



**Swimming and Water Safety**  
**Ohio Administrative Code (OAC) 5101:2-14-23**  
**May 2015**

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**RULE SUMMARY**

Any swimming pool that is located at the Type B provider's home shall be made inaccessible to children in care by either a fence or other physical barrier (the house door is not a sufficient barrier). 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 or swimming area during the water activity. Approved off-site swimming sites shall meet all state and local guidelines for environmental health inspections. Any activities in a pool more than eighteen inches in depth shall be supervised by individuals who are currently certified as lifeguards or water safety instructors by the American Red Cross or an equivalent water safety provider as determined by ODJFS. The provider may not serve as the lifeguard. The provider shall obtain written permission from the caretaker before a child is permitted to swim 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.

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**TIPS FOR MAINTAINING COMPLIANCE**

- Obtain written permission from caretaker for all swimming/water activities (good for twelve months).
- Written permission from the caretaker must include:
  - Child's name and date of birth;
  - Statement indicating whether the child is a swimmer or non-swimmer;
  - Location of the approved off-site swimming site;
  - Date or dates that the swimming will occur; and
  - Statement that the caretaker grants permission for the child to participate.
- 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 the Administration of Medication Form (JFS 01644) has been completed.
- 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.