**Section 402.APPENDIX D Non-Safety Related Licensing Rules Eligible for a Waive**r

This Appendix identifies portions of this Part identified as nonsafety related licensing standards eligible for waivers when the waiver of one or more of these licensing standards would assist a licensed foster home to care for a related youth in care.

1) Section 402.9 Requirements for Sleeping Arrangements

A) Section 402.9(b): Children under six years of age may share a bedroom with related children of the opposite sex who are also under six if each child is provided with a separate bed or crib.

B) Section 402.9(c): Unrelated children under two years of age may share a bedroom with children of the opposite sex who are also under the age of two if each child is provided a separate bed or crib.

C) Section 402.9(h): There shall be a minimum of 40 square feet, excluding the closet and wardrobe area, for the first child occupying a bedroom and a minimum of 35 square feet for each additional child sharing the room.

D) Section 402.9(1): Sleeping rooms shall be comfortable and shall be furnished suitably for the age and sex of the child.

2) Section 402.12 Qualifications of Foster Family

A) Section 402.12(d)(6): The number of foster parents in the home and the availability and experience of child care assistants.

B) Section 402.12(m): In addition, each foster parent shall complete, as a condition of license renewal, 16 clock hours of approved in-serving training. The foster home license shall not be renewed until each single foster parent and at least one foster parent in a married couple, or couple in a civil union, has completed educational advocacy training by the Department or approved agency that, if completed in the most recent licensing cycle, may count toward the 16 clock hours of in-service training. Child welfare agencies may require foster families under their supervision to complete additional training as a condition of continued supervision by the agency.

C) Section 402.12(n): An expanded capacity license to allow foster homes to serve more than six children (including the foster parent's own children under age 18 and all other children under age 18 receiving full-time care) may be granted if the foster family home meets the requirements of Section 402.15(c). As a provision of retaining the expanded capacity license, foster parents shall complete a total of 9.0 clock hours of approved training each calendar year, beginning the calendar year the expanded capacity license is issued.

3) Section 402.23 Release of Children

Section 402.23: The foster parents shall not release a foster child to anyone except as authorized by the supervising agency.

4) Section 402.25 Required Consents

Section 402.25(a)(4): The supervising agency shall ensure that the prior written consents from legally responsible persons (parent, court, or other legal custodian or guardian) are obtained for certain acts of a child or performance of certain acts on his or her behalf, including but not limited to: work programs, induction into the armed services, driving a car and car ownership.

5) Section 402.26 Records to be Maintained

A) Section 402.26(a)(11): Records to be maintained by the foster family shall include a copy of the overnight visit forms that shall be developed and prescribed by the Department and that shall be kept for the duration of the visit.

B) Section 402.26(a)(12): Records to be maintained by the foster family shall include a copy of any consent for out-of-state travel or extended trips on forms developed and prescribed by the Department.

(Source: Added at 44 Ill. Reg. 6019, effective April 1, 2020)