

Dear Parent or Legal Guardian:

The 2002 Minnesota Legislature passed a bill that allows swimming pools to be used by family and group family child care providers when certain requirements are met. These requirements are specified in Minnesota Statutes section 245A.14, subdivision 11.

A swimming pool may be used only if all of the following requirements are met:

The parent or legal guardian of the child has provided written consent to the license holder which includes a statement that the parent or legal guardian has received and read the document written by the Department of Human Services and the Department of Health titled: "Fact Sheet: Risks of Swimming Pools at Child Care Homes," and also includes a statement that the Department of Health, Department of Human Services, and the county agency will not monitor or inspect the provider's pool;

The parent or legal guardian has entered into a written contract with the child care provider that specifies that the provider agrees to comply with all the requirements in Minnesota Statutes, section 245A.14 subdivision 11; and

The provider has not received a correction order or conditional license related to supervision or health and safety of children within the previous 24 months.

Please read the Fact Sheet, as well as the legislation (a link to the statutory language is located at the end of this page) and decide whether or not to permit your child(ren) to use the swimming pool while under the care of your family child care provider.

If you have questions about the changes regarding swimming pools, please contact your local public health department or the Minnesota Department of Health at (651) 201-5414, option 3. If you have questions about child care licensing you should contact your local county Social Services Agency, or you may call the Minnesota Department of Human Services at (651) 296-3971.

After completion, please give this form to your child care provider. This form will document your decision.

**FACT SHEET**  
**RISKS OF SWIMMING POOLS AT CHILD CARE HOMES**

**The use of swimming pools in home child care settings could facilitate the transmission of infections among children and cause serious disease, and also present risk of drowning and injury.**

- In Minnesota, we are particularly concerned about the potential for the enhanced transmission of E. coli O157:H7. This bacteria is passed in stool and is readily transmitted among children when contaminated hands or toys are placed in the mouth or contaminated food or water are consumed. Pools can easily become contaminated with stool.
- Infection with E. coli O157:H7 is the primary cause of hemolytic uremic syndrome (HUS), the most common cause of kidney failure in children in this country. This syndrome usually involves prolonged hospital stays and is fatal in up to 5% of cases. The Minnesota Department of Health maintains information on infectious diseases. This information can be found at: <http://www.health.state.mn.us/diseases.html>
- Each year several E. coli O157:H7 outbreaks are identified in Minnesota in both child care homes and centers. These outbreaks often cause a disruption of parents' schedules and income for the child care provider because infected children need to be excluded from child care until they are no longer carrying the bacteria, which can take as long as 1-2 months. Several other disease-causing agents, including Giardia, Cryptosporidium, and Shigella are also efficiently transmitted in wading pools. All of these agents can cause severe illness in children and are common in Minnesota. Information about laboratory-confirmed infectious diseases that were reported to the Minnesota Department of Health may be found at: <http://www.health.state.mn.us/diseases.html>
- The transmission of these infections can occur even under the care of the most diligent and thoughtful child care providers as the infections can be spread even with mild symptoms. The Center for Disease Control has more information regarding safe swimming at <http://www.cdc.gov/healthyswimming/faq/swimmers.htm>

**Swimming Pools Present the Risk of Drowning or Other Submersion Incidents.**

- The U.S. Consumer Product Safety Commission (CPSC) warns that young children can drown in small amounts of water, as little as two inches deep. Submersion incidents involving children usually happen in familiar surroundings and can happen quickly, even in the time it takes to answer the phone. In a comprehensive study of drowning and submersion incidents involving children under 5 years old, 77% of the victims had been missing from sight for 5 minutes or less. The Commission notes that toddlers in particular often do something unexpected because their capabilities change daily, and that child drowning is a silent death; there is no splashing to alert anyone that the child is in trouble. The CPSC has more information at <http://www.cpsc.gov/cpsc/pub/prerel/prhtml02/02169.html>

- Primary factors in risk of drowning and near-drowning injury for children are access to pools and supervision. Pool bottoms with steep drop-offs can be a risk to non-swimmers who inadvertently get into deep water. Above-ground pools pose a different risk for drowning than below-ground pools because visibility may be blocked by pool walls, increasing the likelihood of a delay in discovering unsupervised pool use, or pool users in trouble. Also, pool drains can trap hair if not properly shielded. Many drownings have occurred because of hair entrapment. Fencing may be the biggest factor, however, in controlling unsupervised access to the pool.
  
- There are National Health & Safety Performance Standards Guidelines for Out-of-Home Child Care Programs for swimming, wading and water at the following web site:  
<http://nrc.uchsc.edu/national/5-4.html#wq>. These are prepared by the National Child Resource Center for Health and Safety in Child Care, which is funded by the Maternal and Child Health Bureau, U.S. Department of Health and Human Services.

**MDH/DHS Revised 04/06**

\*\*\*\*\*

By signing this form, I am acknowledging that I have read the document written by the Department of Human Services and the Department of Health titled: "Fact Sheet: Risks of Swimming Pools at Child Care Homes." I have been given the opportunity to talk with my child care provider about the use of the swimming pool, and I understand the risks associated with the use of a swimming pool by my child(ren) while they receive child care services.

By signing this form, I acknowledge that the provider's pool will not be inspected or monitored by the Department of Health, the Department of Human Services or the county social services agency.

By signing this form, I am acknowledging that I have entered into a contract with my child care provider and that the contract specifies that the provider agrees to perform all of the requirements in Minnesota Statutes section 245A.14, subdivision 10. I understand that the county social services agency will NOT monitor the terms of my contract with the family child care provider.

By signing this form I am acknowledging that I understand that if my child care provider receives a correction order or a conditional license related to the supervision or health and safety of children, the provider is then prohibited from allowing children cared for to continue to use the swimming pool located at the home.

\_\_\_ I **do** consent to my child care provider's use of the swimming pool with my child(ren).

\_\_\_ I **do not** consent to my child care provider's use of the swimming pool with my child(ren).

\_\_\_\_\_  
Signature of Parent or Legal Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name(s) of child(ren)

\_\_\_\_\_  
Signature of Child Care Provider

\_\_\_\_\_  
Date

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_