**Section 402.15 Number and Ages of Children Served**

a) For a visual explanation of the number and ages of children allowed in a foster family home, refer to Appendices B and C of this Part.

1) Capacity count in all circumstances includes all children in the foster home under the age of 18 years old who receive full time care.

2) The maximum number of children permitted in a foster family home shall be six children less than 18 years of age who do not require specialized services except as permitted through Expanded Capacity waivers.

3) When determining how many children a foster family home may accept for care, the maximum number of children shall be reduced when any child under the age of 18 is in the home and has developmental, emotional, behavioral, or medical needs that require specialized care.

b) General Rules Regarding Ages of Children in a Foster Family Home

1) Four Children Five Years of Age or Less

No more than four children five years of age or less, including the foster parent's own children, shall receive full-time care in a foster family home at any one time. A waiver of the age range approved by the Department may occur when the youth in care to be placed in one home are not of common parentage and a written plan is submitted by the supervising agency as to how the child care responsibilities shall be effectively met.

2) Two Children One Year Old or Less

No more than two children, who are one year old or less including the family's own children, shall be placed in one foster family home. A Department waiver of the age range may be granted to allow for children not related to be placed in one home when there is a written plan of how child care responsibilities shall be effectively met.

c) Expanded Capacity License Provisions for Foster Family Care

1) Licensees may be licensed to care for more than six children on a full-time basis when the licensees are otherwise in compliance with the requirements of this Part, can meet the licensing standards for the additional children and have demonstrated competency in caring for the ages and characteristics of children for whom they are seeking the expanded capacity license.

2) An expanded capacity license may only be issued to allow:

A) a parenting youth in care to remain with their own child;

B) siblings to remain together;

C) a child with an established meaningful relationship with the family to remain with the family; or

D) a foster family with special training or skills to provide care to a child who has a severe disability.

(Source: Amended at 48 Ill. Reg. 9568, effective June 24, 2024)