

**Family Child Care Licensing**

**POLICY STATEMENT: Water Safety in Family Child Care Programs**

*606 CMR 7.07(9) Water Safety. For programs that offer swimming, boating or other water activities, the licensee must ensure that the area is safe and children are directly supervised at all times during activities involving water, including tubs, pools, showers, or standing water. Educator/child ratios must be sufficient to maintain the safety of children in or near water.*

Regulation 606 CMR 7.07(9) outlines the requirements for Water Safety in programs licensed by EEC. Specifically, regulation 7.07(9)(e) requires that when children are swimming in a swimming pool (not a wading pool), a second adult must be on the premises to assist in case of an emergency. The intent of this regulation is to have someone available to assist the Licensed Educator by calling emergency services, shutting off the pool’s pump, or possibly helping other children out of the pool while the provider deals with the emergency at hand.

In many Family Child Care programs, there is not another adult available to assist during normal childcare hours. However, there may be an older child who is a household member that is available to assist in case of an emergency.

The EEC regulations allow programs to use Volunteers who are 16 years of age or older, and for the purposes of regulation 7.07(9), Family Child Care Educators may utilize a household member that is 16 years of age or older as the second person required to be on the premises during the use of a swimming pool. Family Child Care Educators may utilize a second person that is younger than 16 years of age if that person is currently certified as a lifeguard.

Any Licensed Educator who will be using someone under the age of 18 as the second person on the premises during swimming activities must inform their EEC Licensor in writing prior to using the swimming pool with childcare children. Anyone who is not a household member but will be regularly on the premises will need to undergo a background record check per EEC regulations.

**NOTE: This policy does not change the regulatory requirement that in order to be in a caretaking role, a person must be approved as a Regular or Certified Assistant, and must be 18 years of age.**

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