

PUBLIC NOTICE

EDUCATION

STATE BOARD OF EDUCATION

Notice of Receipt of 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 January 22, 2019, 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 submitted materials to support the petition, the last of which was received on February 15, 2019.

The petitioner specifically requests 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 ProgramTM) as an issuer of the required certificate.

The petitioner's request indicates the FAST Swim Program incorporates various instructional tools, including U.S. Coast Guard approved lifejackets, noodles, and kickboards. The request also indicates that FAST Swim Program instructors will provide the necessary equipment.

The petitioner submitted the FAST Swim Program Instructor Guided Learning Manual (Second Edition, 2018) to be considered as part of the petition's review. The petitioner also submitted a chart comparing the FAST Swim Program to the American Red Cross Water Safety Instructor Program and the YMCA Swim Program. The items of comparison included in the

chart are the primary focus of each program and whether each program has safety skills and safe behaviors guidelines, utilizes forced submission of infants age six to 18 months, maximizes instructional pool time, is all inclusive of ages and abilities, and includes lesson planning and assessments. The chart also includes a swim-level comparison, the use of instructional tools/materials needed for each program, and class-size ratios.

The petition also states the FAST Swim Program was approved by the Florida State Board of Health in April 2018, as an authorized water safety instructor program.

In accordance with N.J.A.C. 1:30-4.2, the Department shall subsequently mail to the petitioner, and file with the Office of Administrative Law, a notice of action on the petition.