

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 47.—Foster Care Licensing

30-47-824. Swimming pools, wading pools, and hot tubs; off-premises swimming and wading activities.

(a) General safety on the premises of the family foster home.

(1) If any swimming pool, wading pool with less than 24 inches of water, or hot tub is on the premises, the pool or hot tub shall be constructed, maintained, and used in such a manner that safeguards the lives and health of the children in foster care.

(2) If children in foster care have access to a swimming pool, wading pool, or hot tub, at least one caregiver shall be physically present and shall directly supervise the children. A minimum ratio of one adult to six children shall be maintained.

(3) Each licensee shall post legible safety rules for the use of a swimming pool or hot tub in plain view. If the pool or hot tub is available for use, the licensee shall read and review the safety rules weekly with each child in foster care.

(b) Swimming pools on the premises.

(1) Each aboveground swimming pool shall be at least four feet high or shall be enclosed by a barrier on all four sides that is at least four feet high with self-locking gate that is kept closed. Steps shall be removed and stored away from the pool when the pool is not in use.

(2) Each aboveground pool with a deck or berm that provides a ground-level entry on any side shall be treated as an in-ground pool and shall meet the following:

(A) Swimming pools shall have a barrier on all sides at least four feet high.

(B) Swimming pools shall have their methods of access through the barrier equipped with a safety device, including a bolt lock.

(3) The pool shall be cleaned. The chlorine level and pH shall be tested before each use. The results of these tests shall be recorded and available. Each pool that is unable to be emptied after each use shall be equipped with a working pump and filtering system.

(4) An individual with current certification in CPR who can swim shall be in attendance while any child in foster care is using a swimming pool.

(5) Each swimming pool shall be equipped with a lifesaving device that is sufficient length to reach the center of the pool from each edge of the pool.

(c) Wading pools on the premises.

(1) No child in foster care shall be permitted to play without adult supervision in any area where there is a wading pool containing water.

(2) The water in each wading pool shall be emptied daily.

(d) Hot tubs on the premises.

(1) Each hot tub shall be covered when not in use with an insulated, rigid cover secured by locks or surrounded by a fence that meets the requirements of paragraph (b)(1).

(2) The chlorine level and pH shall be tested and maintained as required by the manufacturer's specifications for use.

(3) Each licensee shall ensure that no child in foster care less than six years of age uses a hot tub. Each licensee shall use the hot tub in accordance with the manufacturer's specifications.

(Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective June 7, 2024.)

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