

PUBLIC NOTICE

EDUCATION

STATE BOARD OF EDUCATION

Notice of Action on Petition for Rulemaking

State Board of Examiners and Certification

Swimming and Water Safety

N.J.A.C. 6A:9B-11.10

Petitioner: Linda Bolger.

Take notice that on March 23, 2018, the New Jersey State Board of Education (State Board) received a petition for rulemaking from the above petitioner requesting the State Board of Education amend N.J.A.C. 6A:9B-11.10 to include a third option for the entity that issues a Water Safety Instructor Certificate required for a swimming and water safety endorsement to an instructional certificate.

The petitioner specifically requested the State Board adopt amendments to N.J.A.C. 6A:9B-11.10(a)4, which requires candidates to hold a valid Water Safety Instructor Certificate issued by the American Red Cross or YMCA, to add the Flotation Aided Swim Training Program (FAST Swim Program[™]) as an issuer of the required certificate.

The petitioner's request indicated the FAST Swim Program[™] is comparable in benefits and achievements to the American Red Cross and YMCA certificate programs. The petitioner's request stated the FAST Swim Program[™] specifically addresses non-swimmers and weak swimmers and is inclusive of students with disabilities.

The petitioner also submitted the FAST Swim Program[™] Instructor Guided Learning Manual and the FAST Swim Program[™] Instructor Training Workbook to be considered as part of the petition's review.

Although the petitioner stated the FAST Swim Program™ is comparable in benefits and achievements to the American Red Cross and YMCA certificate programs, which are the two certificate issuers authorized under N.J.A.C. 6A:9B-11.10(a)4, the Department does not possess the expertise to ascertain whether the petitioner's FAST Swim Program™ is comparable to the American Red Cross or YMCA programs. The petitioner did not submit evidence that the FAST Swim Program™ meets or exceeds the components of the currently required programs.

Therefore, the petitioner's request is hereby denied.