



**Swimming and Water Safety  
Ohio Administrative Code (OAC) 5101:2-12-24  
Updated August 2023**

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### **RULE SUMMARY**

All swimming sites must meet state and local guidelines; saunas, hot tubs and spas are prohibited. If pools, wading pools and other swimming/wading sites are onsite, they must be made inaccessible to children when not in use. Written parental permission is required prior to all swimming or activities in, on or near water that is eighteen or more inches in depth and a lifeguard must supervise. Swimming in lakes, rivers, ponds, creeks or other similar bodies of water is prohibited. Children participating in water activities shall be actively supervised. Wading pools shall be filtered or emptied daily. Portable wading pools must be sanitized daily or more often, if needed.

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### **DOCUMENTATION**

- Swimming Activities Permission Form completed by Parent. This 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 center 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.
- Field Trip Permission Form completed by Parent, if applicable. See rule 5101:2-12-14 for more information.
- All Documentation as Required in 5101:2-12-14 when going on trips:
  - Child Enrollment and Health Information Form
  - Written record of which vehicle each child is being transported in and the cell phone number of the adult in that vehicle who could be contacted in case of emergency
  - Child Medical/Physical Care Plan, if applicable

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### **TIPS FOR MAINTAINING COMPLIANCE**

- Obtain written parental permission for all swimming/water activities.
- Know whether children are swimmers or non-swimmers.
- Prior to each swimming activity, arrange a time to meet with children to review the safety rules.
- Maintain staff/child ratios; however, recruit additional volunteers to assist during swimming activities.
- For children requiring sunscreen, ensure box one of the JFS 01217 "Request for Administration of Medication" has been completed and signed by the parent.
- Position staff and supervising adults in strategic spots around the swimming area so they can supervise children and can see all parts of the swimming area at all times.

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### **FREQUENTLY ASKED QUESTIONS**

- Q.** Can a staff member be used as a lifeguard?
- A.** A staff member may be used as a lifeguard if they are a certified lifeguard or water safety instructor through the American Red Cross or an equivalent water safety program as determined by ODJFS. If the staff member is used as a lifeguard, they cannot be used as a child care staff member to meet staff/child ratios.
- Q.** Do child care staff members need to be in the water with the children?
- A.** Child care staff members are not required to be in the water with the children; however, they must be able to see all parts of the swimming area including the bottom of the pool and must be actively supervising the children at all times.
- Q.** Can older infants use wading pools?
- A.** Yes. Written parental permission is required and all safety and sanitary requirements must be followed.
- Q.** What is the lifeguard ratio?
- A.** For onsite and private pools over eighteen inches in depth, there shall be one lifeguard for every 35 children involved in the water activity at any one time. There is no language regarding lifeguard ratio for public and offsite pools.