

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 13-161—sHB 5113

*Public Safety and Security Committee
Appropriations Committee*

AN ACT CONCERNING POOL SAFETY AT PUBLIC SCHOOLS

SUMMARY: This act establishes and phases in, beginning with the July 1, 2013 school year, statewide safety standards for public school swimming pools being used for physical education classes, interscholastic athletics, or extracurricular activities (i.e., student aquatic activities). The act applies to any pool a school board approves for these activities.

When any of the above aquatic activities are taking place at a school pool, the act requires a qualified person to be present to monitor the pool for distressed swimmers and help them when necessary. This person must be in addition to the one conducting the activity, except for extracurricular activities being conducted in any school year starting July 1, 2014.

By July 1, 2014, the act requires all school boards offering student aquatic activities at a school pool to adopt a pool safety plan ensuring compliance with the act.

EFFECTIVE DATE: July 1, 2013

POOL SAFETY STANDARDS FOR SCHOOL YEAR STARTING JULY 1, 2013

For the school year starting July 1, 2013, the act requires that, in addition to the person responsible for conducting any student aquatic activity at a school pool, at least one qualified educator, swimming coach, or lifeguard must be present who is solely responsible for monitoring the pool for distressed swimmers and helping them, when necessary. The act sets qualifications for these individuals (see below).

SWIMMING POOL SAFETY PLAN

The act requires local and regional school boards that offer student aquatic activities to (1) adopt, by July 1, 2014, a pool safety plan that ensures compliance with the act and (2) review and update the plan as necessary before the start of each school year. The plan must also include any other provisions deemed necessary and appropriate for ensuring the safety of students using school pools for aquatic activities.

POOL SAFETY STANDARDS FOR SCHOOL YEAR STARTING JULY 1, 2014

Starting with the July 1, 2014 school year, the act prohibits local or regional

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school boards from allowing students to participate in any interscholastic athletic activity, or offering any extracurricular activity or physical education course, at a school pool unless certain qualified individuals are present while the activities are taking place. It sets separate requirements for the different activities.

In the case of an interscholastic activity, there must be at least one qualified swimming coach who coaches the participating students and is responsible for implementing the school swimming pool safety plan. Additionally, at least one qualified educator, swimming coach, or lifeguard must be present whose primary responsibility is to monitor the pool for students in distress and provide help when necessary.

In the case of a physical education course, there must be at least (1) one qualified educator who serves as the course instructor and is responsible for implementing the pool safety plan and (2) one other educator, swimming coach, or lifeguard whose primary responsibility is to monitor the pool for distressed swimmers and provide assistance when necessary.

In the case of an extracurricular activity, at least one qualified lifeguard must monitor the pool for distressed swimmers and provide assistance to them when necessary. He or she must be responsible for implementing the pool safety plan.

QUALIFICATION OF POOL ATTENDANTS

The act requires coaches, educators, and lifeguards participating in school aquatic activities as described above to have specific qualifications.

Under the act, a “qualified swimming coach” is someone who holds a valid coaching permit issued by the State Board of Education (SBE). A “qualified educator” is someone who (1) holds a valid SBE certificate, with an endorsement in physical education; (2) is certified in cardiopulmonary resuscitation (CPR) under state regulations; and (3) has completed a first aid course offered by the American Red Cross, the American Heart Association, the Department of Public Health (DPH), or any health director.

Both the coach and educator must also:

1. be certified as lifeguards by the American Red Cross or another nationally recognized organization that conducts aquatic training programs,
2. complete a safety training course for swim coaches and instructors offered by the American Red Cross or an SBE-approved organization, or
3. be certified as lifeguards for at least five of the previous 10 years and have at least five years’ experience as a swimming coach or an instructor of a physical education course that makes use of a school swimming pool.

Qualified Lifeguard

The act defines a “qualified lifeguard” as anyone who (1) is age 16 or older; (2) is certified as a lifeguard by the American Red Cross or another nationally recognized organization that conducts aquatic training programs; (3) is certified in CPR under state regulations; and (4) has completed a first aid course offered by the American Red Cross, American Heart Association, DPH, or any health director.

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