

CHILD FOSTER CARE CAPACITY CHART

Minnesota Rules 2960.3030

Things to consider:

- One adult to five children
- Maximum of six (6) foster children
- Maximum of eight (8) children total

I. CAPACITY: When determining the capacity for the foster home, first determine the number of adults being licensed, since one adult is required for each five children. For example, a single parent with two (2) children could have a maximum capacity of three (3) foster children. When there are two adults on the license, the maximum is eight (8) children. Subtract the number of the applicant/license holder's own children to determine the maximum capacity.

When there is **ONE ADULT:**

Number of own children	Maximum licensed capacity *	Total number of children
4	1	5
3	2	5
2	3	5
1	4	5
0	5	5

When there are **TWO ADULTS:**

Number of own children	Maximum licensed capacity*	Total number of children
7	1	8
6	2	8
5	3	8
4	4	8
3	5	8
2	6	8
1	6	7
0	6	6

* See **II.** For maximum capacity restrictions

II. RESTRICTIONS: The rule restricts the maximum number of foster children as follows:

- a. When any of the children have severe or profound mental retardation, severe emotional disturbance or is assisted by medical technology, maximum of 4 foster children.
- b. A foster home must have no more than 3 children who are under two years of age or who are non-ambulatory unless they maintain a ratio of 1:3 present with the children

III. EXCEPTIONS TO CAPACITY LIMITS: The rule also allows for exceptions to the capacity and specifies several situations when capacity variances can be considered (Minnesota Rules, part 2960.3030, subp. 3):

- To keep a sibling group together
- To keep a child in the child's home community, or
- To return a child to a home where they were previously placed

In order to grant a variance to the capacity for one of the above reasons, the agency must determine that the following conditions are met:

- There is no risk of harm to the children currently in the home
- The structural characteristics of the home can accommodate the additional foster child(ren), including sleeping space
- The home remains in compliance with applicable zoning, health, fire, and building codes
- The statement of intended use states the conditions for the exception to capacity limits and explains how the license holder will maintain a ratio of adults to children which ensures the safety and appropriate supervision of all the children in the home.