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TO: BOCES District Superintendents
Superintendents of Public Schools
Charter School Leaders
Non-public School Administrators
Principals
Directors of Physical Education

FROM: Gemma C. Rinefierd, Ed.D.

RE: Swimming Pool Supervision and Safety Requirements for School-Based Instruction

The New York State Education Department (NYSED) is providing a reminder to schools of the safety and supervision requirements associated with swimming pool supervision and swimming instruction in schools. These requirements are governed by the New York State Department of Health (NYSDOH) under the State Sanitary Code, [Subpart 6-1](#), and apply to swimming pools located on school property used for school-sponsored activities such as physical education classes, swim teams, open or free swim during a class, and learn-to-swim programs.

Schools can play a significant role in preventing accidental drowning in children and youth by providing instruction in swimming and aquatic safety. Operating a swimming pool on school property requires compliance with public health regulations intended to protect health and safety of persons using the pool facilities.

Requirements for All School Pools

- **Health Department Permit:** Pools located in schools or on school property are required to have an up-to-date permit from the local health department (city or county health department or State District Office). This permit must be clearly posted at the facility.
- **Written Pool Safety Plan:** Schools must develop, maintain, and implement a written pool safety plan. This plan must include procedures for bather supervision, injury prevention, emergency response, first aid, and summoning help. The plan must be approved by the local health department and kept on file at the pool. NYSDOH has a [safety plan template](#) available for use
- **Lifesaving Equipment:** Lifesaving equipment, as required under Section 6-1.23(b) of the Sanitary Code, must be available at poolside.
- **Incident Reporting:** Serious incidents must be reported to the local health department within 24 hours and recorded in a log maintained by the school. Incidents include:

- Any incident resulting in death.
- Incidents requiring resuscitation.
- Incidents requiring referral to hospital or medical provider.
- Any bather illness associated with water quality.

Staff Supervision and Certification Requirements

All pools must be supervised by a lifeguard while in use. Certification levels of additional supervisory staff depend on pool characteristics and the activity taking place. Certifications must be current, and documentation must be kept on-site.

Supervision levels are defined in [Section 6-1.31](#) of Subpart 6-1:

- **Supervision Level IIa or IIb:** Certified Pool Lifeguard (IIa) or Pool and Beach Lifeguard (IIb). Required whenever a pool is in use, including during instructional activities. NYSDOH maintains a list of [accepted lifeguarding certifications](#)
- **Supervision Level III:** Trained in aquatic injury prevention and emergency response. This level does not meet lifeguard certification but is an option for the additional supervisory staff required when a certified lifeguard is also serving as an instructor or coach. This person provides uninterrupted surveillance of swimmers. NYSDOH maintains a list of [accepted Supervision Level III certifications](#)

Instructional Activity Supervision Requirements

The following requirements apply during instructional swimming activities, including physical education classes (including open or free swim during a class), swim team practices and meets, and learn-to-swim programs:

- If a Supervision Level II lifeguard is teaching, instructing, coaching, or involved in activities other than direct bather surveillance, a second qualified staff member must be present on deck. This individual must hold either:
 - Supervision Level II certification (lifeguard); or
 - Supervision Level III certification (aquatic support).
- The additional staff member must be positioned to provide continuous surveillance of bathers, as defined in the school's approved pool safety plan.
- One additional supervising staff member is required for each lifeguard involved in instructional activities, teaching, or coaching.
- The total number of supervising staff required for a pool is determined by the local health department, and is based on pool size, bather density, and additional factors such as pool shape, diving boards, and bather behavior. The pool safety plan must detail the required number of supervisory staff, staff positioning, and zones of surveillance for each type of use period.

For more information on the requirements for supervision and pool safety, contact your local health department <https://www.health.ny.gov/environmentalcontacts>.