



References (s): K.S.A. 31-133; 06-IFC/202

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Foster care in Kansas is primarily regulated by the Kansas Department for Children & Families. Traditionally, these foster care homes provide care for less than 3 children in a single residence. The Office of the State Fire Marshal will not inspect foster care homes where fewer than 3 children are being cared for.

In order to accurately classify these occupancies for OSFM inspection guidelines, you must understand some of the key definitions.

Foster Care: A building or part of a building housing 4 or more foster care children and the children are capable of self-preservation measures.

Based off the International Codes

Group R-3: Small foster care (6-16)

Group R-2: Large foster care (more than 16)

Non-Traditional Foster Care: Facilities providing infant care and care for the physically and mentally challenged. These homes may have additional fire and life safety requirements such as those required for Residential Board and Care or Childcare.

Different requirements will apply depending upon the number of individuals living in a home or other residential setting, the level of support those children would need in the event of a fire or other emergency; and whether the current usage of the facility constitutes an "existing" or "new" operation.

New facility: *(Must comply with 2006 IBC (International Building Code))*

A facility is considered to be "NEW" if one of the following is met:

- New building or portion of a new building used for foster care after Jan 1, 2011
- Additions made to, or newly used as, foster care
- Major alterations, modernizations, or renovations of existing foster care
- Change of occupancy inside an existing buildings or portions thereof to a foster care

Existing facility: *(Must comply with 2006 IFC (International Fire Code))*

A facility is considered to be "EXISTING" if the building or portion thereof is/was occupied as a foster care occupancy prior to January 1, 2011.

As with every type of facility, facilities providing foster care should consult with local building officials, code officials and fire departments for additional requirements, restrictions, or zoning requirements.