

5101:2-5-32

Occupancy limitations and accessibility.

- (A) An agency shall place a foster child in a foster home only when the agency and the foster caregiver are in compliance with the provisions of Chapters 5101:2-5 and 5101:2-7 of the Administrative Code.
- (B) Except as provided in paragraph (C) of this rule and subject to the exceptions in paragraph (B)(4) of this rule, not more than five foster children shall reside in a foster home at any one time, subject to the following limitations:
- (1) When a foster caregiver has been certified for less than two years to operate a foster home, or has less than two years of professional child care experience as documented by the recommending agency, not more than three foster children shall be placed in the home at any one time ~~except sibling groups~~.
 - (2) Not more than two children under the age of two years shall reside or receive child care services in a foster home at any one time. To determine the number of children in the home under the age of two, the agency shall include at a minimum; ~~except sibling groups, including the children of a foster caregiver, children being cared for by a type B child care provider and children receiving any private child care services, shall reside or receive child care services in a foster home at any one time.~~
 - (a) Foster children placed in the home.
 - (b) Kinship children residing in the home.
 - (c) The children of a foster caregiver.
 - (d) Children being cared for by a type B child care provider.
 - (e) Children receiving any private child care services.
 - (3) Not more than four children under the age of five years shall reside or receive child care services in a foster home at any one time. To determine the number of children in the home under the age of five, the agency shall include at a minimum; ~~except sibling groups, including the children of a foster caregiver, children being cared for by a type B child care provider and children receiving any private child care services, shall reside or receive child care services in a foster home at any one time.~~
 - (a) Foster children placed in the home.
 - (b) Kinship children residing in the home.
 - (c) The children of a foster caregiver.

(d) Children being cared for by a type B child care provider.

(e) Children receiving any private child care services.

(4) A foster home may accept children that cause the home to exceed the capacity limits set forth in paragraph (B)(1), (B)(2) or (B)(3) of this rule, if the additional children meet one of the following circumstances:

(a) To accommodate a sibling or siblings of a foster child currently placed in the home.

(b) To accommodate a sibling or siblings of a kinship child residing in the home.

(c) When the additional child or children are related to the foster caregiver by blood or marriage.

(d) When the additional child or children are foster children who previously resided in the foster home.

(e) When the additional child or children are the children of a foster child who resides in the foster home.

(5) A foster home shall not accept an additional child if the home has already exceeded the capacity limits set forth in paragraph (B)(1), (B)(2) or (B)(3) of this rule.

~~(4)~~(6) If the foster home is a specialized foster home, the additional placement limitations of rules 5101:2-5-36 and 5101:2-5-37 of the Administrative Code, as applicable, shall apply.

(C) Pursuant to section 5103.0317 of the Revised Code, a foster home shall not receive more than five foster children except in any of the following circumstances:

(1) To accommodate a sibling group or the remaining members of a sibling group.

(2) When the additional child or children are related to the foster caregiver by blood or marriage.

(3) When the additional child or children are foster children who previously resided in the foster home.

(4) When the additional child or children are the children of a foster child who

resides in the foster home.

- (D) ~~Except for circumstances described in paragraph (B)(1) of this rule,~~ if a foster home has less than five foster children placed, the home may accept one additional sibling group that causes the foster home to exceed the limit of five foster children. The foster home that accepts a sibling placement in this circumstance shall not exceed a total of ten children in the home as specified in paragraph (E) of this rule.
- (E) Not more than a total of ten children, including the children of a foster caregiver, children being cared for by a type B child care provider and children receiving any private child care services, shall reside or receive child care services in a foster home at any one time.
- (F) Placement of a physically handicapped foster child in a foster home shall be made only after the agency has assured that any necessary special arrangements to meet the child's needs have been made.

Effective: 03/01/2017

Five Year Review (FYR) Dates: 11/02/2016 and 03/01/2022

CERTIFIED ELECTRONICALLY

Certification

02/03/2017

Date

Promulgated Under: 119.03
Statutory Authority: 5103.03
Rule Amplifies: 5103.02, 5103.03, 5103.0317
Prior Effective Dates: 12/30/66, 10/1/86, 2/1/88, 7/2/90 (Emer.), 10/1/90,
1/1/91, 1/1/03, 8/22/05, 8/14/08, 10/1/11