8:25 Appendix D.

3. COMMENT: Four commenters stated that the Department did not adequately engage stakeholders in the preparation of this rulemaking. (60, 70, 173, and 275)

RESPONSE: The Department disagrees with the comments. The Department held stakeholder meetings on several occasions for two years prior to publishing the rulemaking. Stakeholder meetings with the regulated community were open and well known. The Department communicated with stakeholders from the American Camp Association (ACA), the New Jersey Recreation and Parks Association (NJRPA), the New Jersey Environmental Health Association (NJEHA), and intergovernmental discussions were conducted with the New Jersey Department of Human Services (DHS), Division of Family Development (DFD). On December 23, 2021, the proposed revisions were discussed with stakeholders of the ACA, a nationally recognized nonprofit organization for camp owners, camp professionals, and others interested in summer camp programs. Similarly, in March of 2022, stakeholder meetings were held during an industry conference hosted by the NJRPA and NJEHA. The NJEHA's annual conference is attended by local health officials Statewide, and the NJRPA's recreational bathing meeting is attended by both regulatory and private industry representatives. Lastly, intergovernmental communication with the DFD and New Jersey Motor Vehicles Commission - School Bus Inspection Unit were held off and on over the course of 2021 and 2022. The Department notes that all four commenters exercised their right to comment on the rulemaking, and the Department has considered all of their comments and responded to each of them.

4. COMMENT: Five commenters stated that camps that are only one week in duration should not fall under the scope of this chapter. (60, 132, 173, 210, and 267). One commenter stated that a camp with only five campers should not fall under the scope of this chapter. (84)

RESPONSE: The Department disagrees with the comments. Youth camps are defined by statute at N.J.S.A. 26:12-3. The statutory definition encompasses camps that accommodate five or more children for a period of, or portions of, two days or more. N.J.S.A. 26:12-6 provides that no youth camp shall be operated except by authority of a valid certificate of approval from the Department. The Department is vested with the responsibility of carrying out the provisions of the New Jersey Youth Camp Safety Act, N.J.S.A. 26:12-1 et seq.

5. COMMENT: One commenter states that the list of approved trainings and providers at N.J.A.C. 8:25 Appendix D is artificially limited. The commenter goes on to suggest additional providers that the Department should consider listing. (86)

RESPONSE: The Department disagrees with the comment. The Department places no limit on the number of agencies who choose to provide information on their agency and curriculum for the Department to review and approve or disapprove.

6. COMMENT: Commenters objected to the proposed definition of “criminal history record check” at N.J.A.C. 8:25-1.4 and its proposed implementing provisions at N.J.A.C. 8:25-3.2(f), 3.2(j), and 3.2(k). The commenters generally stated that fingerprint-based criminal background checks would have a negative impact on the youth camp industry

by making hiring more difficult and taking significantly more time to complete than the current name-check based criminal background checks, while not significantly improving the safety of campers. (1 through 280)

RESPONSE: The Department thanks the commenters for the recommendations, but the Department is not adopting the proposed definition of “criminal history record check” at N.J.A.C. 8:25-1.4 and its proposed implementing provisions at N.J.A.C. 8:25-3.2(f), 3.2(j), and 3.2(k) at this time, while it determines how to proceed.

7. COMMENT: A significant number of commenters objected to the proposed changes to the definitions of “applicant” and “youth camp operator” at N.J.A.C. 8:25-1.4 and their proposed implementing provisions at N.J.A.C. 8:25-1.2(a) and 2.1. The commenters generally stated that due to budget constraints and the short time before the youth camp season begins, including municipally operated camps within the scope of N.J.A.C. 8:25 would be very difficult to implement. Most comments recommended delaying adoption of this part of the rulemaking. (34, 45, 48, 53, 60, 81, 83, 104, 107, 128, 129, 140, 173, 180, 199, 229, 266, 267, and 272).

RESPONSE: The Department thanks the commenters for the recommendations, but the Department is not adopting the proposed definitions of “applicant” and “youth camp operator” at N.J.A.C. 8:25-1.4 and their proposed implementing provisions at N.J.A.C. 8:25-1.2(a) and 2.1. at this time, while it determines how to proceed.

Federal Standards Statement

The Department is adopting this rulemaking pursuant to the authority at N.J.S.A. 26:12-1 et seq., particularly 26:12-5. Although this State statute does not incorporate or

otherwise refer to Federal law, it does authorize the Commissioner to consult with other State officials and to consider other State rules and standards. To this end, the Department has consulted with the New Jersey Department of Human Services (DHS), which administers the Child Care Development Block Grant (CCDBG) established pursuant to 42 U.S.C. §§ 9801 et seq. Pursuant to the CCDBG program, eligible children receive benefits for child care services that subject child care center staff to the criminal background check requirements established pursuant to 42 U.S.C. § 9858f. The CCDBG benefits follow each eligible child, and when an eligible child is enrolled at a youth camp, the youth camp becomes subject to the criminal background check requirements established pursuant to 42 U.S.C. § 9858f in the same manner that a child care center regulated by DHS would be. Whereas, DHS has the statutory authority to promulgate rules that require each child care center to comply fully with the criminal background check requirements established pursuant to 42 U.S.C. § 9858f, the Department does not. Accordingly, the Department is adopting amendments to the criminal background check requirements for youth camps that come as close as possible to the standards established pursuant to 42 U.S.C. § 9858f, given the constraints established by the Department's statutory authority at N.J.S.A. 26:12-1 et seq. Specifically, the Department does not have the statutory authority to promulgate rules that would require Federal Bureau of Investigation (FBI) background checks or New Jersey Child Abuse Record Information (CARI) checks. The adopted amendments would establish the list of disqualifying offenses from 42 U.S.C. § 9858f and ensure that they apply to youth camp operators and staff to the fullest extent allowed pursuant to

current State law. None of the rules readopted with amendments, repeals, or new rules exceed the standards established by Federal law.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 8:25.

Full text of the adopted amendments and new rules follows (deletion from proposal indicated in brackets with asterisks *[thus]*):

SUBCHAPTER 1. GENERAL PROVISIONS

8:25-1.4 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

...

"High risk activity" means any recreational component, sport, or activity of a youth camp, which exposes a camper to a life-threatening or serious injury because of the inherent danger of the recreational component, sport, or activity and which requires a high level of adult supervision at all times.

1. A high risk activity includes, but is not limited to, archery, swimming and other aquatic activities, horseback riding, riflery, rope courses, motorized vehicles, zip lining, *[off-site field trips,]* and rock climbing.

2. (No change.)

...