



Limitations on Number of Children in a Foster Home

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Alabama

Maximum of 6 children in foster care, unless a sibling group larger than 6.

- No more than 2 children under the age of 24 months unless they are siblings.
- There are no requirements regarding the total number of children in the home to include the birth or adopted children of the foster parents.
- There are no standards regarding the number of special needs children in the home.
- Therapeutic homes (children meeting certain requirements including a DSM-IV Axis I diagnosis) can only accept one child at a time unless they are siblings. They can accept a second therapeutic placement if the first child is stepped down to regular care and remains in the home as a regular foster child.
- Medical Fragile home can have no more than 2 children.

Alaska

Maximum of 6, including the foster parents' children.

- During the first year of licensure, no more than 2 unrelated children can be in the foster home; after the 1st year, the number can increase.
- Of the 6 children, no more than 2 children can be under the age of 30 months.
- No more than 3 children of any age not related to the foster parent after the first year of foster care experience.

Arizona

Maximum of 5.

- Regular foster home - 5 children*
- Therapeutic foster home - 3 children
- Developmental Disabilities Division - 3 children

* age based ratios: no more than 4 children age 5 or less in the care of one adult; no more than 2 children under age 1 in the care of one adult

Arkansas

Maximum of 5 including the family foster parent's own children and any other children who normally reside in the home of the foster family.

- No more than 3 shall be children in foster care.
- No more than 2 children under the age of 2.
- No more than 3 children under the age of 6.
- The sole exception to the above limits shall be in those instances in which the placement of a sibling group in a family foster home with no other children in the home would exceed the limits.

California

The number of children for whom the foster family home is licensed to provide care and supervision shall be determined on the basis of the application review by the licensing agency, which shall take into consideration the following:

- (1) The caregiver's ability to comply with applicable law and regulations.
- (2) Any other household members including but not limited to children under guardianship or conservatorship, who reside at the home and their individual needs.
- (3) Homes which accept a minor parent and his/her child(ren) shall have such child(ren) included in the home's licensed capacity.
- (4) Physical features of the home, including available living space.

No more than 2 children with or without special health care needs shall reside even on a temporary basis in a specialized foster family home with the following exception:

A specialized foster family home may accept a third child with or without special health care needs provided that the licensed capacity, as determined by the licensing agency, is not exceeded, and specific conditions are met.

Colorado

Maximum of 4 children in foster care and 8 children total.

- No more than 2 children under 2 years of age.

Exceptions: in those instances in which the placement of a sibling group in a foster home would exceed the limits. If the placement of a sibling group results in exceeding the above limits, no other foster children can be placed in the home.

- A family foster care home may serve a maximum of 1 foster child enrolled in Children's Habilitation Residential Program (CHRP) and 2 other foster children or 2 foster children enrolled in CHRP and no other foster children
- When a certified family foster care home only provides temporary emergency care for foster children, the home may be certified for up to 6 foster children with no more than 2 foster children, including the caretaker's own children, under 2 years of age. There can be no more than a total of 6 foster children in the home except in sibling placements. The number of additional foster children under 6 years of age to be cared for shall be specified on the certificate and in the home study. Such a family foster care home shall be designated as a receiving home.

Connecticut

Maximum of 6. Children shall not be placed in a foster family or prospective adoptive family if that placement shall result in:

- more than 3 foster or prospective adoptive children in that foster family or prospective adoptive family;
- a total of 6 children including the foster or prospective adoptive family's natural and adoptive children;
- more than 2 children under 2 years of age; or
- more than 3 children under 6 years of age, except in the case of siblings.
- The commissioner or a department regional administrator, for their specific region, may authorize a placement which exceeds the population limitations only if such

- placement is done to keep sibling groups together and such placement does not exceed the population levels of local ordinance.
- The commissioner may authorize the placement of a child or children which exceeds the population limitations in special circumstances as deemed appropriate by the commissioner if such placement does not exceed the population levels of local ordinance
 - When local ordinances specify that a smaller number of children may be in care, the local ordinance shall prevail.
 - A foster family or prospective adoptive family shall not care for more than 2 nonambulatory children who are incapable of self-preservation.

Delaware

Maximum of 5 children, including the foster parent's own children.

District of Columbia

Maximum of 3 children in foster care and 6 children total.

- May not exceed 2 children under 2 years of age;
- May not exceed 3 children under 6 years of age; and
- The total number of children in a foster home may not exceed 2 children if any child in the foster home is:
 - Chronically medically fragile;
 - Totally dependent on a caregiver for at least 3 activities of daily living; or
 - Chronically wheelchair bound.
- CFSA may approve exceptions to the placement limits
 - prior to the foster child's placement;
 - limited to siblings and when there are no other children in the home; and
 - for limitations due to chronic/special health needs, limited to 1 additional foster child per home.

Florida

Generally there should be no more than 5 children in a home, including the substitute care parents' own children.

- This criteria may be varied for good cause and with the written approval of the Family Safety and Preservation program office. If a family has the emotional and physical capacity to nurture more than 5 children, it is not against policy to establish a capacity above the rule of 5. A family must have the physical room and emotional capacity to provide this care.

Georgia

"Special Approval" is granted an otherwise approved foster home when

- A foster home has more than 6 children under the age of 16 in the home, including the foster parents' own children, in order to keep a sibling group together.
- A foster home has more than 2 children under the age of 2 years old.
- The limitation on the number of specialized foster care placements in any given foster home is determined by the needs of the children, the number of other

children in the home and their levels of need as well as the skills and capacity of the foster parents.

- Ideally, no more than 1 specialized foster care eligible child, if the agency's pool of foster home resources allow for this.
- The maximum number of specialized foster care eligible children receiving services in any one foster home is 3. Any exceptions (waiver requests) to this policy should be directed to the Regional Director.
- Specialized foster care funding will not be considered for children placed in foster homes that have more than 6 children, including the foster parents' birth, foster and adoptive children.

Hawaii

Maximum of 5.

- Total number of foster and day care children in the home simultaneously shall not exceed 5. This rule shall not prevent a home which provides care for older school aged foster children from providing day care for younger children as long as this arrangement is not detrimental to the children under care and the hours of foster care and day care are not overlapping.
- No more than 2 children under the age of 2 years shall be cared for in a home by one foster mother unless there is additional help approved by the agency.
- At no time shall there be more than 4 children under the age of 2, including the foster parents' own children.

Idaho

Maximum of 6, may be increased to 8:

- to allow for siblings to remain together; or
- to provide care to a child who has an established, meaningful relationship with the family; or
- if the foster home offers unusual space, skill, or experience.
- The maximum number of children under 2 years of age, including those of the foster family, shall be limited to not more than 2 children.

Illinois

Maximum of 6, including the foster parents' own children under age 18 and all other children under the age of 18 receiving full-time care.

- No more than 4 children under 6 years of age, including the foster parent's own children
- When all of the foster children are of common parentage, the foster home may be specifically approved to care for more than 4 children under 6 years of age with the approval of clinical services and licensing.
- No more than 2 children, including the family's own children, shall be under 2 years of age unless the foster family home is accommodating a sibling group on a temporary basis.

Indiana

Maximum of 8, including the foster parent's own children

- each of whom either is less than 18 years of age; or is at least 18 years of age and is receiving care and supervision under an order of a juvenile court.
- No more than 4 individuals less than 6 years of age.
- The licensing capacity of a foster family home includes the children for whom the provider is a parent, stepparent, guardian, custodian, or other relative.
- Therapeutic foster family may not provide supervision and care in a therapeutic foster family home to more than 2 foster children at the same time, not including the children for whom the applicant or operator is a parent, stepparent, guardian, custodian, or other relative.
- Only the DFC Director may grant an exception to the capacity guidelines for a foster family home if the Director determines that the placement of siblings in the same foster family home is desirable.

Iowa

Maximum of 5, including the foster family's biological and adopted children. The service area manager may approve a variance to the license capacity standard which meets one of the following criteria:

- The variance is necessary to keep a sibling group together. No variance shall be granted if the foster home is at licensed capacity and there are no members of the sibling group in the home.
- The variance allows for the care of up to 3 foster children by parents who:
 - Have 3 or more biological and adoptive children in their home, and
 - Have shown the ability to parent a large number of children.

The following chart summarizes the maximum possible license capacity for various-sized families with and without this variance. Respite paid by the Department is considered as a placement.

Number of birth, adoptive, and relative placements	Maximum License Capacity:	
	Without variance	With variance
0 children	5	N/A
1 child	4	N/A
2 children	3	N/A
3 children	2	3
4 children	1	3
5 or more children	0	3

Kansas

Maximum of 4 children in foster care

- not more than 2 of whom shall be under 18 months of age
- with a total of 6 children in the home including the applicant's own children under 16 years of age.
- Approval may be granted to care for 2 additional foster children in order to meet the needs of sibling groups or other special needs of foster children.

Kentucky

Maximum of 5 children, including children under the custodial control of the Cabinet and the resource home parent's own children living at home.

- No more than 2 children under age 2, including children placed in out-of-home care by the cabinet and the resource home parent's own children.
- Exceptions can be requested.

Louisiana

Unknown

Maine

Maximum of 6, including the family's legal children under 16 years of age, with no more than 2 of these children under the age of 2.

- The only exception which may be made to the number and ages of children is to allow siblings to be kept together. The exception is applicable only when adequate space is available in the foster home. In order to keep siblings together there must either be a sibling already placed in the home or a vacant slot available.
- The total number of children in a Specialized Children's Foster Home may not exceed 4, including the family's legal children under 16 years of age, with no more than 2 children under the age of 2. The maximum number of licensed slots cannot exceed 3. Two of those licensed slots may be used for children who require therapeutic level care. The third licensed slot is intended for a child who is placed for respite care or for a child, who at time of placement needed therapeutic level care and has made improvement and no longer requires therapeutic level care. The only exception to the 2 therapeutic placement limit is if this child exhibits a significant change in behavior and it is determined that therapeutic level care is indicated or if a sibling placed requires therapeutic care.

Maryland

Maximum of 6 children, including those of the foster parent;

- No more than 2 infants younger than 2 years old, including the foster parent's own children.
- The local department may permit up to 8 children in a home, including those children of the foster parent, when required to care for a sibling group or for a short-term (60 to 90 days) emergency placement of a child. However, if there is an infant in the home, or if 3 of the children are younger than 6 years old, there may not be more than 6 children in care.

Massachusetts

Maximum of 6 children in foster care.

- In order to place siblings in the same residence in emergency situations, this definition shall not prohibit the placement of more than 6 foster children in a home which prior to the placement of the sibling group contains fewer than 6 foster children.

Michigan

Maximum of 4 children in foster care and 8 children total under age 17, including children of the foster parents.

- There may only be 2 children under 1 year of age at any time.

- In a foster family group home, the maximum number of children is 5 or 6.

Minnesota

Maximum of 6 children in foster care and 8 children total, including a foster parent's own children.

- The license holder must maintain a ratio of one adult for each 5 children.
- No more than 3 children who are under 2 years of age or who are nonambulatory, unless the license holder maintains a ratio of at least one adult present when children are present for every 3 children under 2 years of age or children who are nonambulatory.
- No more than 4 foster children at one time if any of the children have severe or profound mental retardation, have severe emotional disturbance, or is a person assisted by medical technology.

Exceptions to capacity limits. A variance may be granted to allow up to 8 foster children in addition to the license holder's own children if:

- placement is necessary to keep a sibling group together, to keep a child in the child's home community, or is necessary because the foster child was formerly living in the home and it would be in the child's best interest to be placed there again;
- there is no risk of harm to the children currently in the home;
- the structural characteristics of the home, including sleeping space, can accommodate the additional foster children;
- the home remains in compliance with applicable zoning, health, fire, and building codes; an
- 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 foster home.

Mississippi

Unknown

Missouri

Maximum of 6, including the foster parents' children, counting "child" as any individual under age 18, with the following exceptions:

- Foster children sibling groups; and
- Minor mother and child family groups.

Foster parent(s) shall not provide care for more than 2 children under age 2 and no more than 4 pre-school age children unless necessary to accommodate a sibling group.

Montana

Maximum of 6

- For placement made on or after June 2, 2006, the number of children for whom a foster home is licensed is based in part on the number of children already residing in the home with up to a maximum of 7 children.

- If more than 7 children are in the home, an exception can be made by a regional administrator.

Nebraska

Maximum of 9 children under the age of majority, including children related to the foster parents by blood or adoption.

- No more than 6 of these children may be age 12 or younger.
- The maximum also includes any adults for whom care is provided.
- For every 5 children in the home, there must reside at least one adult responsible for their care and supervision.
- An exemption from compliance with this regulation may be granted when 7 or more children are in care in a licensed foster home and
 - A foster parent dies, placing the surviving spouse out of compliance
 - The foster parents divorce; or
 - A foster parent is absent from the household for an extended period of time due to active military duty; or illness.

An exemption may be granted only to allow for the continued placement of children who were placed in the foster home before the death or absence of the foster parent.

Nevada

Maximum of 6, excluding any children who are related to the foster parent, reside in the home and are not foster children.

- No more than 2 children under the age of 18 months, including any children of the foster parents under the age of 18 months, without the approval of the licensing authority representative; or
- No more than 4 children under the age of 5 years, including any children of the foster parents under the age of 5 years, without the approval of the licensing authority representative.

New Hampshire

Maximum of 6, in 2-parent household

- A foster family home with 2 licensed foster parents shall provide care and supervision to no more than 6 children, inclusive of children in foster care, the foster family's birth and adoptive children, children in respite care, and other children residing in the foster home on a regular, 24-hour basis.
- A foster family home with one licensed foster parent shall provide care and supervision to no more than 4 children, inclusive of children in foster care, the foster family's birth and adoptive children, children in respite care, and other children residing in the foster home on a regular, 24-hour basis.
- If the foster family is willing and able to take a sibling or a group of siblings of a child already in their care, and the department has concluded that the foster family is able to provide for the safety, permanency, and well-being of the child or children, the department may place the sibling or group of siblings in the foster family home.

New Jersey

Maximum of 4 children in foster care and 6 children total, including all other children residing in the home.

- No more than 4 children in total below 6 years of age, including children in placement and all other children residing in the home.
- No more than 2 children in total below 2 years of age, including children in placement and all other children residing in the home; and
- No more than 2 non-ambulatory children in total, including children in placement and all other children residing in the home.

New Mexico

Maximum of 6 is recommended, however, based upon the prior approval of the department, the recommended maximum number may be exceeded.

- No more than 2 children under the age of 2. An exception to this rule may be made, provided that there is an additional adult caretaker in the home so that there are no more than 2 infants for each caretaker.

New York

Maximum of 6, including all non-foster children under the age of 13 residing in the home, unless additional children

- are siblings or half-siblings, or are siblings or half-siblings of a child living in the home,
- are children freed for adoption and have been placed for adoption with the person to whom the license is issued, or
- are minor parents who are foster children and the minor parents' children.

North Carolina

Maximum of 7, including the foster parent's own children, children placed for foster or therapeutic care, in-home day care children or any other children.

- Not more than 5 children placed for foster care
- Not more than 3 children placed for therapeutic care
- With prior approval from the Licensing Authority, an exception to this standard may be made if
 - Written documentation is submitted to the licensing authority that the family foster home meets the fire and building safety standards of the North Carolina State Building Code applicable for the number of children in the home.
 - Written documentation is submitted to the licensing authority regarding the foster parents' skill, stamina, and capacity to care for the children.

North Dakota

Maximum of 4 children in foster care, unless all the children in foster care are related to each other by blood or marriage, in which case such limitation does not apply.

Ohio

Maximum of 5 children in foster care, subject to the following limitations:

- When a foster caregiver has been certified for less than 2 years or has less than 2 years of professional child care experience, not more than 3 children in foster care shall be placed in the home at any one time except sibling groups.
- Not more than 2 children under the age of 2 years, except sibling groups, including the children of a foster caregiver, shall reside in a foster home at any one time.
- Not more than 4 children under the age of 5 years, except sibling groups, including the children of a foster caregiver, shall reside in a foster home at any one time.

A foster home shall not receive more than 5 children in foster care except in any of the following circumstances:

- To accommodate a sibling group or the remaining members of a sibling group.
- When the additional child or children are related to the foster caregiver by blood or marriage.
- When the additional child or children are children in foster care who previously resided in the foster home.
- When the additional child or children are the children of a youth in foster care who resides in the foster home.

Not more than a total of 10 children, including the children of a foster caregiver, shall reside in a foster home at any one time.

A treatment foster caregiver may provide foster care for not more than 5 children in foster care, 2 of whom have exceptional needs requiring their placement in a treatment foster home. Any exceptions to the number of children with exceptional needs to be served, must have specific justification in accordance with the agency's policy for matching foster children and treatment foster caregivers. Such justification, which may include the need to place a sibling group, or the abilities of a particular family in relation to the special or exceptional needs of a particular child, shall be documented in the child's case record and in the treatment foster home record.

A medically fragile foster caregiver may provide foster care for not more than 5 children in foster care, 2 of whom may have intensive needs requiring their placement in a medically fragile foster home. Any exceptions to the number of medically fragile foster children to be served, must have specific justification in accordance with the agency's policy for matching foster children and medically fragile foster caregivers. Such justification, which may include the need to place a sibling group, or the abilities of a particular family in relation to the intensive needs of a particular child, shall be documented in the child's case record and in the medically fragile foster home record.

Oklahoma

Maximum of 5 children in foster care, or 6 children total including the family's own children in Traditional, Kinship/Related and Kinship/Non-Related care. The numbers can be adjusted according to the space and the needs of the child. Treatment foster care is limited to 2 children.

Oregon

Maximum of 7

- Total of 4 when one certified adult lives in the home.
- Total of 7 when two certified adults live in the home.
- No more than 2 children under the age of 3 years old
- In extraordinary situations, a Child Welfare program manager may approve placement of a child or young adult in a certified family that exceeds the maximums given above. Extraordinary circumstances include, but are not limited to: (A) Placing siblings together; or (B) Placing a special needs child or young adult with a family that has demonstrated extraordinary ability in meeting the special needs of a child or young adult.

Pennsylvania

Maximum of 6, including the family's own children.

- Exception to this requirement may be made only with prior approval obtained in writing from the appropriate regional office of the Department.

Rhode Island

Maximum of 5 children in foster care

- Total number of children in the household, including biological, adopted, relative, not to exceed 7.
- An exception to these numbers can be made to accommodate sibling groups and relative care.
- No more than 2 children less than 2 years of age, including the foster parent's legal children in the same age group. or
- No more than 4 children less than 6 years of age, at any time, including the foster parent's legal children in the same age group.

South Carolina

Maximum of 5, including the foster parents' own children and/or other children who are household members unless SCDSS or child placing agency is keeping siblings together or the placement has been court ordered.

- No more than 2 infants (age birth to one year) shall be placed in the same foster home without prior approval from SCDSS or child placing agency management staff.

South Dakota

Maximum of 6 children, including the foster parent's own children who are under 18 years of age and residing in the home.

- No more than 2 children under the age of 2, including the foster parent's own children.
- Exceptions to this requirement may be made by the department to keep siblings together.
- The maximum number of 6 children may be waived for a period of up to 10 days for emergency placements.
- An exception may be granted to a fost/adopt home.

Tennessee

Maximum of 3 children in foster care or 6 children total including the foster family's birth and/or adopted children.

- No more than 3 children (natural, foster, or adopted) under the age of 3 years residing in a foster home.
- These restrictions do not apply to sibling groups and all efforts shall be made to keep sibling groups together.

Texas

Maximum of 6 children, including the children of the foster family and children for whom the family provides regular part day care or respite care.

- No more than 2 infants under 18 months of age.
- If 2 infants are cared for, no more than 2 other children under 6 years of age may be cared for in the home. This includes the children of the foster family and children for whom the family provides regular part day care.

Utah

Maximum of 4 foster children.

- No more than 2 children under the age of 2, including the foster family's own children.
- No more than 2 non-ambulatory children shall be in a foster home including infants under the age of 2.
- No more than 1 foster child shall be in any one home designated for proctor care by agencies contracted with DJJS.

Vermont

Maximum of 4 children in foster care and 6 children total.

- Maximum of 2 foster children for the term of the first license.
- No more than 4 children under 6 years of age at any one time, including children residing in the home and children cared for on a part-time basis.
- No more than 2 children under the age of 24 months living in or regularly cared for in a foster home.

Virginia

Maximum of 8 including the foster parent's own children.

- When placement of a sibling group in one home is in the best interest of the siblings, the total may exceed 8.

Washington

In a 2-parent household, maximum of 6 children, including the foster parent's own children.

- In a single parent household, maximum of 4, including the foster parent's own children.
- A home may at the discretion of the department be licensed for the care of at least 1 child when the foster parent(s) have more of their own children than specified above, if they meet the other licensing requirements.

- Maximum of 2 children under 2 years of age in the home at one time.
- The capacity restrictions in this section may at the discretion of the department be exceeded in extraordinary situations, such as to place a sibling group, to place a child with a relative, or because the foster family has demonstrated exceptional abilities in relation to the special needs of a foster child, if this appears to be in the best interest of the child and would not jeopardize the health and safety of the other children in the home. Approval to exceed the capacity restrictions must be in writing and signed by the DLR manager or designee.
- Maximum of 3 medically fragile foster children whose needs are severe enough to need semi-skilled maintenance or supportive services.
- Maximum of 2 nonmobile children.
- Maximum of 4 children with developmental disabilities as defined in RCW 71A.10.020, at any one time.

West Virginia

Maximum of 6 children, including the foster children and the foster/adoptive parents' own children under the age of 18 living at home.

- The only exception may be for the placement of a sibling group with the prior approval of the Homefinding Supervisor who will then notify the Regional Program Manager or Child Welfare Consultant by the next working day.
- No more than 2 children under the age of 2 are to be placed in a foster home at the same time.
- No more than 2 children who are medically fragile or non-ambulatory shall reside in a foster home at the same time.

Wisconsin

Maximum of 8, including children in foster care, children of the foster parent and other children and non-related adults receiving care in the foster home

- No more than 2 children under 2 years of age.

Wyoming

Maximum of 5, excluding the foster parents' own children.

- No more than 2 infants under 2 years of age shall be placed in one foster home
- If foster parents are married and neither adult works outside the home, each parent may provide for 2 infants.
- Therapeutic Foster Homes shall have no more than 2 severely emotionally disturbed children in each home.