**Camps and Clinics A/PPS No. 08.02 (1.1)**

**Issue No. 3
Effective Date: 10/27/2021
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**Sr. Reviewer: Director, Athletics**

**POLICY STATEMENT**

*Texas State University is committed to providing adequate campus facilities for the operation of athletic camps and to following all NCAA rules and regulations to ensure proper operations on university property.*

**01. OPERATION OF INSTITUTIONAL AND EXTERNAL CAMPS**

01.01 Texas State University offers opportunities for institutional and external camps. Outside vendors (individuals or businesses) may contract with Texas State to lease facilities for athletic camps. Provision of any services other than the rental of facilities exposes Texas State to liability for the payment of unrelated business income tax (UBIT); thus, this is expressly prohibited.

 **02. DEFINITIONS**

02.01 Camp Operator – person or entity who owns, operates, controls, or supervises a camp or clinic involving minors, regardless of profit.

02.02 Institutional Camp – a camp or clinic operated by a member of the Athletics Department, where the expenses, revenue, and insurance are provided by an area within the Athletics Department (e.g., Stutters and Cheer).

02.03 External Camp – a camp or clinic operated by a person or entity outside of the Athletics Department.

**03. PROCEDURE FOR USAGE OF ATHLETIC FACILITIES**

03.01 The camp operator must complete and submit a rental agreement with the Athletics Department.

External camp rentals will be charged a facility rental fee based on fair market value. Additional fees may be charged as part of the facility rental agreement based on requests for extra amenities or usages.

External camps operated by an Athletics Department sport coach will pay an athletic facility usage fee of 10 percent of registration income from the camp or the published facility rental amount, whichever is less.

Institutional camps are not charged a facility rental fee.

**04. CAMP REQUIREMENTS**

04.01 External camps may be operated at Texas State by outside vendors, provided that the vendor meets all of the following requirements:

1. Contracts for facilities rental must be executed in writing with the Athletics Facilities Office, with a final copy filed with the office upon completion. The contract will specify charges for facilities. Fair market value will be charged for facilities rental.
2. If food is provided at any camp, food services must be arranged by the camp operator. Any negotiations, charges, deadlines, or other requirements by the food vendor is not the responsibility of the Athletics Department.
3. Operating expenses such as salaries, wages, supplies, payroll taxes, income taxes, sales taxes, occupancy taxes, and all other costs are the sole responsibility of the camp operator. The vendor is prohibited from utilizing Texas State services and making repayment for those services. To do so could imply that Texas State is participating in the operation of the camps and would subject the university to the liability for UBIT.
4. External camp operators are required to provide written proof that they have current liability insurance coverage for the operation of external camps held at Texas State facilities. These documents must be provided to the Athletics Facilities Office at least two weeks prior to the start of the camp.
5. A certified athletic trainer must be present for all sports camps conducted at a Texas State Athletics facility.

**05. COMPLIANCE REQUIREMENTS**

05.01 An external camp operated by an Athletics department sport coach must adhere to all applicable NCAA rules and regulations regarding camps and clinics.

The camp operator should submit a pre-camp form at least 48 hours prior to the camp that includes a list of staff working the camp and a sample advertisement of the camp.

At the conclusion of the camp or clinic, the camp operator is required to fill out a Post-Camp or Clinic form and submit it to the Athletic Compliance Office. This form should include reports for income, expenses, a list of attendees, registration payments, and a final list of staff that worked the camp or clinic.

05.02 Training on reporting abuse of a minor is required for all camps involving minors. All staff working the camp must complete the certified state training program (Child Protection Training) on an annual basis. Additionally, all staff must undergo an annual criminal background check.

The camp operator is solely responsible for ensuring full compliance with the requirements of [Texas Education Code, Section 51.976](https://statutes.capitol.texas.gov/docs/ED/htm/ED.51.htm) before the first day of camp.

Additional information on the Protection of Minors and Reporting Abuse can be found in the [UPPS No. 01.04.41](https://policies.txstate.edu/university-policies/01-04-41.html), Protection of Minors and Reporting Abuse Policy.

**06. EMPLOYMENT RULES**

06.01 Camp employees, who are also Texas State employees, will be considered as engaged in outside employment during planning time and during the actual camp. Texas State employees are required to take vacation time or comp time to engage in camp or clinic activities, including administrative assistants and other staff in the department. Unreimbursed use of department computers, printers, photocopying, postage, phones, and supplies is prohibited.

Texas State employees, including student workers, are prohibited from performing services for camps during normal working hours, unless they are on leave status, which has been approved in writing by their supervisor and has been entered in the SAP timekeeping system.

Work-study student workers are federally funded, therefore assigning work-study students to work on camp activities during normal working hours would be a state and federal violation.

**07. ACCOUNTING PROCEDURES**

07.01 Camp operators are responsible for their own accounting services. Use of Texas State services or products for camp purposes without payment from the camp operator is prohibited.

Receipts or payments will be issued only to the camp operator’s business which may take any legal form recognized in Texas (sole proprietorship, partnership, corporation, etc.). The corporate form of business affords some protection from liability for the camp operator and should be given due consideration.

Camp operators are prohibited from utilizing any of Texas State’s federal or state tax identification numbers. Failure to follow this policy could result in the camp operator being charged with a federal offense.

Camp operators are responsible for paying all operating expenses associated with the camp, including staff salaries, wages, and payroll taxes.

Camp operators that receive services or products from a Texas State department will pay the rate for the service or product available to the general public. Discounts are prohibited.

Camp operators are responsible for all federal and state filing requirements including, but not limited to, 1099’s for consultants, W-2’s for employees, sales tax returns, etc.

The Athletics Department’s external auditor will select camps for audit on an annual basis as part of the NCAA financial audit. The camp operator should keep all camp records in an organized manner to facilitate this audit process and avoid any potential discrepancies.

**08. PROMOTIONAL MATERIALS**

08.01 All advertisements and promotional materials must include the business name and address of the camp operator and the following statement: “Texas State University is not the operator or sponsor of this camp.”

The camp operator may advertise a camp as being held at Texas State; however, they may not advertise their camp as a Texas State (football, basketball, softball, etc.) camp. Camp promotional materials should state: “This camp is owned and operated by [name of coach or corporation].”

The camp must not in any way purport to be or appear to be associated with Texas State. Only institutional camps may use the Texas State logos or marks on camp brochures and promotional materials.

An external camp operated by an Athletics Department sport coach must submit advertising materials for the camp through the departmental routing process.

**09. REVIEWERS OF THIS PPS**

09.01 Reviewer of this PPS includes the following:

Position Date

Director, Athletics November 1 E3Y

**10. CERTIFICATION STATEMENT**

This PPS has been approved by the following individuals in their official capacities and represents Texas State Athletics policy and procedure from the date of this document until superseded.

Director, Athletics; senior reviewer of this PPS

President