

Lessons Learned

After hearing the testimony, reviewing the documents and listening to the opinions of preeminent experts in both lifeguarding and CPR, we learned the following lessons in retrospect and suggest that parents consider the following items in deciding whether to send their child to a camp (whether a day or overnight camp) with water activities:

- Inquire as to whether the summer camp complies with the applicable state laws.
- Take a tour of the swimming facilities and the designated areas for the different levels and/or ages of swimmers so that you can observe where your child will be engaging in water activities. Also see if the areas are well marked. After taking the tour, determine if it is a safe place for your child.
- Inquire whether the campers are swim tested, and if not, will the campers be treated as “non-swimmers.” If the camp is going to rely on your designation as to your child’s swimming ability, think twice before sending your child to the camp. Most parents CANNOT accurately assess their child’s swimming ability.
- If your child is designated as a non-swimmer or weak swimmer, inquire whether your child will be confined to a children’s wading pool. If not, inquire whether life vests or jackets are recommended or will be provided or whether your child will participate in an alternative activity.
- Inquire whether campers will somehow be marked so that counselors and lifeguards can readily tell the campers swimming ability so that they do not go into areas that present risks for their swimming level.
- Make sure that the counselors, lifeguards and the various managers are certified in CPR and required to regularly practice it. Also, inquire as to the camp procedure for ensuring that certifications are current and remain current. Two of the three people that performed CPR on our son were not certified in CPR; one was hired with an expired certification, while the other responder’s certification expired about a month earlier.
- Inquire about and determine what safety or emergency equipment is in place.
- Make sure there is an AED in or near the pool area and that the lifeguards and counselors have been certified and trained on the device and know its location. Also, ask if the camp’s AED is suitable for use with small children. The answer you receive may inform you on how seriously safety is treated by the camp.
- Make sure that the camp and counselors have a written response plan that they practice in case of an emergency so that everyone knows their specific role in an emergency.
- Inquire as to the lifeguard training to ensure that the lifeguards are participating in weekly in-service training programs required by Texas state law and that they regularly drill and

practice CPR. Also inquire if the lifeguard staff has been trained and tested to readily recognize a swimmer in trouble, distress or is drowning.

- Inquire how the lifeguards will staff the pool while your child is in the water. When our son drowned, the head lifeguard and three most senior lifeguards went to lunch, leaving one lifeguard to scan the lap pool and two inexperienced 15 year old lifeguards to scan a crowded family resort pool, which had at least 26 4 year old campers plus a minimum of another 27 campers, counselors, club members and guests.
- Make sure there is an emergency phone in the pool area and that the lifeguards and counselors have been trained as to its location and use.
- Make sure that the lifeguard staff has an Emergency Action Plan and that they practice it regularly. It is required under Texas state law. When our son was discovered in the pool, the lifeguard on duty did not use the emergency phone that was six feet away to call 911, but instead ran to find the other senior lifeguards for them to call 911. Also, despite having at least 2 AED devices within a few hundred feet, neither the Summer Camp Director (who was certified to teach AED) nor the lifeguards and counselors thought to get an AED. This failure to adequately respond resulted from the club's failure to have either an oral or written Emergency Action Plan and its failure to practice such a plan.
- Do not assume that just because lifeguards are on duty that lives are being guarded. Experience and quality can vary from lifeguard to lifeguard. The pool management has the responsibility to ensure that satisfactory quality is provided at all times.
- Inquire into the qualifications and age of the Summer Camp Director, Assistant Summer Camp Directors, supervisors and counselors. Also, inquire into the qualifications and age of the pool manager, lifeguard manager, the lifeguard supervisors and lifeguards. Make sure that they are qualified and have received the appropriate training. Just because a particular camp may have been in existence for years, that does not necessarily mean that the camp and its lifeguard staff are properly supervising water activities. Also, counselors, lifeguards and other staff may not only change from year-to-year, but also week-to-week.
- Make sure that the supervisors for the counselors are adults and not teenagers or young college students merely 18 or older. This type of adult supervision is typically not what most parents expect.
- Make sure that the adult supervisors are onsite in the pool area while campers are in the water.
- Do not get lulled into a state of false security by counselor to camper ratios. When our son drowned, the ratio was nearly **2 campers for every counselor**, but he still drowned in plain sight without anyone reacting. The number of counselors is not as important as the attitude of the counselors, the safety training that they receive and whether the camp assigns specific campers to a specific counselor.

- Make sure that the counselors only interact with the campers that they are assigned to watch. At least one of our son's counselors was also playing with campers that were part of another older group of children.
- Inquire how the counselors, as a practical matter, watch the campers in the pool. Ask if the camp assigns specific campers to a specific counselor and what hand-off procedures exist between counselors in the pool if a camper wants to go with a different counselor. The camp our son attended did not assign specific campers to a specific counselor, but required all counselors to watch all campers in our son's group. This lack of individual accountability resulted in our son going unsupervised in the pool. When asked who was watching John, the witnesses could not identify any specific person and could not account for his activity in the pool for the 7 to 15 minutes before he was found.
- Inquire as to the water safety training given to counselors. Most people, let alone counselors, are unaware that drowning is usually a silent death in which the victim cannot call for help and many of the gestures will appear to be swimming or playing to an untrained person. No water safety training was given to the counselors at our son's camp.
- If you have a complaint or concerns about a summer camp or the lifeguard staff, you should: (1) communicate in WRITING, (2) copy at least 2 people, (3) ask for a follow-up, and (4) follow-up. Had the complaints members made orally about the lifeguard staff been put in writing, changes may have been made that would have prevented our son's death.