

Division 4, Space and Equipment

§749.3021. How much space must bedrooms used by foster children have?

DFPS Rules, 40 TAC, effective January 1, 2007

- (a) A bedroom must have at least 40 square feet of space for each occupant and no more than four occupants per bedroom are permitted, even if the square footage of the room would accommodate more than four occupants. The four occupants restriction does not apply to children receiving treatment services for primary medical needs.
- (b) Single occupant bedrooms must have at least 80 square feet of floor space.
- (c) The floor space requirement must not include closets or other alcoves.
- (d) Floor space must be space that children can use for daily activities.
- (e) If a foster home was verified before January 1, 2007, then a foster home is exempt from the maximum bedroom occupancy requirement until:
 - (1) The foster family moves to a new home;
 - (2) The foster home is structurally altered by adding a new room; or
 - (3) The foster home's verification is no longer valid.

§749.3023. Which rooms in the home may not be used as bedrooms?

DFPS Rules, 40 TAC, effective January 1, 2007

- (a) Only rooms that provide adequate opportunities for rest and privacy may be used as a bedroom.
- (b) Foster children or any other household members may not use any of the following as a bedroom:
 - (1) A room commonly used for other purposes, including dining rooms, living rooms, hallways, or porches;
 - (2) A passageway to other rooms;
 - (3) A room that does not have doors for privacy; or
 - (4) A detached structure.
- (c) A foster child may use a basement as a bedroom if there is:
 - (1) A second fire escape route from the basement; and
 - (2) Natural lighting.
- (d) A foster child may not use a basement as a bedroom if there is no natural lighting:
 - (1) Unless you verified the home prior to January 1, 2007; and
 - (2) Until the verification is no longer valid, or the home is structurally altered through the addition of a new room.