Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—School-Age Programs.

28-4-594. Swimming, wading, and water activities.

(a) General.

(1) Each applicant with a temporary permit and each licensee shall have written permission on file as specified in K.A.R. 28-4-582 for each child participating in water activities.

(2) Each applicant with a temporary permit and each licensee shall ensure that an individual who can swim and who has a current certificate in first aid and a current certificate in CPR appropriate to the age of the children attending the program is in attendance if children are participating in water activities.

(3) Each activity shall be conducted with strict regard for the life and safety of each child.

(4) Each staff member providing supervision to children who are participating in swimming, wading, or water activities shall review the safety rules with each child before the child participates in the activity.

(5) Each applicant with a temporary permit and each licensee shall ensure that no child is permitted to dive from a diving board unless the requirements governing high-risk sports and recreational activities as specified in K.A.R. 28-4-588 are met.

(b) Swimming pools on the premises.

(1) Safety and maintenance. Each applicant with a temporary permit and each licensee shall ensure that the following requirements for safety and maintenance are met:

(A) The water in each swimming pool shall be treated with chlorine, bromine, or an equivalent agent approved by the local health department, and shall be maintained between pH 7.2 and pH 7.8. The available free chlorine content for water treated with chlorine shall be between 1.0 and 3.0 parts per million. The available free bromine

content for water treated with bromine shall be between 1.0 and 6.0 parts per million. If a stabilized chlorine compound is used, the pH shall be maintained between 7.2 and 7.7 and the free available chlorine residual shall be at least 1.5 parts per million.

(B) Each swimming pool shall be cleaned daily, and the chlorine or bromine level and pH level shall be tested daily during the swimming season. The results of these tests shall be recorded and kept on file at the premises.

(C) Each swimming pool more than six feet in width, length, or diameter shall be provided with a ring buoy and rope or with a shepherd's hook. This equipment shall be long enough to reach the center of the pool from each edge of the swimming pool.

(2) Outdoor swimming pools, spas, and hot tubs. Each applicant with a temporary permit and each licensee shall ensure that there is a physical barrier to prevent chance access by children.

(3) Indoor swimming pools, spas, and hot tubs. Each applicant with a temporary permit and each licensee shall ensure that there is a physical barrier to prevent unsupervised access by children.

(4) Swimming pools operated by governmental entity. Each swimming pool operated by a governmental entity for public use shall be governed by the entity's policies and regulations on pool safety and maintenance and are exempt from the requirements in paragraph (b)(1).

(c) Ponds, rivers, and lakes on or off the premises. If a pond, river, or lake is used for swimming, the applicant with a temporary permit or licensee shall ensure that the body of water is approved for swimming by one of the following:

(1) The local health department of the county in which the swimming site is located, if the swimming site is in Kansas;

(2) the secretary; or

(3) the designated authority in the state in which the swimming site is located, if the swimming site is not in Kansas.

(Authorized by and implementing K.S.A. 2025 Supp. 65-508; effective, T-28-4-1-02, April 1, 2002; effective Jan. 10, 2003; amended Sept. 4, 2026.)

***** Authenticated Kansas Administrative Regulation *****