In order to reduce the risk of swimming pool injuries and accidents we, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ agree to take the following precautions to help prevent children from entering our backyard swimming pool areas at all times. When the pool is not in sue, we agree to keep the door leading to the backyard locked and the door alarms activated at all times. We also agree to keep all backyard Entrances and Exits, and Machinery Rooms locked when we are not using the pool. We further agree that when children are using the Pool that an adult who has completed a Water Safety Course of an Adult who is a Certified Lifeguard will always supervise them.

**749.3133. What are the requirements for a pool at a foster home?**

*September 2010*

High (a) The caregivers must inform children about house rules for use of the pool and appropriate safety precautions. Adult supervision and monitoring of safety

features must be adequate to protect children from unsupervised access to the pool.

Medium-High (b) The swimming pool must be built and maintained according to the standards of the Department of State Health Services and any other applicable state or local regulations.

High (c) A fence or wall that is at least four feet high must enclose the pool area. The fence must be well constructed and be installed completely around the pool area. A foster home that you verified before January 2007, has one year from that date to comply with this requirement. Caregivers must continue to prevent children’s unsupervised access to the pool.

*(continued)*

*Texas Department of Family and Protective Services* 163

*Minimum Standards for Child-Placing Agencies; Condensed Version for Foster Parents*

 (d) Fence gates leading to the outdoor pool area must be self-closing and self- latching. Gates must be locked when the pool is not in use. Keys to open the gate must not be accessible to children under the age of 16 years old or children receiving treatment services.

(e) Doors that lead from the home to the pool area must have a lock that only adults or children over 10 years old can reach. The lock must be completely out of the reach of children younger than 10 years old.

(f) Furniture, equipment, or large materials must not be close enough to the pool area for a child to use them to scale the fence or release a lock.

(g) At least two life-saving devices must be available, such as a reach pole, backboard, buoy, or a safety throw bag with a brightly colored buoyant rope or throw line. One additional life-saving device must be available for each 2,000 square feet of water surface, so a pool of 2,000 square feet would require three life saving devices.

(h) Drain grates must be in place, in good repair, and capable of being removed only with tools.

(i) Caregivers must be able to clearly see all parts of the swimming area when supervising activity in the area.

(j) The bottom of the pool must be visible at all times.

(k) Pool covers must be completely removed prior to pool use.

(l) An adult must be present who is able to immediately turn off the pump and filtering system when any child is in the pool.

(m) Pool chemicals and pumps must be inaccessible to all children. (n) Machinery rooms must be locked to keep children out.
(o) An aboveground pool must:

(1) Be inaccessible to children under the age of 16 years old or children receiving treatment services when it is not in use; and

(2) Meet all other requirements in this rule except for subsections (c) - (e) of this section.

(p) A pool cover does not substitute for any of the requirements in this rule.

***Helpful Information***

*A backyard fence may serve as the pool fence/wall if it meets all fence/wall and gate criteria in 749.3133. Subsection (a) requires that children may not have unsupervised access to the pool area. Therefore, if the backyard fence serves as the pool fence/wall, then children may not have unsupervised access to the back yard and doors leading to the back yard must comply with 749.3133(e). If the entire backyard is serving as the pool area, children may not be in the backyard without direct caregiver supervision.*

FOSTER PARENT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

FOSTER PARENT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

AGENCY STAFF: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_