



## Independent Living Program Eligibility August 2019

[The Wisconsin Child Welfare Ongoing Standards](#) detail the “life skills” (aka Independent Living) development/activity requirements for youth *who are placed in out-of-home care (OHC) through a Court Order* (under Ch. 48 or Ch. 938).

“Out-of-home care” or “foster care” means a foster home, treatment foster home, group home, residential care center, shelter care facility, the home of a relative - not a parent (aka, court-ordered Kinship Care), or the home of a nonrelative where the child is under the placement and care responsibility of the Department of Children and Families, or a county or tribal child welfare agency (i.e., county or tribal social or human services department). OHC does not include long-term correctional facilities or detention facilities, forestry camps, training schools, or any other facility operated primarily for the detention of children.

Youth are eligible for certain services based on their age and the amount of time they were placed in out-of-home care. Any youth who turns 17 ½ while in OHC, or who is 17 ½ + when entering OHC, is automatically eligible for all services while in care that are provided through the independent living program, regardless of the length of time in placement. Otherwise, the following rules apply:

1. Youth between the ages of 14 and 17 ½ are eligible for services after they have attained a total of six months in an OHC placement, for as long as they are in an OHC placement.  
**Note:** Youth age 14, who have been in care for 6 months at the time they turn 14 begin receiving services immediately. Youth who enter care at age 14 or older are not required to begin receiving services until they attain 6 months in care.
2. Youth adopted from an OHC placement on or after their 16<sup>th</sup> birthday are eligible for **some** services *up to* age 21.  
**Note:** Youth who are eligible by way of adoption are not eligible for room and board supports.
3. Youth who enter court-ordered Ch. 48 Guardianship or Long-Term Kinship Care from an OHC placement on or after their 16<sup>th</sup> birthday are eligible for services *up to* the age of 21.
4. Youth that age out of an OHC placement on or after their 18<sup>th</sup> birthday are eligible for services *up to* age 21.

### Notes

- Youth ages 21 and 22, who are enrolled in and attending a postsecondary program may continue to receive Education and Training Voucher funds *up to* the age of 23. See also the *Brighter Star Funding Guidelines* document and the Brighter Star 2-page overview document for more information.
- Cases with dispositions of Missing from Care, Trial Reunification, or Temporary Detention at age 18 or older still qualify for services.
- Youth who are reunified or incarcerated prior to turning 18 **and remain in that status at time of aging out** are not eligible for services. For the purposes of eligibility, being incarcerated pertains to time in county jail, prison, or a juvenile correctional institution. Detention is not considered incarceration and a youth being detained in a detention center at the time of aging out is not disqualified from receiving services. See also the *Guidelines for Providing Independent Living Services to Youth Adjudicated Delinquent* document for more information.

The chart on the following page identifies the services that may be provided based on the youth eligibility criteria.

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ELIGIBILITY CRITERIA	IL Services (age 14-18)	Transition Services (age 18-21)	Room and Board (includes security deposit, rent, & utilities)	Education & Training Vouchers (Brighter Star)
<ul style="list-style-type: none"> <li>Age 14, 15, 16 or 17</li> <li>A total of 6 months in court ordered OHC</li> </ul>	Services are REQUIRED for as long as the youth is in OHC			Eligible beginning at age 17 ½ IF predicted to age out of care at age 18 or older
<ul style="list-style-type: none"> <li>Age 17 ½ years or older</li> <li>Placed in court-ordered OHC</li> </ul>	Eligible immediately and required for as long as the youth is in OHC	Eligible IF ages out of court-ordered OHC at age 18 or older	Eligible IF ages out of court-ordered OHC at age 18 or older	Eligible IF ages out of court-ordered OHC at age 18 or older
<ul style="list-style-type: none"> <li>Currently 18-21</li> <li>Aged out of court-ordered OHC</li> </ul>		ELIGIBLE	ELIGIBLE	ELIGIBLE
<ul style="list-style-type: none"> <li>Entered court-ordered Ch. 48 Guardianship any time after 16<sup>th</sup> birthday following time in court-ordered OHC</li> </ul>	ELIGIBLE	ELIGIBLE	ELIGIBLE	ELIGIBLE
<ul style="list-style-type: none"> <li>Adopted any time after 16<sup>th</sup> birthday following time in court-ordered OHC</li> </ul>	ELIGIBLE	ELIGIBLE		ELIGIBLE