

**2960.3220 STAFFING PATTERNS AND PERSONNEL POLICIES.**

Subpart 1. **Job descriptions.** The license holder must have written job descriptions for all position classifications and post assignments that define the responsibilities, duties, and qualifications staff need to perform those duties. The job descriptions must be readily available to all staff.

Subp. 2. **Recruitment of culturally balanced staff.** To the extent permitted by law, it is the license holder's responsibility to actively recruit, hire, and retain staff who are responsive to the diversity of the population served. If the license holder's staffing plan does not meet the cultural and racial needs of the child, the license holder must document the reasons why and work with cultural or racial communities to meet the needs of the child. In addition, the license holder must contact a cultural or racial community group related to the child's racial or cultural minority background and seek information about how to provide opportunities for the child to associate with adult and peer role models with similar cultural and racial backgrounds on a regular basis.

Subp. 3. **Professional licensure.** The license holder must keep records showing that staff's professional licensure which is related to staff's foster care duties is current.

Subp. 4. **Staffing plan.** The license holder must prepare and obtain approval from the licensing agency of a written staffing plan that shows staff assignments and meets the needs of the children in care. The license holder must use the criteria in items A to D to develop the foster home's staffing plan.

A. The license holder must designate a person in charge at each facility.

B. In the temporary absence of the person designated as the person in charge at the facility, a different staff person must be designated as the person in charge of the facility.

C. The license holder must designate a person to coordinate volunteer services, if volunteers are used by the facility. The license holder must have a system for registration and identification of volunteers. Volunteers who have unsupervised contact with children must have a background check. The license holder must require volunteers to agree in writing to abide by facility policies. Volunteers must be trained and qualified to perform the duties assigned to them.

D. The staffing plan must be appropriate for the program services offered to the children, the physical plant features and characteristics of the facility, and the condition of the children in care. The license holder must consider the factors in subitems (1) to (8) when developing the staffing plan:

- (1) the age of the children served;
- (2) the children's physical and mental health;
- (3) the vulnerability of the children;

- (4) the children's capacity for self-preservation in the event of an emergency;
- (5) the degree to which the children may be a threat to self or others;
- (6) the gender of the children;
- (7) disabilities of the children; and
- (8) the number and types of service programs offered or coordinated for the children.

Subp. 5. **License holder and staff qualifications.** The license holder and staff must have the education and experience required to meet the functions and program activities that the license holder declared in the foster home's statement of intended use according to part 2960.3000, subpart 4. The license holder must be a responsible, mature, healthy adult who is able to carry out the license holder's duties. The license holder must be able to accomplish the license holder's duties and meet the child's needs as stated in the child's case plan. Staff must be at least 21 years of age.

Subp. 6. **Drug and alcohol use prohibited.** The license holder must have a policy regarding use of illegal drugs or alcohol by staff, volunteers, and contract employees while staff, volunteers, and contract employees care for or have contact with foster children. The license holder's policy must prohibit the use of illegal drugs and use of alcohol by staff and others while caring for foster children, and require that staff and others who use illegal drugs or use alcohol while caring for foster children are subject to dismissal.

Subp. 7. **Medication administration.** The license holder must have a policy on medication administration by staff. The license holder's medication administration policy must, at a minimum, require that staff document medication administration errors.

**Statutory Authority:** *L 1995 c 226 art 3 s 60; MS s 241.021; 245A.03; 245A.09*

**History:** *28 SR 211*

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