

Independent Living Eligibility Guide

[The Wisconsin Child Welfare Ongoing Services 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 OHC. *Any youth who turns 17.5 while in OHC, or who is 17.5 or older when entering OHC, is automatically eligible for all services while in care that are provided through the county/tribal independent living program, regardless of the length of time in placement.* Otherwise, the following rules apply:

1. Youth between the ages of 14 and 17.5 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 six 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 six months in care.

2. Youth adopted from an OHC placement on or after their 16th birthday are eligible for **some** services *up to* age 23.

Note: Youth who are eligible by way of adoption are not eligible for room and board supports.

3. Youth who enter court-ordered s. 48.977 Guardianship, s. 48.9795 Guardianship, or a guardianship under a substantially similar tribal law, or Long-Term Kinship Care from an OHC placement on or after their 16th birthday are eligible for services *up to* the age of 23.
4. Youth that age out of an OHC placement on or after their 18th birthday are eligible for services *up to* age 23.

Notes

- Youth who are eligible for independent living and are enrolled in and attending a postsecondary program may receive Education and Training Voucher funds *up to* the age of 23 or five years, whichever comes first. See also the *Brighter Star Funding Guidelines* document and the Brighter Star 2-page overview document for more information (via <https://dcf.wisconsin.gov/youthservices/college>).
- Open 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 (having no subsequent open qualifying placements) 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.

This chart identifies the services that may be provided based on the youth eligibility criteria.

ELIGIBILITY CRITERIA	County/Tribal IL Services* (age 14-18)	Regional IL Services (age 18-23)	Room and Board (includes security deposit, rent, & utilities)	Education & Training Vouchers (Brighter Star)
<ul style="list-style-type: none"> Age 14, 15, 16 or 17 A total of six months in court-ordered OHC 	Eligible and services are REQUIRED for as long as the youth is in OHC			Eligible beginning at age 17.5 IF predicted to age out of care at age 18 or older
<ul style="list-style-type: none"> Age 17.5 years or older Placed in court-ordered OHC 	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"> Currently age 18-21 Aged out of court-ordered OHC 		ELIGIBLE	ELIGIBLE	ELIGIBLE
<ul style="list-style-type: none"> Entered court-ordered s. 48.977 or s. 48.9795 guardianship, or guardianship under substantially similar tribal law on or after 16th birthday following time in court-ordered OHC 	ELIGIBLE	ELIGIBLE	ELIGIBLE	ELIGIBLE
<ul style="list-style-type: none"> Adopted any time on or after 16th birthday following time in court-ordered OHC 	ELIGIBLE	ELIGIBLE		ELIGIBLE

* These requirements are specific to tribes that contract with Wisconsin DCF for funding to administer an independent living program. Tribes with an IL program may elect to serve any subset of the youth population eligible for independent living according to the above criteria.

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