

Variations to the Minnesota Rule for Child Foster Care providers that may be approved by county or private agencies*

Rule Part	Requirement	How it can be varied
Minnesota Rules 2960.3040, subpart 2	Sleeping Space – foster child must be provided with a separate bed suitably sized for the child, except that two siblings of the same sex may share a double bed. A foster child must not be assigned sleeping space in a building, apartment, trailer, or other structure that is separate from the foster family home or in an unfinished attic, an unfinished basement, or a hall or any other room normally used for purposes other than sleeping. Bedrooms that are used by foster children must have two exits.	May allow a foster child over the age of one year to sleep on another suitably sized piece of furniture, i.e. a futon, couch, sleeper sofa. May allow a child to sleep in a room that is not normally used for sleeping, such as a living room or family room provided the room has two exits.
Minnesota Rules 2960.3040, subpart 3	Space for belongings - A foster child must have an identified space for clothing and personal possessions with cabinets, closets, shelves, or hanging space sufficient to accommodate clothing and personal possessions.	Space may be creatively designed, shared with others.
Minnesota Rules 2960.3040, subpart 4	Dining area – The dining area must be able to accommodate, at one time, all persons residing in the home.	May allow home to be licensed if it lacks a dining area or if the dining area is not large enough to accommodate all persons residing in the home at one time.
Minnesota Rules 2960.3050, subpart 4	Pets – A foster home serving children less than six years of age must not keep reptiles, chickens, or ducks as pets. . . .Pets in family residences must be immunized and maintained as required by local ordinances and state law.	May choose to not limit the types of pets as long as what they allow doesn't violate a city/zoning law or ordinance.
Minnesota Rules 2960.3060, subpart 3A	Personal Characteristics of applicants – The applicant must be at least 21 years old at the time of application.	May allow individual who is 18 years old at the time of application to apply.
Minnesota Rules 2960.3060, subpart 3C	Personal Characteristics of applicants – The applicant and adult household members must sign a statement that they have been free of chemical use problems for the past two years.	May allow less than 2 years with a variance that has specific terms reducing potential risk of harm to children in care.
Minnesota Rules 2960.3060, subpart 3D	Personal Characteristics of applicants – The applicant must help the licensing agency obtain at least three letters of reference that provide information about the license holder's support system, the observed license holder's interactions with children, and the ability of the license holder and foster family to accept different points of view.	May allow less than 3 references.
Minnesota Rules 2960.3070, subpart 2	In-service training. Each foster parent must complete a minimum of 12 hours of training per year in one or more of the areas in this subpart or in other areas as agreed upon by the licensing agency and the foster parent.	May grant a variance to the total number of annual training hours. May not grant a variance to topics required in statute, i.e. child passenger restraint training, sudden unexpected infant death (SUID), abusive head trauma (AHT), children's mental health training.

*County and private child placing agencies are delegated the authority to approve variances that do not affect the health or safety of persons in a licensed program. Reference Minnesota Statutes, section 245A.04, subdivision 9 & section 245A.16, subdivision 1(a). (A written and approved variance must be maintained in the agency file)