

**Index No: 97-01, dated October 1, 1997**

Applicable to: Licensed Day Care Homes and Licensed Group Day Care Homes

**Question:**

**Can children in a licensed day care home or licensed group day care home be left outside without an adult present if the caregiver is inside the house by a window or door and can see or hear the children?**

Response:

When children in a licensed day care home or licensed group day care home are outside, there must be a caregiver or an assistant 18 years of age or older present as required by 406.8(k)(5) and 406.16(b)(8) and by 408.30(k)(7) and 408.85(i).