



Swimming and Water Safety
Ohio Administrative Code (OAC) 5101:2-13-24
Updated August 2023

RULE SUMMARY

Any swimming pool that is located at the Family Child Care provider's home shall be made inaccessible to children in care by either a fence or other physical barrier (the locked house door is not a sufficient barrier). Please review the new language in this rule that details barrier options for both in-ground/ at ground level pools and above ground/above ground level pools. The provider shall not permit the use of the pool by children in care. The provider may use a wading pool less than eighteen inches in wall height (regardless of the amount of water put into it). The provider must be able to clearly see all parts of the wading area during the water activity. Approved off-site swimming sites shall meet all state and local guidelines for environmental health inspections. Any activities in bodies of water more than eighteen inches in depth shall be supervised by people who are currently certified as lifeguards or water safety instructors by the American Red Cross or an equivalent water safety program, as determined by ODJFS. The provider may not serve as the lifeguard. The provider shall obtain written parental permission before a child is permitted to swim or play in water more than eighteen inches or before an infant or toddler can use a wading pool. Swimming activities shall not be permitted in lakes, rivers, ponds, creeks or other similar bodies of water. The provider shall always accompany and closely supervise children during all approved water and swimming activities.

TIPS FOR MAINTAINING COMPLIANCE

- Obtain written parental permission for all swimming/water activities (update annually).
- Written parental permission must include:
 - Child's name and date of birth;
 - Statement indicating whether the child is a non swimmer or capable of swimming;
 - Location of the water activities or swimming site by water of eighteen or more inches in depth;
 - Statement of whether or not the provider is providing additional adults or child care staff members above the licensing ratio requirements for the activity; and
 - Signature and date from the parent indicating permission for the activity.
- Prior to each swimming activity, arrange a time to meet with children to review the safety rules.
- Maintain group size; however, recruit additional volunteers to assist during swimming activities. The provider or employee shall remain responsible for care.
- For children requiring sunscreen, ensure parent has completed and signed box one of the JFS 1217 "Request for Administration of Medication."
- Position the provider or employee in strategic spots around the swimming or wading area so they can supervise children and see all parts of the swimming or wading area at all times.
- Wading pools must be made inaccessible to the children when adult supervision is not available.
- Wading pools must be filtered or emptied daily.
- Portable wading pools must be disinfected daily or more often if needed.