

**BUREAU OF EARLY CHILDHOOD SERVICES  
POLICY STATEMENT**

**ID NUMBER: 05-3** replaces # 97-3      Revised: December, 2005

**TOPIC:** Use of Bulkhead Doors and Sliding Doors as Exits in Family and Group Family Day Care Programs

**MODALITIES IMPACTED:** Family Day Care and Group Family Day Care

**APPLICABLE REGULATIONS:** 416.5(a) and (b), 416.4(f)(1-3),  
417.5 (a) and (b); 417.5(f)(1-3)

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**EFFECTIVE:** Immediately      **Revised December 2005**

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***This policy statement is effective immediately and cancels all previous memos or statements on this topic.***

The purpose of this policy statement is to clarify whether bulkhead doors (also known by the brand name “Bilco” doors) and sliding doors are acceptable means of egress in family and group family day care homes.

Although this policy statement will cover many technical aspects for approving programs that use bulkhead and sliding doors, it is imperative to evaluate the provider’s ability to carry out whatever emergency escape plan she/he is requesting to have approved by the Office of Children and Family Services (Office). If the provider is unable to evacuate the children from the building in a safe and timely manner, then the plan is not acceptable, regardless of its technical correctness. Issues to consider are: the ages of the children, their mobility, special needs considerations, and the provider’s physical abilities and understanding of the plan. It is important that all the information contained in this policy be taken into consideration when assessing the approval of programs using bulkhead doors and sliding doors as a means of egress. This Policy Statement should not be read and used in isolation.

**Definitions:**

**Bulkhead, (or Bilco) door** is a sloping, exterior door located at ground level that gives access to stairs leading to/from a basement.

**Sliding door** is a door that slides in a track and typically provides access to a patio, porch, deck or the ground.

### **Bulkhead Doors**

There are no regulatory or statutory specifications relative to the types or styles of doors that are acceptable as egress/exits in family and group family day care homes. While type and style are not specified, the following is required in the New York State Codes, Rules and Regulations 18 (NYCRR) Section 416.4 (f)(3) and § 417.4 (f)(3): *Where children are located below ground level, one means of egress from the below ground level area must be either an interior stairway with no intervening rooms or obstructions which leads to an exterior door at ground level, or an exterior stairway which leads directly to the ground. The vertical travel to ground level may not exceed eight feet.* As such, a bulkhead door that has a vertical travel to ground level at or less than eight feet is acceptable as a means of egress.

The day care regulations Title 18 NYCRR, Section 416.5 (a) and 417.5 (a) also require that: *suitable precautions must be taken to eliminate all conditions which may contribute to or create a safety hazard.* In order to eliminate safety hazards the following conditions must be met before approving the use of a bulkhead door as a means of egress:

- There must be adequate light in the stairwell at all times the day care program is in operation;
- The stairway leading to the exterior must have steps that are easily navigated by children and adults and the steps must extend all the way to grade level. (Residential Code of New York State Section R14);
- Stairways must have handrails. (Residential Code of New York State Section R15)
- Any door used as one means of egress, as well as the stairs, walkways, decks and patios associated with these means of egress, must be kept clear of snow, ice and all other obstacles, at all times;
- Any door designated as a means of egress must have locks designed to permit such doors to be opened from the inside, without use of a key, for an emergency;
- Once the provider gets the children to ground level she/he must also have an adequate egress path away from the structure as described in policy number 05-1; and
- A provider may opt to leave the bulkhead door open or closed during day care hours. With either decision comes the responsibility of the provider to have a written plan of escape that addresses the below listed safety concerns associated with keeping the door open and/or keeping the door closed.

#### **Safety issues associated with leaving the bulkhead door open:**

1. The stair well may fill with snow or ice during inclement weather and the

stairs may become hard to navigate in an actual emergency.

2. A provider, working alone, may be unable to remove accumulating ice and snow from the stairwell and supervise the children in care.
3. Security issues include: children escaping, intruders entering.
4. Heat will escape (in cold weather) and the day care space could get very cold.
5. Exposure to the weather may cause increased corrosion to door parts and its framework. (Door must be kept in working order).

**Safety issues associated with keeping the bulkhead doors closed:**

1. The Bulkhead door will become covered with ice and/or snow and its weight may prevent the provider and children from escaping in an actual emergency.
2. A provider, working alone, will be unable to clear ice and snow from the outside door and supervise the children in care.
3. A provider may inadvertently place items on the outside of the door which prevents its opening.
4. Exposure to the weather may rust outside parts that could inhibit latch mechanisms. (Door must be kept in working order).

**Approved space:**

In addition to their basement being approved as their primary day care space, providers may opt to have their first floor space approved for day care purposes. If the first floor is approved, providers may adopt a safety plan that includes moving the day care to the first floor in inclement weather. This move would eliminate the need to constantly clear the bulkhead door in inclement weather because the provider would not be using the bulkhead door on the first floor as an emergency egress. When care is moved to a first floor, the provider would still need to maintain the stairways and walks at that level and the first floor must also be approved for child care.

**A note about children's ability to open doors:**

In the best of circumstances, children in day care programs should be able to open the doors and window escapes that are located in day care programs. This will allow children to escape on their own, if for some reason they become separated from the provider, in an actual emergency. However, licensors/registrars and fire safety representatives must assess a provider's plan for escape in light of the ages and special needs of children in care. Infants and young children may be unable to manipulate door handles and windows and must rely on the provider to get them out in an actual emergency. This is one of the reasons the Office limits the number of children in a program who are under the age of two. Bulkhead doors are subject to the same standard as vertical doors and windows; if the Office cannot expect a young child to open a vertical door or window, the Office cannot expect this same child to be able to open a horizontal bulkhead door.

Therefore, a child's inability to open a bulkhead door may not be the cause for denying a basement as an approved space or for requiring that a bulkhead door remain open during day care hours. A bulkhead door may be approved as a means of egress if the provider is able to demonstrate and document a plan that addresses the associated safety issues addressed in this policy and observed during a site inspection.

**Sliding doors**

Similarly, there is no prohibition in day care regulations that prevents the use of sliding doors as a means of egress. Title 18 of the NYCRR Sections 416.4 (f) and 417.4 (f) stipulate that *children may be cared for only on floors provided with readily accessible alternate means of egress which are remote from each other.* In order to eliminate safety hazards the following conditions must be met before sliding doors may be approved as a means of egress.

- Sliding door tracks must be maintained so that they slide with ease.
- Sliding doors must remain free from any devices or coverings (such as blinds, curtains, and door stops) that would obstruct immediate access to the door.
- Clear glass panels must be marked clearly to avoid accidental impact.
- All means of egress must be kept accessible and unobstructed at all times.
- Any door used as one means of egress, as well as the stairs, walkways, decks and patios associated with these means of egress, must be kept clear of snow, ice and all other obstacles, at all times.
- Any door designated as a means of egress must have locks designed to permit such doors to be opened from the inside, without use of a key, in an emergency.
- Once the provider gets the children out of the sliding door she/he must also have an adequate egress path away from the structure as described in policy number 05-1.

**Closing remarks**

Whenever a registrar, licensor or fire safety representative becomes aware that a provider will be using a bulkhead or sliding door as one means of egress from a child care area, they must ask for a description of how the provider will keep the doorway and the surrounding areas accessible. This description must be written in the providers evacuation plan and must include such items as methods of snow and ice removal and means of securing the door. The registrar, licensor or fire safety representative must also conduct an on-site visit and have the provider demonstrate that their plan will work before the bulkhead or sliding door is approved as a means of egress.



APPROVED BY: 

[ X ] Date: December 8, 2005