

1 **School Swimming and Lifeguarding Programs**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melissa G. Ballard

Senate Sponsor:

3 **LONG TITLE**

4 **General Description:**

5 This bill enacts provisions in public education related to water safety.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines terms;
- 9 ▶ requires the inclusion of water safety instruction in the public education core curriculum
- 10 standards for physical education;
- 11 ▶ allows the exemption of a student from required water safety instruction under certain
- 12 circumstances;
- 13 ▶ allows a local education agency (LEA) to:
 - 14 • provide swim instruction, lifeguard certification training, and swim instructor
 - 15 certification training as courses under certain conditions;
 - 16 • construe the completion of certain courses toward physical education credit
 - 17 requirements or other requirements; and
 - 18 • enter into an agreement with certain providers to offer certain programs; and
- 19 ▶ grants rulemaking authority to the State Board of Education.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 This bill provides a special effective date.

24 **Utah Code Sections Affected:**

25 ENACTS:

26 **53G-10-409**, Utah Code Annotated 1953

27 **53G-10-410**, Utah Code Annotated 1953

29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **53G-10-409** is enacted to read:

31 **53G-10-409 . Water safety instruction -- Requirements.**

- 32 (1) ~~Ĥ~~→ [In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 32a the] The ←Ĥ
 33 state board shall make ~~Ĥ~~→ [rules] standards ←Ĥ to develop and
 33a implement water safety instruction as part of
 34 the core curriculum standards for instruction in physical education, beginning with the
 35 2027-2028 academic year.
- 36 (2) The state board shall:
- 37 (a) consult with the American Red Cross or other similar organization to make the ~~Ĥ~~→ [
 37a rules] standards ←Ĥ
 38 described in Subsection (1); and
- 39 (b) ensure that the ~~Ĥ~~→ [rules] standards ←Ĥ described in Subsection
 39a (1) include instruction in:
- 40 (i) safe behaviors in and around water;
 41 (ii) water condition awareness;
 42 (iii) the importance of pool barriers and fencing;
 43 (iv) the proper use of flotation devices;
 44 (v) the importance of swim lessons;
 45 (vi) the proper supervision of swim areas;
 46 (vii) the importance of avoiding alcohol and substance use in and around water;
 47 (viii) recognizing when someone is in trouble and calling for help; and
 48 (ix) emergency response techniques, including:
- 49 (A) calling for emergency assistance; and
 50 (B) CPR training described in Section 53G-10-408.
- 51 (3) Beginning in the 2027-2028 academic year, an LEA ~~Ĥ~~→ [shall] may ←Ĥ
 51a ensure that each student
 52 receives instruction on water safety as described in this section.
- 53 (4) A student is exempt from completing water safety instruction if:
- 54 (a) the student's parent or legal guardian requests that the student be exempt from water
 55 safety instruction; or
- 56 (b) the student has an IEP, and water safety instruction is inconsistent with the student's
 57 IEP.
- 58 (5) Nothing in this section requires access to a body of water for practical instruction in the
 59 concepts described in this section.

60 Section 2. Section **53G-10-410** is enacted to read:

61 **53G-10-410 . Swim instruction -- Swim instructor certification training --**

62 **Lifeguard certification training -- Requirements.**

63 (1) As used in this section:

64 (a) "Lifeguard certification training" means a training and certification program for a
65 student who is at least 15 years old and that is certified by the American Red Cross or
66 an equivalent program approved by the Department of Health and Human Services
67 that:

68 (i) a certified lifeguard instructor teaches at a public or private facility;

69 (ii) a student may take to satisfy credit requirements or other requirements for
70 physical education; and

71 (iii) offers an opportunity for a student to enter the work force as a lifeguard after
72 certification.

73 (b)(i) "Swim instruction" means swim lessons from a certified swim instructor that
74 instruct a student in knowing how to:

75 (A) enter and exit water that is over the head;

76 (B) float or tread water for at least one minute;

77 (C) turn over and around in the water;

78 (D) swim at least 25 yards; and

79 (E) safely exit the water.

80 (ii) "Swim instruction" includes swim lessons at the beginning, intermediate, and
81 advanced levels, including other distinctions of skill and ability, as the state board
82 defines in rule.

83 (c) "Swim instructor certification training" means a training and certification program
84 for a student who is at least 15 years old and that:

85 (i) is certified by the American Red Cross or an equivalent program approved by the
86 Department of Health and Human Services;

87 (ii) a certified lifeguard instructor or swim instructor teaches at a public or private
88 facility;

89 (iii) a student may take to satisfy credit requirements or other requirements for
90 physical education; and

91 (iv) offers an opportunity for a student to enter the work force as a swim instructor
92 after certification.

93 (2) Beginning with the 2025-2026 academic year, and subject to Subsection (3), an LEA

94 may include courses for swim instruction, lifeguard certification training, or swim
95 instructor certification training for credit, including toward a credit requirement or other
96 requirements for physical education.

97 (3) Subject to Subsection (4) or (5), a student may receive credit toward a credit
98 requirement or other requirements for physical education by:

99 (a) completing a course in swim instruction;

100 (b) completing a swim instruction certification training program; or

101 (c) completing a lifeguard certification training program.

102 (4)(a) If an LEA does not have access to an LEA pool, the LEA may partner with a
103 recreation center, public facility, another LEA, or a private facility that is under the
104 supervision of a certified lifeguard, to provide swim instruction to the LEA's students
105 as part of physical education within the core standards.

106 (b) An LEA shall construe the completion of a swim instruction course outside of the
107 school day or school year toward a credit requirement or other requirements for
108 physical education for a student if the student's parent submits an application for
109 credit to the LEA that includes a certification or verification from the relevant
110 instructor verifying:

111 (i) the number of swim instruction hours the course comprised; and

112 (ii) the minimum required instruction described in Subsection (1).

113 (5)(a) An LEA may partner with a recreation center or other public or private facility
114 under the supervision of a certified lifeguard to provide lifeguard certification
115 training or swim instructor certification training to the LEA's students as part of
116 physical education within the core standards.

117 (b) An LEA shall construe the completion of a lifeguard certification training program
118 or a swim instructor certification training program toward a credit requirement or
119 other requirements for physical education for a student if the student's parent submits
120 an application to the LEA that includes a certification or verification from the
121 relevant instructor verifying:

122 (i) the number of lifeguard certification training hours or swim instructor certification
123 training hours the course comprised; and

124 (ii) the minimum required instruction described in Subsection (1).

125 (6) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative
126 Rulemaking Act, make rules to implement this section.

127 Section 3. **Effective Date.**

128 This bill takes effect on July 1, 2025.