

Barriers to Protect Children from Life- Threatening Safety Hazards

Maryland State Department of Education
Division of Early Childhood
Office of Child Care

Resource Guide



August 2020

Barriers to Protect Children from Life-Threatening Safety Hazards

Supervision of children is the most important element in maintaining their safety. However, children often do the unexpected, for which those supervising them are unprepared. Effective barriers prevent or delay children's access to hazards. There may be many hazards near child care facilities from which children need to be protected.

Swimming pools, spas, and hot tubs located in close proximity to child care facilities are potential sources of injuries and drowning. Other hazards such as high cliffs, bodies of water, heavy machinery, heavy vehicular traffic, train tracks (currently in use), etc. are also life-threatening hazards from which children require protection. The following steps should be taken when identifying and reducing life-threatening safety hazards in, around or near your child care facility.

Inspect the premises of the child care facility and adjacent areas for potentially life-threatening hazards such as high cliffs, bodies of water, swimming pools, hot tubs, spas, heavy vehicular traffic, heavy machinery, train tracks (currently in use), and other hazards. Life-threatening safety hazards must have barriers making them inaccessible to children.

I. **Walls or Fences for Protection from Life-Threatening Hazards** (See Page 5 for illustrations)

If the barrier is a wall or fence, it must make the safety hazard inaccessible to children by completely enclosing the hazard or the children. The wall or fence must meet the following specifications:

- A. Height – at least 4 feet high or meet local code, whichever is more restrictive.
- B. Foot- and Hand-Holds – The barrier may not have foot-holds or hand-holds a child could climb.
 - 1. If the barrier is a chain-link fence, the opening should be no larger than 2 ¼ inches between parallel sides of the link. (See Figure 3.)
 - 2. If the barrier is a picket or ornamental fence, it must meet the following specifications:
 - a. Fences with horizontal and vertical members:
 - (1) Horizontal members must be located on the hazard side of the fence if the distance between the tops of the horizontal members is less than 45 inches. Space between vertical members shall not exceed 1 ¾ inches. (See Figure 1.)
 - (2) Where the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed 4 inches. (See Figure 2.)
 - b. Decorative cutouts shall not exceed 1 ¾ inches in width.

- C. Ground Clearance – The bottom edge of the wall or fence must not be more than 4 inches from the ground.
- D. Gates and Latches – The gates in the wall or fence must be self-closing and self-latching. The latches must be inaccessible to young children.
- E. The area against the wall or fence must be kept free of items a child could use to climb over the fence and into the hazard area such as, but not limited to, picnic tables and outdoor furniture. All retractable ladders must be locked in the upright position during child care hours and all removable ladders must be stored away from the pool.
- F. If the walls of the building, housing the child care facility, are part of the barrier you must ensure that:
 - 1. Doors which open to the hazard are equipped with alarms. The alarm must be audible and sound continuously for at least 30 seconds when the doors are opened. If the doors are not used as fire exits, they must be locked.
 - 2. Windows which open to the hazard are evaluated to ensure the protection of children.

NOTE: All windows in your facility should be evaluated by providers to ensure child safety.

II. Other Barriers for Pools, Spas, or Hot Tubs

- A. Pools

Effective January 13, 2020 new child care regulations were implemented based on the reauthorization of the Child Care and Development Block Grant. It is now required that all pools come into compliance with these new, enhanced safety measures. The new regulation reads as follows:

 - C. Any pool on the premises of the facility shall be made inaccessible to children in care and have security features, including but not limited to a: (1) Fence that surrounds the pool at least 4 feet in height; (2) Self-closing and self-latching mechanism on the gate, door, or access to the pool; (3) Lock that is operable and secured; and (4) Sensor or alarm in the pool and on the access door.
 1. Regardless of the height of an above ground pool, the walls of the pool itself are no longer sufficient to act as the 4 foot barrier. To meet this requirement, you can
 - a. construct a fence, which is at least 4 feet tall, around your pool.
 - b. Install fencing along the top of the pool, similar to these pictures. Any deck fencing, or gates on the deck fencing, that surrounds the pool must be at least 4 feet tall with self-latching, self-closing gates with an operable lock. **All pool enclosures are reviewed on an individual basis and will be approved by the Regional Office.**



2. Pool areas must be kept free of items children could use to climb into the pool such as, but not limited to, picnic tables and outdoor furniture. Pool water filters may need barriers to prevent children from using them to climb into pools.
3. The gate must be self-latching and self-closing, and have a lock that is operable and secure. Gates should NEVER be propped open.
4. There must be a sensor or alarm in the pool.

- B. Spas and Hot Tubs – A cover that complies with American Society for Testing and Materials (ASTM) F1346-91 must be used and the cover must be locked.

III. **Additional Safety Precautions for Pools**

- A. A child should never be left unsupervised near a pool or spa.
- B. Always check the pool or spa first if a child is missing. Standing at the edge of the pool, scan the pool bottom, surface, and the entire pool area.
- C. Rescue equipment should be kept by the pool. A reaching pole with shepherd's hook is the best rescue equipment to use for children. A ring buoy with a rope may also be used.
- D. Remove toys from in and around the pool when it is not in use to avoid attracting children to the pool.

TECHNICAL ASSISTANCE: Louis A. Valenti, Jr., Branch Chief - Licensing, Office of Child Care,
(410)-767-0120

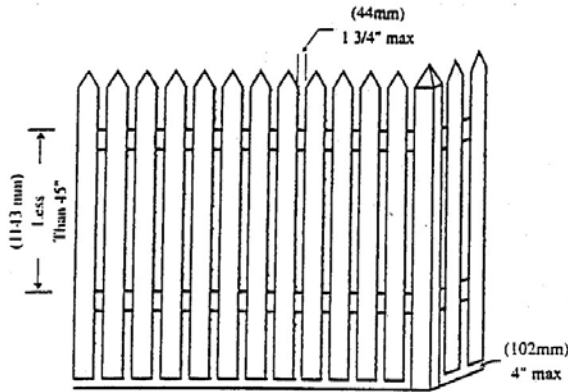


FIG. 1 IF HORIZONTAL MEMBERS ARE LESS THAN 45" (1143mm) APART. THE SPACE BETWEEN VERTICAL MEMBERS SHALL NOT EXCEED 1-3/4" (44mm).

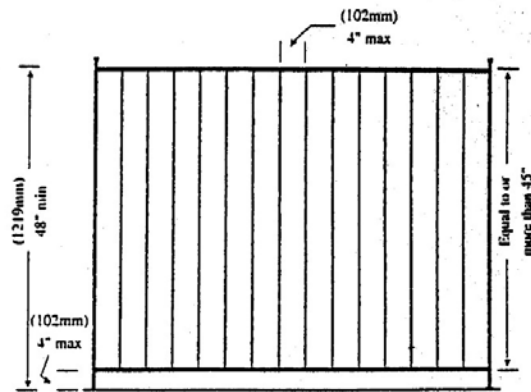


FIG. 2 IF HORIZONTAL MEMBERS ARE EQUAL TO OR MORE THAN 48" (1219mm) APART, THE SPACE BETWEEN VERTICAL MEMBERS SHALL NOT EXCEED 4" (102mm).

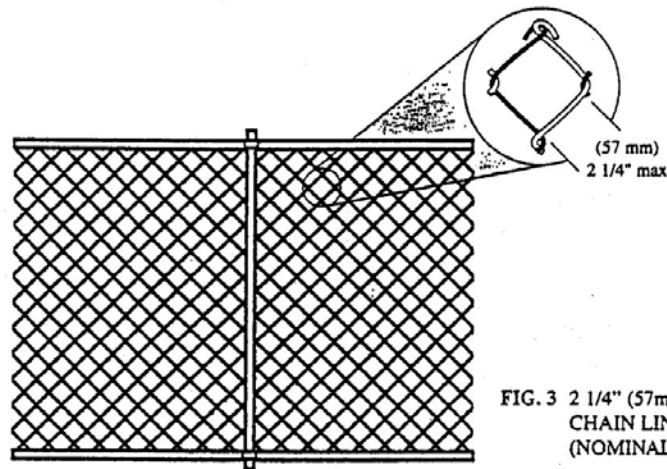
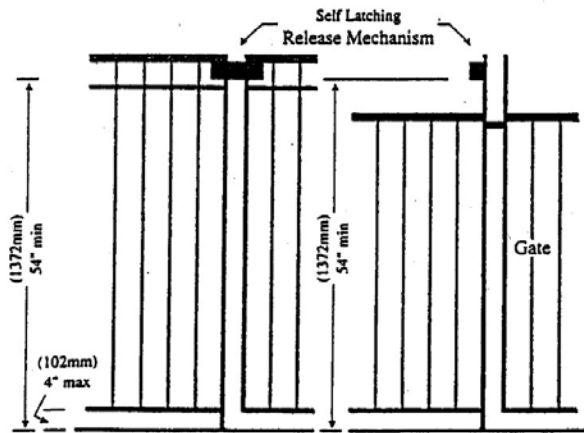
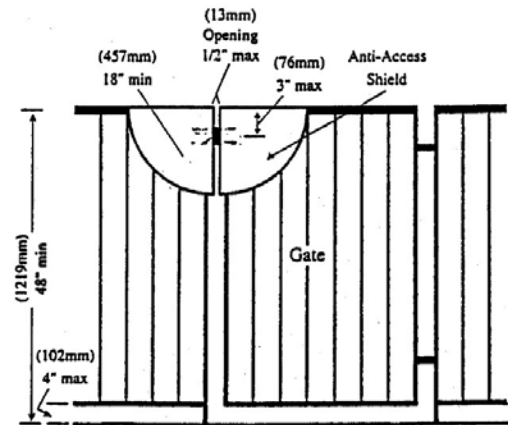


FIG. 3 2 1/4" (57mm) SQUARE CHAIN LINK MESH. (NOMINAL)



RELEASE MECHANISM LOCATED AT 54" (1372mm) OR HIGHER FROM THE BOTTOM OF THE GATE.



RELEASE MECHANISM LOCATED LESS THAN 54" (1372mm) FROM THE BOTTOM OF THE GATE.

FIG. 4 LATCH RELEASE MECHANISM.