

NYS TEMPORARY COMMISSION TO PREVENT CHILDHOOD DROWNING

FRIDAY, June 2, 2023

9:30-11:30 AM

Minutes

Call to Order

COMMISSIONERS: PRESENT

- **Heidi Reiss**
- **Brian Tobin**
- **Mike Switalski**
- **Marrick McDonald**
- **Kathryn Colglazier**
- **Kaltlin Krause**
- **Casper Lassiter**

Absent

Gwen McNamara

Kevin Clark

OTHER ATTENDEES:

- **Catlin Smith**
- **Timothy Shay**
- **Michael Bauer**
- **Rich Alden**
- **Shawn Slevin**
- **Brendan O'Melveny**
- **Abby Berman**
- **Aisha Roberts**
- **Danilo Krivals**
- **Reginald Chatman**
- **Bobby**

Communications

Assemblywoman Stacey Pfeffer Amato yesterday that we would like to share with you. I want to start by praising both of you and all the members of this Commission on a job well done. When we first wrote this bill and introduced it, we, the state legislature, were committed to finding a solution to childhood drowning you are now spearheading that goal and will make it a reality. The work this Commission has done in a short period is truly amazing and I am very proud. However, I must tender my resignation from this Commission effective immediately. As an appointee of this of Speaker Carl Hasty, while also being the sponsor of this bill, I wanted to provide as much assistance to the process as I could. I see now that it is not completely possible due to my other responsibilities as an elected official. While I am deeply saddened by leaving the Commission, I am proud that the Speaker has appointed Kaitlin Krauss to be my successor. She is a leader in water safety and remarkably committed to the goals of this Commission. I know she will serve with honor and extreme tenacity. I once again extend my praise and congratulations on the work you have already accomplished the state of New York is thankful for your dedication and will be forever grateful upon the completion of your findings to prevent

childhood drownings. Thank you sincerely, Stacey Pfeffer Amato, Member of the New York State Assembly, 2020, Third District, Queens.

Kaitlin Krause: My name is Kate. I am the Founder and Executive Director of Rising Tide Effect. I am also one of the founding core members alongside Sean 7 from Swim Strong of Water Safetycoalition.com. You guys can check that out. And like Mayor I said this is my first meeting and I am very happy to be here and to work with all of you.

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 the previous meeting

Motion: Mike Switalksi

Second: Heidi Reiss

Clarification- Brian asked for minor modification of the minutes to reflect that the request has been made for the Commission to extend its work on page eleven. To say "requested" not "approved".

Motion Carried

Chairman/Vice-Chairman Description updated with Gender Neutral Pronouns

Motion: Kathryn Colglazier

Seconded: Heidi Reiss

Motion Carried

Meeting Dates: conflicts

Eliminate December 29, 2023 due to the holiday

Motion to accept the list of additional meeting dates pending extension of the commission.

Motion: Brian Tobin

Seconded: Heidi Reiss

Motion Carried

Extension of the commission bill numbers: Senate S.6764; Assembly A.7609

Discussion: - Where are we on each Goal?

Goal B: Feasibility & Effectiveness - Brian, Heidi

Brian: There's a survey that we put together and that has started to make its way out to the public looking for feedback from providers of water safety instruction and swimming lessons. And the goal is to get a better idea of what the landscape is currently like with regard to service providers who and where are we seeing swimming instruction and water safety being taught? It's gone out. Let's see. I think it was close to 80 different recipients. And I figured the easiest way, the best way was to put recipients as a BCC on the e-mail so that you could avoid replying to all. I believe everybody on the Commission was CCD on that, BCC'D on that. If there are no additional questions, we would like to

Begin to disseminate.

Kathryn requested that we have a repository for the answers for us to be able to cross-reference.

Heidi asked that we update the splash page to correct the commission members by removing Senator Amato and adding Kaitlyn Krauss.

The conversation was had around having a press release to also encourage communication and participation in the survey in order to gather more data.

Goal C: Partnerships - Gwen

Gwen is not present, this will be tabled until the next meeting.

Goal D: Underserved - Mike, Kevin, Casper

A conversation was had regarding underserved communities, Reginald Chatman, a first-year student at Annulment School of Public Health. My focus is epidemiology and that's to have a certificate in policy. Right now I'm a communications intern for state alliances and one of the things I've been tasked with doing is looking at the 20-year trends and drowning disparities amongst black and brown communities. Reggie shared a study from US Swimming in which children from the ages of four to eighteen and that there was an association between a fear of swimming, a lack of swimming ability, and increased drowning rates. Black girls had a higher score, lower swimming ability, and a higher rate of fear of drowning, and so the association or the at least the theory was that they potentially would have higher drowning rates. African American boys and so again the one of the that was one of the greatest takeaways from this particular research was the association between also the Paris as well the parents, the same children who feared drowning could not swim and at higher drowning rates their parents also suffered from the same condition. And so this phenomenon appeared to be transgenerational. And again, so those are the two highlights of this, the transgenerational factor and this highlighting of seeing that African American girls.

Mike shared that 87% of swimmers with no or low ability plan to go to a swimming facility this summer at least once and 34% of those kids plan to swim at least 10 or more times this summer. Demonstrating the increased risk in these areas.

Kate shared the issue that everybody comes to the pool with a different experience before, whether it be generational trauma or just no experience. It really is an income issue and it's something that if we don't figure out how to. It's not just as simple as funding, it's really collaboration across different sectors. We won't actually be able to implement any programming. One experience that I've had recently, New York City formed a Lifeguard Interorganizational Task Force back in November to address the lifeguard shortage. So New York City particularly has 520 miles of shoreline, fourteen of which are actually lifeguarded. And that's assuming they have a full roster, which is something like 1400. This summer they have approximately 600 lifeguards. They're seeing an issue with people coming back and then for sure. It does not appear that there is no new talent coming forward and we've identified that when well, well, this is also my opinion, but we talked about it when we pulled water safety education from the schools. Some people who grew up in New York City might remember that there was a time when you had to learn to swim in your high school. We effectively shut down the pipeline. Nobody's stepping forward because nobody knows how to swim so with this pilot program and working with NYCHA Youth, I'm hoping that we can inspire some people to get on the aquatic track. But again, it's going to take into organizational collaboration.

Casper shared the concern about intergenerational trends as a concern and Reggie pointed out that in the same literature in which I was reviewing, they'd use a variable to assess whether they use ideas of individuals who had access to free lunch or not, and again, what they've shown was that individuals who actually had to use free lunch had a higher propensity for drowning, feared drowning and lack of swimming ability. I just want to say that point and speak to the last speaker's point. Yes, that is also true in the data and the data in

which I was researching. The final conclusion was that programs that target educational programs that target swimming ability should target not just the children but the parents as well,

Mike shared the difference between equal and equitable when it comes to the cost of the program based on the IRS sliding scale and seeing the fruits of their labor after ten years of contributing to the blue economy in the creation of lifeguards and swim instructors.

Casper shared a document that included an implementation plan for OD and identifying you know the targeted communities where underserved that could be, you know where it could be economic, it could be areas that do not have access to pools or swimming. So it can definitely vary.

Document included

Questions:

Mike- an additional area of underserved looks at religious groups including Muslim and Hasidic communities and gender swims, or specific holidays. Heidi asked about conflict with gender norms, pronouns and identity which could limit access.

Marrick asked if this was the final submission for consideration, and Mike requested additional time to review it again before the final commitment. The conversation will continue for the next meeting.

Goal E: Awareness - Kathryn, Heidi

Kathryn shared a video to represent the tone that any messaging they would want to share that could best allow for diversity as well as translation and can work for the three key areas of teens, parents and caregivers, and partners and educators. I think it also debunks the idea that drowning is loud and obvious, right? So it starts to paint some of that messaging as well. So more to come. But that is one of the examples that will be shared in the final report.

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

Underserved

Heidi shared a list of terms including two definitions of 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 socioeconomic disparities, geographic location or other factors. In New York, one way that has been used to qualify the socioeconomic, socioeconomic threshold is to look at households with no more than 200% of the federal poverty percent of the federal poverty guidelines.

Underserved population 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. (NYS Bill 240

Brendan:

200% figure was also recommended by a Community Advisory Board in Brooklyn and has been in place at the major Owens Community Center, so maybe we want to say it can be a suggested standard.

Conversations were had to identify areas that can be moved to recommendations and separate from definitions including

- Percentage of poverty level for consideration for poverty guidelines
- School District lunch program recipients
- Proof of financial hardship

Swim Instructor

Starting point:

Be fully trained or certified professional as defined by the NYS Department of Health who provides swimming lessons to individuals or groups teaching a range of skills from basic water comfort to advanced swimming techniques and water safety practices.

Do we need a definition of "fully trained" or "Certified professional"- DOH already has that defined

After discussion, determined for discussion at our next meeting.

Be a fully trained or certified professional who provides swimming lessons to individuals or groups teaching a range of skills from basic

Incentivize:

Incentivize refers to methods and strategies used to encourage or motivate individuals toward a particular behavior or activity. This can include encouragement in the form of positive reinforcement, feedback or other non-tangible benefits.

Aquatic environment.

These are areas with bodies of water where aquatic activities can take place. They can be natural such as lakes, rivers, and oceans and or manmade like swimming pools and water parks. Splash pads, splash pads.

Environmental stewardship

the responsible use and protection of the natural environment, including the aquatic environment through active participation and 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 orientation in the water. They are taught by fully trained instructors with a low student-to-instructor ratio or customized to the child's needs. Lessons do not use flotation devices and may begin as early as three to four months of age.

The conversation was had regarding how specific we wanted to be in defining these terms or whether the intention was to create broad strokes that could be used as a foundation for other entities to use as part of their individual considerations.

Definition needed: Personal Flotation Device, instructional swim aids and to return to aquatic literacy to be able to perform the needed skills without any form of floatation support or aid.

Question: Will these recommendations be reviewed by a legal department? To be confirmed

Needed: Adding a definition for Water Watcher

11:20 For the Good of the Group

Additional changes to the ABCD but of water safety after listening to Karen Cohn from the Zach foundation and Reggie and have added/adjusted

"D" from "dressed appropriately" to "drains"

Added

"G" for "groups"

"I" for "intoxications from alcohol, drugs or medication"

Game Plan for next meeting - 6/16/2023.

Richard from that foundation will speak first

DEI- 10-15 minutes

DIA for the 30th is still tentative

Public comment

Tim was asking if there intention of the commission to encourage backyard pool lessons as that would open up an additional area of regulations needed. The commission discussed that the intention would be to discourage this and not to encourage it. Kate shared that she can investigate the requirements for insurance and Tim added that there are additional considerations to meet state requirements.

Upcoming Events: Guest Speakers

6/16/2023: Richard E Specht, Jr., Founder/CEO, The ReesSpecht Life Foundation (Heidi); DEI (Mike)

6/30/2023: DIA (Mike)

11:30 Adjourned

GLOSSARY OF TERMS: To Create A Standardized Vocabulary for the State

Aquatic environments:

Aquatic Literacy - Synonym for Water Competency (Dr. Langendorfer) **Association of Health, Physical Education, Recreation, and Dance (AHPERD) Environmental Stewardship High Quality Swim Program**

Incentivized - Greg clarified that the word was intended to refer to encouraging rather than a tangible, physical benefit. - minutes 4/21/2023

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 (Whitehead, 2010) - Dr. Clancy Seymour

Progressive Swim Instructor

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

Swim Instructor

Underserved -

Water Comfort Level

Water Competency (Pool versus Natural Water)

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

June 2
June 16

June 2
June 16
June 30

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- canceled

WATER SAFETY GLOSSARY EXCERPT

1. 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:

2. Aquatic Literacy: Also known as Water Competency, it refers to the ability to anticipate, avoid, and survive common drowning situations. This includes water safety awareness, basic swimming skills, and the ability to help others in need. It is closely tied to positive motivations to engage in water activities.

3. 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

4. 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.

5. 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. Lessons do not use flotation devices and may begin as early as 3-4 months of age.

Categories in the WSI manual — for swim instruction

Aligned with our Swim Instructor Definition

PFD - Personal Floatation Devices US Coast Guard Approved.

Swim Education Tools:

Swimming Aids - Tools to be used; do not guarantee floatation

Without excess reliance on flotation devices

Designated Water Watcher:

6. 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.

7. 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

8. Progressive Swim Instructor: A progressive swimming instructor assesses the swimming ability of each swimmer prior to allowing the child to participate in aquatic activities. They use modern adaptive techniques while regularly training in new teaching methods of swimming.

Definition from code:

The term is sort of defined in our [children's camp regulation](#) Section [7-2.5\(f\)](#)

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9. Rescue Skills Swimming: 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.

10. 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?

~~**11. 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)

12. 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.

13. 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.

RECOMMENDATIONS:

If it inflates, then it deflates.