

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 12: Foster Family Home Licensing	Effective Date: July 1, 2019
	Section 12: Foster Family Home Capacity	Version: 5

STATEMENTS OF PURPOSE

The Indiana Department of Child Services (DCS) will require the foster family home to only care for the number of children authorized on the license and only at the address that is designated by the license.

The maximum capacity requirements are based on the age, needs and category of supervision of the child.

A foster family home may not provide supervision and care for more than six (6) individuals at once. No more than four (4) of the individuals may be children who are less than six (6) years of age and each individual must be either:

1. Less than 18 years of age, or
2. At least 18 years of age and receiving care and supervision under an order of a juvenile court.

Note: The maximum capacity includes the children in the home for whom the foster parent is a parent, stepparent, guardian, custodian, or other related or non-related children for whom the provider provides continuous and direct care and supervision.

A foster family home may not provide overnight or regular and continuous care and supervision to a child who is the subject of a power of attorney while providing care to a child placed in the home by DCS or probation without an exception.

A foster family home with a therapeutic certification may not provide supervision and care as a therapeutic foster family home to more than four (4) total children at the same time; including the children for whom the foster family home is a parent, stepparent, guardian, custodian, or other relative. Only two (2) of the four (4) may be foster children.

Note: The capacity for a foster home with a therapeutic certificate will also apply to all licensed homes who generally care for a child who has a Child and Adolescent Needs and Strengths (CANS) score of three (3) or four (4).

A foster family home that has a child who has a CANS score of three (3) or four (4) placed with them may not accept a non-related child who does not have a CANS score of three (3) or four (4) unless it is in the best interest of the child being placed. An exception must be granted for non-siblings.

A child specific exception to capacity may be requested for any of the following reasons:

1. To allow a parenting youth in foster care to remain with the child of the parenting youth;
2. The placement of siblings in the same foster family home is desirable;
3. A foster child has an established, meaningful relationship with the foster family;

4. To allow a family with special training or skills to provide care to a child who has a severe disability;
5. The:
 - a. Child is being placed in the foster family home for a second or subsequent time under [IC 31-34-23-5](#),
 - b. Placement would not cause the foster family home to be out of compliance with federal law, and
 - c. DCS determines that the placement would not present a safety risk for the child or for any other resident of the foster family home; or
6. It is otherwise in the foster child's best interest.

Respite care is not considered a placement. However, when choosing a respite provider the FCM and licensing worker should consider the same factors they would consider when identifying placement options, including caregiver capacity and ability.

Code Reference

1. [IC 29-3-9-1\(h\): Delegation of powers by executed power of attorney; limitations](#)
2. [IC 31-27-4-1: License required to operate foster family home; exception](#)
3. [IC 31-27-4-8: Supervision and care limits; exceptions](#)
4. [IC 31-34-23-5: Placement of a child with a previous placement](#)

PROCEDURE

Prior to requesting initial capacity for a foster family home or an exception to capacity, the licensing worker¹ will:

1. Consider the number, ages, and special needs requirements of each child (household and foster) already in the home;
2. Determine that the housing requirements found on the [Resource Family Home Physical Environmental Checklist \(SF53186\)](#) can accommodate the number of children who need placement;
3. Evaluate the ability of the foster parent to meet the needs of the children currently in the home, in addition to the foster children;
4. Submit an exception request **prior** to placing children in the home if an exception is required (see practice guidance section); and
 - a. Submit an **urgent** email to the Foster Care Licensing Unit including the resource ID number and the required information below for emergency placements occurring during business hours, and
 - b. Submit all required information the next business day if an emergency occurs after business hours or over the weekend.
5. Request an exception in the case management system.

Note: Once the exception is no longer needed, a request to reduce capacity should be submitted via the case management system.

The Central Office Licensing Unit Manager or designee will:

1. Print the approved license reflecting the capacity; and

¹ The licensing worker refers to the DCS Regional Foster Care Specialist (RFCS) or the Licensed Child Placing Agency worker

2. Mail the license to the licensing worker so it can be forwarded to the foster family and a copy should be retained for Central Office files.

PRACTICE GUIDANCE

Below is a list of necessary information needed for the Central Office Foster Care Licensing Unit to evaluate a request for a **child specific** exception to capacity. Use the outline below as a format for submitting information regarding exception requests:

1. The number of household children under the age of 18 (e.g., biological, adopted, and guardianship); their age, sex, category of supervision; and a brief summary of their behavioral, emotional, and physical needs;
2. The number of foster children currently in the home and a brief summary of their behavioral, emotional, and physical needs. Include their age, sex, and category of supervision;
3. The names of the children who need placement and a brief summary of their behavioral, emotional, and physical needs at the time of placement, including category of supervision;
4. A description of the foster family's support system;
5. A description of the foster parents' work schedules and their child care plan;
6. Written statements (email or letter) from each FCM who has foster children placed in the home, detailing whether they are in support of the additional child being placed in the home;
7. The experience of the foster family:
 - a. Number of years fostering,
 - b. Areas of expertise, and
 - c. Any specific training they have received to meet the needs of the children in their home.
8. An explanation of the following; and
 - a. Placement of siblings in the same foster family is desirable,
 - b. The foster child has an established, meaningful relationship with the foster family, or
 - c. It is otherwise in the foster child's best interest for the exception to be granted.
9. The sleeping arrangements for household members.

FORMS AND TOOLS

[Resource Family Home Physical Environmental Checklist \(SF53186\)](#)

RELATED INFORMATION

DCS will require the applicant or licensee to notify the licensing worker within 24 hours of any change in the household composition, such as the number of persons living in the home.