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	Approved by:	

Interpretation

Applicable To: Licensed Group Homes, Licensed Child Welfare Agencies

Policy Citation: *AChild@ means any person under 18 years of age. For purposes of admission to and residence in child care institutions and maternity centers, the term also means any person under 21 years of age who is referred by a parent or guardian, including an agency having legal responsibility for the person pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987. Termination of care for such persons under 21 shall occur no later than 90 days following completion of a public school secondary education program or the individual=s eligibility for such a program. (Section 2.01 of the Child Care Act of 1969 [225 ILCS 10/2.01])*

Question: Are licensed group homes prohibited from admitting and retaining persons between the ages of 18 and 21 years?

Discussion: The Child Care Act of 1969 specifically allows child care institutions to admit and retain persons between the ages of 18 and 21 years but is silent about group homes. This provision recognizes the clinical needs of certain persons for whom adult residential care or independence is not appropriate without transitional programming.

This section of the Act has not been amended since 1988 and, if interpreted literally, is too narrow to address the current realities of residential care. For many group homes there are no clinical differences between the programs they provide and those provided in child care institutions. Several child care institutions are also developing and operating group homes which could provide an appropriate alternative to the institutional setting for this age group. The smaller group setting of the group home is particularly appropriate in assisting persons in this age group in their transition from

residential care to independent living.

It is in the best interest of children to provide this population with sufficient and appropriate resources to meet their needs and not to disrupt placements unnecessarily.

Therefore, a reasonable interpretation of the intent of the Child Care Act of 1969 is that, where licensed group home programs meet the clinical needs of individuals between 18 and 21 years of age, those individuals may be served by the licensed group home.

Response: When a licensed group home has a program which meets the clinical needs of individuals between the ages of 18 and 21 years, as determined by the process outlined in Policy Guide 98.3, those individuals may be served if admitted to the group home by their parent or guardian.