

NYS TEMPORARY COMMISSION TO PREVENT CHILDHOOD DROWNING
FRIDAY, July 14, 2023
9:30-11:30 AM

Agenda:

- Reminder to start the recording of the meeting
- Call to Order
- Reminder: Commissioners need to be on camera. The volume needs to be unmuted. Your complete name needs to be displayed.
- Guidelines: Public Participation:
- Introductions:
- Approval of Minutes from previous meeting

- Final Report Deadline: 12/20/2024

- Open Meeting Law: Extraordinary Circumstances Hearing
- Open Meeting Law: Minutes Correction

- U.S. National Water Safety Action Plan Webinar - Kate

Discussion: - Where are we on each Goal?

- Goal A-1 & A-2: Age & Standards - Marrick
 - Infant Discussion
- Goal B: Feasibility & Effectiveness - Brian, Heidi
- Goal C: Partnerships - Gwen, Kate
- Goal D: Underserved - Mike, Kevin, Casper
- Goal E: Awareness - Kathryn, Heidi, Kate

Define Terms: Glossary of Terms to create a common state-wide vocabulary; other suggestions for words to be added to the list.

11:20 For the Good of the Group

Game Plan for next meeting - 7/28/2023.

11:30 Adjourned

Upcoming Events: Guest Speakers

7/28/2023: DIA

8/11/2023:

WATER SAFETY GLOSSARY

To Create a Standardized Vocabulary

NOTE: Writing in Green was added by Marrick after the last meeting.

Adaptive Aquatics:

Architectural, equipment, instructional, and programmatic modifications to aquatic programs to serve individuals with disabilities. - US National Water Safety Action Plan, 2023

Aquatic environments:

Any space where water is present, such as, but not limited to... These are areas with bodies of water where aquatic activities can take place. They can be natural such as lakes, rivers, oceans, ponds, or man-made like swimming pools, splash pads, and water parks.

List Examples - Natural Bodies of Water: Bay, Canal, Channel, Creek, Delta, Glacier, Ground Water, Harbor, Lagoon, Lake, Marsh, Ocean, Pond, Puddle, Reservoir, River, Sea, Spring, Strait, Stream

List Examples - Man-Made Bodies of Water: toilets, fish tanks, pet bowls, washing machines, hot tubs, bath tubs

Natural Water:

Body of untreated water sourced through the hydrologic cycle (rainfall, snowmelt, runoff, springs, etc.) and bounded primarily by geologic features rather than manufactured structures. Includes natural springs, cenotes, streams, rivers, lakes, oceans, and flooded areas as well as engineered enclosures such as canals, ponds, reservoirs, and quarries. Does not include waters in manufactured containers such as buckets, barrels, water troughs, swimming pools, spas, or bathtubs. US National Water Safety Action Plan, 2023

Aquatic Literacy: synonym for water competency

Aquatic Programming: The Four Pillars of aquatic programming are:

- Swim Team (Competitive Community)
- Therapy (Rehabilitation)
- Learn to Swim
- Fitness

Source: Total Aquatic Programming

Association of Health, Physical Education, Recreation, and Dance

(AHPERD): This is a national organization of over 20,000 professionals that provides support and assistance to professionals involved in physical education, recreation, fitness, sports and coaching, health education, and dance. National Level: SHAPE America (Society of Health And Physical Educators)

Barrier:

A fence, wall, structure, or combination thereof, completely surrounding a pool, with a self-closing, self-latching gate or door to prevent unsupervised pool access. - US National Water Safety Action Plan, 2023

Designated Water Watcher:

do we want to use the word DESIGNATED WATER WATCHER OR WATER WATCHER?

Designate a water watcher when you are in, on, or around water. Watch all children and adolescents swimming or playing in or around water, even if they know how to swim. Young children or inexperienced swimmers need to be within arm's reach of an adult at all times. Make sure a responsible person constantly watches young children in the bath. (NDPA)

Tom Griffith

Swim Safe

Along with close and active supervision by parents or caregivers, designate a water watcher whose sole responsibility it is to supervise children during any in-water activity until the next person takes over. <https://www.redcross.org/content/dam/redcross/get-help/water-safety/American-Red-Cross-Designate-a-Water-Watcher.pdf>

A water watcher is a person that takes on the role of ensuring that all children and adolescents swimming or playing in, on, or around water are continually supervised, even if they know how to swim, to prevent unintentional drownings. <https://www.nps.gov/articles/waterwatcher.htm>

Water Safety USA recommends that an appropriate water watcher is someone who:

- is 16 years old or older (adults preferred)

- is alert and not under the influence of alcohol or drugs
- has the skills, knowledge, and ability to recognize and rescue someone in distress OR can immediately alert a capable adult nearby
- knows CPR or can alert someone nearby who knows CPR
- has a working phone to dial 9-1-1
- has a floating and/or reaching object that can be used in a rescue <https://www.nps.gov/articles/waterwatcher.htm>

a water watcher is an individual designated to supervise children at all times when playing in or around the water. <https://www.parents.com/what-is-a-water-watcher-7501830>

<https://www.safekids.org/other-resource/water-watcher-card>

Environmental Stewardship:

The responsible use and protection of the natural environment, including aquatic environments, through active participation in conservation efforts and sustainable practices by individuals, small groups, nonprofit organizations, federal agencies, and other collective networks.

High Quality Swim Program:

These are swimming lessons that emphasize the teaching of self-rescue skills, breath control, and orientation in the water.

They are taught by fully trained instructors with a low student to instructor ratio and customized to the child's needs.

<https://www.watersafetyusa.org/what-to-look-for-in-a-learn-to-swim-program.html>

1. Is safety focused
2. Is child focused
3. Is encouraging and nurturing
4. Is inclusive
5. Includes parents & caregivers
6. Demonstrates professionalism
7. Maintains quality

https://www.watersafetyusa.org/uploads/7/0/6/0/70608285/usnwsap_2023.pdf

<https://www.watersafetyusa.org/what-to-look-for-in-a-learn-to-swim-program.html>

[Link to article for US Swim School](#)

[Link to American Red Cross article](#)

Categories in the WSI revised 2014 manual — for swim instruction -

- Water Adjustment, Entry and Exit
- Breath Control and Submerging
- Buoyancy
- Changing Direction, Position, and Treading
- Sim on Front
- Swim on Back
- Swim on Side
- Water Safety

Aligned with our Swim Instructor Definition

What is a standard for a minimum swim lesson program? Three levels: Good, better, best (High quality swim program); perhaps making a rubric outlining the characteristics of each swim quality of swim program.

Household Water Risks:

- Pet bowl
- Bathtub
- Fish tank
- Sink
- Toilet
- Hot tub
- Back yard temporary pools
- Landscape ponds
- Fountains
- Bird baths
- Washing machine

INSTRUCTIONAL FLOATATION AID: SWIM AID, Swim Education Tools

Used specifically for instructional purposes, like bubbles, barbells, pull buoy, kick boards, fins, pool noodles, **does not guarantee floatation**

ISOLATION FENCING:

Safety fencing with self-closing, self-latching gate that surrounds a pool completely. Contrasted with a barrier wherein a house wall with an opening that allows entry, such as a door, forms part of the barrier. - US National Water Safety Action Plan, 2023

PERSONAL FLOATATIONS DEVICE: (PFD)

Link to new PFD page

A U.S. Coast Guard-approved buoyant device designed for boater protection and categorized as commercial, recreational, or throwable. Includes wearable life jackets and throw-ables such as cushions and life ring buoys. Buoyancy levels of 50, 70, 100, or 150 Newtons have replaced previous designations of Types I through V. - US National Water Safety Action Plan, 2023

Physical Literacy:

The physical competence, motivation, self-efficacy, confidence, and the knowledge and understanding that individuals develop in order to remain physically active throughout their lives. (Dr. Clancy Seymour) -Whitehead, 2010 (Dr. Clancy Seymour)

Progressive Swim Instructor: (NYS DOH)

This term is only used by the NY State Department of Health Approved Camps, under Sub-Part 7-2 of the Sanitary Code. PSI's are used to determine if campers are eligible for the deep end area of the aquatic facility.

Definition from code:

The term is sort of defined in our [children's camp regulation](#) Section 7-2.5(f) 7-2.5(f) Progressive swimming instructor – As described in the camp's approved safety plan, a progressive swimming instructor must assess the swimming ability of each camper prior to allowing the child to participate in aquatic activities. A progressive swimming instructor must be either:

- (1) a Water Safety Instructor currently certified by the ARC; or
- (2) possess a current certificate issued by a certifying agency determined by the State Commissioner of Health to provide an adequate level of similar training.

The certificates determined by the State Commissioner of Health to provide an adequate level of similar training are posted here:

[Progressive Swimming Instructor Fact Sheet \(ny.gov\)](#)

Rescue Skills Swimming: not the original word to be defined; the original word to be defined was Rescue Skills

This is a set of skills taught in high-quality swim programs that enable an individual to safely navigate and potentially exit a body of water in case of an emergency. These skills include self-rescue, turning around in the water and reaching for a wall, proper breath control, and opening eyes underwater for orientation.

Rescue Skills:

Out of water (Reach, Throw, Row) and in-water rescue skills. - US National Water Safety Action Plan, 2023; component of Water Competency

How is the term rescue skills defined in the Water Competency article?

Residential Pool:

A swimming pool located on private property under control of the owner or renter and intended to be used solely by members of the household and invited guests. May apply to shared condo or apartment pools. The legal definition varies among jurisdictions. - US National Water Safety Action Plan, 2023

Swim Coach:

Transitioning a learn to swim swimmer into a proficient swimmer (competitive athlete) ??

A person who teaches and trains the members of a sports team and makes decisions about how the team plays during games. Baritannica.com

A person who instructs or trains a performer or team. Merriam Webster dictionary

An athletic coach is a person coaching in sport, involved in the direction, instruction, and training of a sports team or athlete.

Recreation leagues

USA Swim Club

AAU: Amateur Athletic Union

College

High school - Varsity & Modified

Swim Instructor: A fully trained OR certified professional (as recognized by NYS) who provides swimming lessons to individuals or groups, teaching a range of skills from basic water comfort to advanced swimming techniques and safety practices.

What does fully trained mean?

What are the recognized certifications?

Who determines what certifications are recognized?

Do the certifications need to be from a nationally recognized organization?

Do they still maintain the knowledge of teaching aquatics after their certification expires?

Water Comfort Level:

This is the degree to which an individual feels at ease in the water. It can range from fear and discomfort to a high level of ease and ability to perform various aquatic activities.

Direction: does the swimmer have the ability to change direction

Rhythmic breathing: is the swimmer barely putting face in or swimming

Over: have the ability to roll over: back to front, front to back

Prone = Front: what does their front floating and front swimming look like?

Supine = Back: what does their back floating and back swimming look like?

- American Red Cross Adapted Aquatics book, (Marrick's mnemonic)

Water Competency (Pool versus Natural Water):

Water competency refers to the ability to independently move through the water from point A to point B while being able to take breaths as needed. This competency may vary based on the environment.

What is the source of this definition?

Being able to anticipate, avoid, and survive common drowning situations, as well as being able to recognize and provide assistance to those in need. Includes water safety awareness, basic swimming skills, and helping others.

- US National Water Safety Action Plan 2023

Water Competency is developmental and situational

Three Components of Water Competency: water smarts, water skills, rescue skills (Dr. Langendorfer)

Water Proficiency:

- Standard 1

Water Skills:

Component of water competency

Water Smarts:

Component of water competency

From Stallman, Moran, Quan, & Langendorfer (2017): Swimming Skills To Water Competency

Table 1. Proposed water competencies related to drowning prevention

Water Competencies			
1	Safe entry competence a) Entry into water b) Surface and level off	9	Clothed water competence
2	Breath control competence Integrated and effective breathing	10	Open water competence
3	Stationary surface competence a) Buoyancy control: floating b) Treading water	11	Knowledge of local hazards competence
4	Water orientation competence a) Roll from front to back, back to front b) Turn, L & R, on front & back	12	Coping with risk competence - awareness, assessment, avoidance
5	Propulsion competence a) Swim on front b) Swim on back and/or side	13	Assess personal competence
6	Underwater competence a) Surface dive b) Underwater swimming	14	Rescue competence a) Recognize a drowning person b) Assist a drowning person safely
7	Safe exit competence	15	Water safety competence a) Attitudes b) Values
8	Personal flotation device (PFD/lifejacket) competence		

Also consider Ice Competency, Boating Competency

Water Competency - variable: developmental & situational		
Water Smart	Rescue Skills	Water Skills
10: Open (natural) water competency	8: PFD Competency	1: Safe Entry Competency
11: Knowledge of local hazards competency	9: Clothed water competency	7: Safe Exit Competency
12: Coping with risk competency	14: Rescue Competency	2: Breath Control Competency
13: Assess personal competency		3: Stationary surface competency
15: Water Safety Competency		4: Water Orientation Competency
		5: Propulsion Competency
		6: Underwater Competency

- Organized by Marrick

COMMISSIONERS DEFINITIONS OF WORDS IN THE LAW

Incentivized: In this context, incentivized refers to methods and strategies used to encourage or motivate individuals towards a particular behavior or activity. This can include encouragement in the form of positive reinforcement, feedback, or other non-tangible benefits.

Greg Slade (Assemblywoman Amato's Chief of Staff) clarified that the word was intended to refer to encouraging rather than a tangible, physical benefit. - minutes 4/21/2023

~~**Underserved:** This term refers to communities or populations that have limited access to resources or services, including aquatic programs and swim instruction. This can be due to racial or socio-economic disparities, geographic location, or other factors.~~

BRIANSTORMING - : In NY, one way that has been used to quantify the socio-economic threshold is to look at households with no more than 200% of the Federal Poverty Guidelines. How would we recognize in populations and in individuals? Free & reduced lunch? Proof of financial assistance?
Public assistance budget letter, EBT card, SSI - Award letter, W-2 or paystub

"Underserved populations" shall mean those who have experienced injustices and disadvantages as a result of their race, ethnicity, sexual orientation, gender identity, gender expression, disability status, age, immigration status, and/or socioeconomic status, among others as determined by the commissioner of health. Public Health 240 (NY SENATE)

Lack of access, lack of resources

NYS TEMPORARY COMMISSION TO PREVENT CHILDHOOD DROWNING
RECOMMENDATIONS

- If it inflates, then it deflates.

NYS TEMPORARY COMMISSION TO PREVENT CHILDHOOD
DROWNING
9:30 AM TO 11:30 AM

July 14
July 28

August 11
August 25

September 8
September 22

October 6
October 20

November 3
November 17

December 1
December 15
~~December 29~~ - cancelled due to holiday season

Approved: 6/2/2023; Governor signed extension 6/30/2023

New York State Commission on Drowning Prevention

Goal D

Implementation Plan for Swimming Safety Programs in Underserved Communities

Objective: To ensure that swimming safety programs are accessible and available to underserved communities

Identify Target Underserved Communities

- Conduct a thorough assessment of the demographics and characteristics of the community to identify areas that are underserved in terms of swimming safety programs.
- Consider factors such as income levels, access to transportation, language barriers, cultural considerations, and any other relevant factors that may impact participation in swimming safety programs.
- Develop dry land program for communities without swimming pools.
- Develop Partnerships
 - Identify local community organizations, schools, and other stakeholders that serve the identified target underserved communities.
 - Establish partnerships and collaborations with these organizations to leverage their resources and networks to reach out to the community and promote the swimming safety programs offered in their respective communities
 - Collaborate with local schools to integrate swimming safety education as part of their physical education curriculum or after-school programs.

Outreach and Promotion

- Develop a comprehensive outreach and promotion plan that utilizes multiple channels to reach the target communities, including community events, social media, flyers, posters, and local media.
- Translate promotional materials into multiple languages spoken in the community, as needed, to overcome language barriers.
- Offer incentives, such as discounted or free classes, to encourage participation from underserved communities.
- Utilize local community leaders and influencers to promote the swimming safety programs and build trust within the community.

Financial Assistance

- Establish a financial assistance program to provide scholarships or discounts to individuals or families from underserved communities who may face financial barriers to participating in the swimming safety programs.
- Seek funding from grants, sponsorships, or donations to support the financial assistance program and make it sustainable.

Cultural Sensitivity and Inclusivity

- Ensure that the swimming safety programs offered are culturally sensitive and inclusive to the diversity of the underserved populations in the state
- Train instructors and staff on cultural competency to better understand and respect the cultural differences of the participants.
- Create an inclusive environment that welcomes individuals of all backgrounds, abilities, and identities, and actively addresses any discriminatory behavior or attitudes.

Evaluation and Monitoring

- Implement a system to regularly evaluate and monitor the effectiveness and impact of the swimming safety programs in the underserved communities.
- Collect data on program participation, outcomes, and feedback from participants and stakeholders to measure the success of the implementation plan.
- Use the evaluation results to make necessary adjustments and improvements to the program and implementation plan as needed.

Long-term Sustainability

- Develop a plan to ensure the long-term sustainability of the swimming safety programs in underserved communities.
- Explore opportunities for ongoing funding, partnerships, and collaborations with local organizations, businesses, and government agencies.
- Continuously monitor and evaluate the program's impact and effectiveness and make necessary adjustments to ensure its sustainability.

Commissioners: Casper Lassiter, Mike Switalski, Kevin Clark

Water Safety Recommendations

Active Adult Supervision: Designated Water Watcher

Barriers: 4-sided fencing with self-locking gate; if the one side of the house is the fourth wall of the fence, then add an additional layer of fencing around the pool

Clothing: Bright swim clothing (red, hot pink, lime green, orange, fluorescent yellow)

Drains (know how to turn off the pool pump in case something/someone gets sucked into the drain)

Education: CPR and Swim Lessons

Floatation Aids: PFD's, lifejackets

Groups: use the buddy system

H₂O (water) Environments: understand the water environment you are swimming in

Intoxication: watch out for intoxication due to alcohol and medications

Synthesized from Karen Cohn's presentation, Reginald Chatman's research presented at the Columbia University Injury Prevention Symposium, and Marrick McDonald

GOAL A:

Goal A-1: Age to begin swimming lessons

Recommendation to accept the American Academy of Pediatrics recommendation of 1 year old to begin swimming lessons and water safety instruction (approved 5/19/2023)

Goal A-2: Learning Standards: (approved 5/19/2023)

With input from NYS AHPERD Aquatic Section; Kathleen Young, Newburgh Free Academy; Dr. Steven Langendorfer; New York State Red Cross Instructors & Instructor Trainers Facebook Group (with 200 instructors throughout NY State)

Standard 1: (Psychomotor) - Demonstrates age and ability-appropriate water proficiency in a variety of aquatic motor skills and movement patterns in aquatic environments.

Standard 2: (Cognitive, Psychomotor) - Applies basic knowledge of hydrodynamic principles, strategies, and concepts related to swimming and water safety when in aquatic environments.

Standard 3: (Cognitive, Psychomotor) - Demonstrates the capacity to employ knowledge and skills to achieve and maintain a level of physical activity and fitness in all aquatic environments.

Standard 4: (Affective) - Exhibits responsible personal and social behavior that respects self and others in aquatic environments.

Standard 5: (Affective) - Recognizes the value and respect of aquatic-related physical activity for overall wellness, enjoyment, challenge, self-expression, and/or environmental stewardship.

Standard 6: (Cognitive, Affective) - Recognizes aquatic career opportunities and manages personal and community resources related to aquatics to achieve and maintain overall wellness.

Standard 7: (Cognitive, Affective, Psychomotor) - Recognizes and applies behaviors that promote safe experiences in all aquatic environments; identifies situations and conditions which pose safety hazards; and explains and demonstrates age, ability, and training appropriate rescue skills.

**NEW YORK STATE
TEMPORARY COMMISSION TO PREVENT CHILDHOOD DROWNING**

Goals of Commission:

The commission shall:

(a) Determine an appropriate age and/or stage of childhood development when children can properly begin water safety and swimming instructions and develop statewide standards for such instruction;

(b) Investigate and evaluate the feasibility and effectiveness of programs which incentivize parents and guardians to enroll children in water safety and swimming instruction;

(c) Develop a comprehensive plan for public-private partnerships between the state and community centers, nonprofit organizations, recreational facilities, swimming instructors, and other relevant stakeholders and expanding existing state resources such as parks and pools to provide access to free swimming instruction, and determine the feasibility of such programs;

(d) Develop an implementation plan to ensure its swimming safety programs are available in underserved communities; and

(e) Develop a comprehensive plan for a public awareness campaign to ensure parents and guardians receive information on the importance of children receiving basic water safety and swimming instruction.