

## **Examples of State Requirements for Lifeguards in Camp and Childcare Settings**

Source: National Conference of State Legislatures, October 1, 2021

### **States that require certified lifeguards be present in CAMP SETTINGS when around water**

- **Alabama**

- o Ala. Admin. Code r. 420-3-21-.03 requires every camp swimming area to be attended by a lifeguard properly certified by a nationally recognized organization such as the Red Cross, Y.M.C.A. or Boy Scouts of America during all hours the pool is open for swimming.

- **Delaware**

- o 14-938 Del. Admin. Code § 52.0 requires youth camps to have a certified Red Cross Lifeguard or a nationally recognized equivalent on duty and supervising swimming activities.

- **Indiana**

- o 410 Ind. Admin. Code 6-7.2-30 requires youth camps to have an individual currently certified as a lifeguard to direct swimming, boating, canoeing, watercraft, water skiing, and other aquatic activities.

- **Kentucky**

- o 902 Ky. Admin. Regs. 10:040, § 12(3) requires youth camps to have a person holding a current American Red Cross Lifeguard Certification or its equivalent always supervising all swimming and small craft and boating activities.

- **Maine**

- o 10-144 Me. Code R. § 208.07 requires youth resident camps, day camps, and trip and travel camps to have a certified lifeguard for all swimming activities. The watercraft and aquatics director should have lifeguard certification.

- **Maryland**

- o Md. Code Regs. 10.16.06.47 requires youth camps to have a certified lifeguard on duty.

- **Massachusetts**

- o 105 Mass. Code Regs. 430.103 requires certified lifeguards to be present during swimming and other aquatics activities at recreational camps for children.

- **Michigan**

- o Mich. Admin. Code r. 400.11405 requires children's camp to have a certified aquatic supervisor who governs all aquatic activity; this supervisor should be a certified lifeguard.

- **Mississippi**

- o Miss. Code R. § 15-11-55-4.3.3 requires aquatic activities at youth camps to be directed by individuals currently certified as having passed American National Red Cross Lifeguard Training, Boy Scouts of America Lifeguard Training, Y.M.C.A. Lifeguard Training, or the equivalent, as determined by the Advisory Council on Youth Camp Safety.

- **Missouri**

- o Mo. Code Regs. tit.10, § 90-2.050 requires registered youth groups that use a group camp swim area in state parks to have a lifeguard, who holds a senior or instructor's lifesaving certificate or equivalent, present during any use of the designated swim area.

**Below are examples of states that require certified lifeguards in CHILDCARE SETTINGS**

- **Alabama**

- o Ala. Admin. Code r. 660-5-19-.03, 660-5-20-.03, 660-5-25-.05, 660-5-26-.03 and 660-5-27-.04 requires lifeguards for out of school time facilities participating in the child care subsidiary program, daycare and nighttime centers, family daycare and nighttime homes, group daycare and nighttime homes.

- **Arizona**

- o Arizona. Ariz. Admin. Code R9-5-404 requires childcare facilities that conduct swimming activities at a swimming pool to have a certified lifeguard on the premises.
  - o Arizona. Ariz. Admin. Code R9-3-503 requires childcare group homes to have an individual who is currently certified as a lifeguard before an enrolled child is allowed to swim.

- **Colorado**

- o 12 Colo. Code Regs. 2509-8-7.706.19 requires day treatment centers to have a lifeguard who holds an advanced lifesaving certificate in attendance when the pool is in use.
  - o 12 Colo. Code Regs. 2509-8-7.709.24 requires specialized group care facilities to always have a certified lifeguard in attendance when the pool is in use.

- **Connecticut**

- o Conn. Gen. Stat. § 10-220I requires school swimming coaches to be certified lifeguards.
  - o Conn. Agencies Regs. § 19a-79-4a requires the individual supervising children participating in swimming or wading in child daycare centers and group daycare homes to have lifeguard certification.

- **Delaware**

- o 9-105 Del. Admin. Code § 3.4.13 requires at least one of the employees at a childcare facility or day treatment program to have a valid lifesaving or lifeguard certificate issued by an appropriate governmental or private certifying agency and be assigned to monitor the pool whenever children are present

- **District of Colombia**

- o D.C. Mun. Regs. tit. 5A, § 157.7 and tit. 29, § 368 requires child development facilities to have at least one (1) adult, who is currently certified as a Lifeguard or Water Safety Instructor by the American Red Cross or by an equivalent water safety instruction and testing program, for every six (6) children swimming or playing in the water.

- **Georgia**

- o Ga. Comp. R. & Regs. r. 290-2-5-.18 requires child-caring institutions with a swimming pool on its grounds to always have a certified lifeguard in attendance when a swimming pool is in use by any resident.
  - o Ga. Comp. R. & Regs. r. 290-2-6-.22 requires children's transition centers with a swimming pool on its grounds to always have a certified lifeguard in attendance that a swimming pool is in use by any resident.

- **Idaho**

- o Idaho Admin. Code r. 16.06.02.749 requires children's residential facilities to maintain at least one (1) staff person who has a valid lifesaving or lifeguard certificate issued by a nationally recognized organization. This certified staff person must always be on duty when children are in the water.

- **Illinois**

- o 89 Ill. Admin. Code § 407.290 requires daycare centers to have supervision when children are swimming. This supervision must include at least one person currently certified as a lifeguard or water safety instructor by the American Red Cross or an equivalent water safety program.
  - o 89 Ill. Admin. Code § 408.95 requires group day care homes to have a person currently certified as a water safety instructor or lifeguard by the American Red Cross or an equivalent water safety program to supervise children using a swimming pool.

- **Indiana**

- o 470 Ind. Admin. Code 3-4.7-70 requires childcare centers to have a person with a valid Red Cross advanced lifesaving certificate to always be on duty when a swimming pool or lake is in use.

- **Kansas**

- o Kan. Admin. Regs. 28-4-129 and 28-4-824 require family foster homes, family day care homes, and childcare facilities to have a certified lifeguard is on duty.

- **Kentucky**

- o 922 Ky. Admin. Regs. 1:300, § 5(2) requires child-caring facilities with a swimming pool to have a certified lifeguard per 902 Ky. Admin. Regs. 10:120 on staff. Denver Washington D.C. [www.ncsl.org](http://www.ncsl.org) | @NCSLorg | 5

- **Louisiana**

- o La. Admin. Code tit. 28, § CLXI.1913 requires early learning centers to have a certified lifeguard present when children use a pool or other body of water with a depth of more than 2 feet.

- **Maine**

- o 10-148 Me. Code R. § 32.15 requires childcare facilities to have a certified lifeguard on duty for pools more than sixteen feet (16') wide and pools that are sixteen feet (16') wide or less if a non-swimming rescue is not feasible.

- **Maryland**

- o Md. Code Regs. 13A.17.08.05 requires childcare centers to have a certified lifeguard present during water activities.

- **Michigan**

- o Mich. Admin. Code r. 400.1921 requires a lifeguard at public swimming areas at family and group childcare homes.
  - o Mich. Admin. Code r. 400.4136 permits swimming at child caring institutions only where and when a qualified lifeguard is on duty.

- **Mississippi**

- o Miss. Code R. § 15-11-55-1.19.2 requires childcare facilities to have a person with an American Red Cross lifeguard certificate, or the equivalent as recognized by the licensing agency, to be present at all swimming and water activities.

- **Missouri**

- o Mo. Code Regs. tit. 5, § 25-400.085 requires family day care homes to have an adult with a current lifeguard training certificate, including infant/child cardiopulmonary resuscitation (CPR) training, to be on duty when a swimming or wading pool containing a depth of forty-eight inches (48") or more of water is being used.

- **Oklahoma**

- o Okla. Admin. Code § 340:110-3-281.3 and 340:110-3-291 require personnel at child care centers, day camps, drop-in programs, out-of-school time programs, day programs and programs for sick children who perform lifeguard duties to have lifeguard certification from American Red Cross, Young Men's Christian Association (YMCA), or equivalent.