



Division of Safety and Permanence Child Welfare Licensing Memo Series 2026-18L
Supersedes DCF Child Welfare Licensing Memo Series 2014-10L

June 1, 2026

To: DCF/DMCPS Administrator
 DCF Area Administrators
 Child Placing Agency Directors
 Child Welfare Agency Directors
 County Departments of Community Programs Directors
 County Departments of Human Services Directors
 County Departments of Social Services Directors
 Group Home Providers
 Child Placing Agencies
 Residential Care Center Providers
 Shelter Care Providers
 Tribal Chairpersons

From: John Elliott
 Administrator

Re: Out of Home Care Extension to Age 21

PURPOSE

This memo updates information from [Child Welfare Licensing Memo Series 2014-10L](#), pursuant to Act 334: Out-of-Home Care Extension to Age 21. It notifies licensees of changes to requirements and definitions for group home providers and child placing agencies based on updated versions of administrative rules.

Revisions pursuant to [Wis. Admin. Code ch. DCF 56](#) went into effect in December 2025. Revisions pursuant to [Wis. Admin. Code ch. DCF 57](#) are effective June 1, 2026.

BACKGROUND

[2013 Wisconsin Act 334](#) extended out-of-home eligibility to age 21 for youth who are enrolled in school with an active Individualized Education Plan (IEP).

[2015 Wisconsin Act 55](#) further clarified when individuals 18 years of age or over but under 21 may be placed in a foster home, group home, or residential care center for



children and youth, including when the individual is under a court order or is a party to a voluntary transition-to-independent-living agreement.

INFORMATION SUMMARY

People age 18 to 20 can only be placed in a group home or residential care center for children and youth if a court orders it or they are in extended out-of-home care pursuant to Wis. Stat. §§ 48.366 or 938.366. This has not changed.

See also: [Wis. Stat. §§ 48.599\(1g\) and 48.619](#), and [Child Welfare Licensing Memo Series 2015-05L](#).

The following are highlights of how administrative rules align to the above legislation.

Child Placing Agencies:

- The definition of a “foster child” pursuant to Wis. Admin. Code s. DCF 56.03(13): “Foster child” means a person under 21 years of age who is placed for care and maintenance in a foster home by the department, a county agency, a tribal child welfare agency, or a licensed private child placing agency by court order, voluntary placement agreement, or voluntary transition-to-independent living agreement.

Group Homes:

- [Wis. Admin. Code ch. DCF 57](#) does not limit the number of residents ages 18 to 21 who may be placed in a group home at the same time. See also [Child Welfare Licensing Memo Series 2015-05L](#).
- Wis. Admin. Code s. DCF 57.02(28) defines “resident” as a person who is under 21 years of age and is under the jurisdiction of the court under ch. 48 or 938, Stats., or other court order, and who is admitted to and resides in a group home.

Residential Care Centers:

The definition of “resident” in [Wis. Admin. Code s. DCF 52.03\(22\)](#) means a child who is admitted to and resides in a residential care center for children and youth.

Licensees that wish to expand their approved age range to include individuals ages 18 to 21 may submit an amendment request to their licenser.

For more information or questions, please contact the following:



CENTRAL OFFICE CONTACT: Licensing Section
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MEMO WEB SITE: <https://dcf.wisconsin.gov/cwportal/policy>

Attachments [Wis. Admin. Code ch. DCF 57](#)