

# Interstate Compact on the Placement of Children ICPC

Presented by

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# ICPC

## What is the Compact?

- ▶ The Interstate Compact on the Placement of Children was written in the late 1950s as a compliment to the Interstate Compact on Juveniles (ICJ).

## What is the purpose?

- ▶ The purpose of the Compact is to ensure safe and suitable placements and to clarify financial and jurisdictional responsibilities for children.



Parties to the Compact:

**ALL 50 STATES**

New York was 1<sup>st</sup>

New Jersey was last

**DISTRICT OF COLUMBIA**

**UNITED STATES VIRGIN ISLANDS**

Not members of the Compact:

Guam, Puerto Rico, other territories

Canada, Mexico

Any of the Federally Recognized Tribes in the United States

# How does the ICPC work?

A sending agency submits a request to the ICPC office in the Sending State



The ICPC office in the Sending State sends it to the ICPC office in the Receiving State



The Receiving State ICPC assigns it to the their “local” office for completion of a home study.



The completed study is returned to the Sending State ICPC office via the Receiving State ICPC office with notification that the placement may or may not be made.

# Types of ICPC cases

PARENT

RELATIVE

FOSTER CARE

ADOPTION (PUBLIC AND  
PRIVATE)

RESIDENTIAL



# ICPC ARTICLES AND REGULATIONS

- THE ICPC HAS 10 ARTICLES AND 12 REGULATIONS
  - THE PURPOSES OF THE ARTICLES:
    - OVERALL GOVERNING DOCUMENT
    -
  - THE REGULATIONS:
    - ADOPTED BY THE COMPACT ADMINISTRATORS JOINTLY - ADDRESS DAY TO DAY IMPLEMENTATION


# ARTICLE III CONDITIONS FOR PLACEMENT

- ▶ No Agency can send or bring a child into another state without:
  - ▶ An approved home study
  - ▶ Approval by the receiving state

# ARTICLE V

## RETENTION OF JURISDICTION

The sending agency shall retain jurisdiction over the child sufficient to determine all matters in relation to the child.... until discharged with the concurrence of the appropriate authority in the receiving state.



The sending agency shall continue to have financial responsibility for support and maintenance of the child during the period of the placement.





# ICPC REGULATION 1

- ▶ This Regulation allows the conversion of Intrastate Placement into Interstate Placement; Relocation of Family Units

# ICPC REGULATION 2

PUBLIC COURT JURISDICTION CASES:



PLACEMENTS FOR PUBLIC ADOPTION OR FOSTER CARE  
IN FAMILY SETTINGS AND/OR WITH PARENTS, RELATIVES



THIS REGULATION PROVIDES A HOME STUDY AND  
PLACEMENT DECISION BY A RECEIVING STATE.



REGULATION 2 IS UTILIZED FOR THE MAJORITY OF ALL  
ICPC REQUESTS.

# ICPC REGULATION 4 RESIDENTIAL PLACEMENT

THIS REGULATION PROVIDES FOR THE PROTECTION AND SAFETY OF CHILDREN BEING PLACED IN A RESIDENTIAL FACILITY IN ANOTHER STATE.

RESIDENTIAL PLACEMENTS CAN BE MADE BY SENDING AGENCIES, INCLUDING PARENTS, GUARDIANS, COURT OR AGENCY ULTIMATELY RESPONSIBLE FOR THE PLANNING, FINANCING AND PLACEMENT OF THE CHILD.

THE RESIDENTIAL FACILITY IS VIEWED AS THE AGENCY RESPONSIBLE FOR THE 24-HOUR CARE OF A CHILD AWAY FROM THE CHILD'S PARENTAL HOME.

# ICPC REGULATION 6

- ▶ REGULATION 6 PROVIDES TIME FRAMES FOR THE VALIDITY AND PLACEMENT AUTHORIZATION FOR APPROVED STUDIES.

# ICPC REGULATION 7 EXPEDITED PLACEMENT DECISION

THIS REGULATION IS INTENDED TO EXPEDITE A PLACEMENT A PLACEMENT DECISION FROM THE RECEIVING STATE.

THIS REGULATION REQUIRES A SPECIFIC COURT ORDER AND STRICT TIMELINE TO MAINTAIN COMPLIANCE

## ELIGIBILITY REQUIREMENTS:

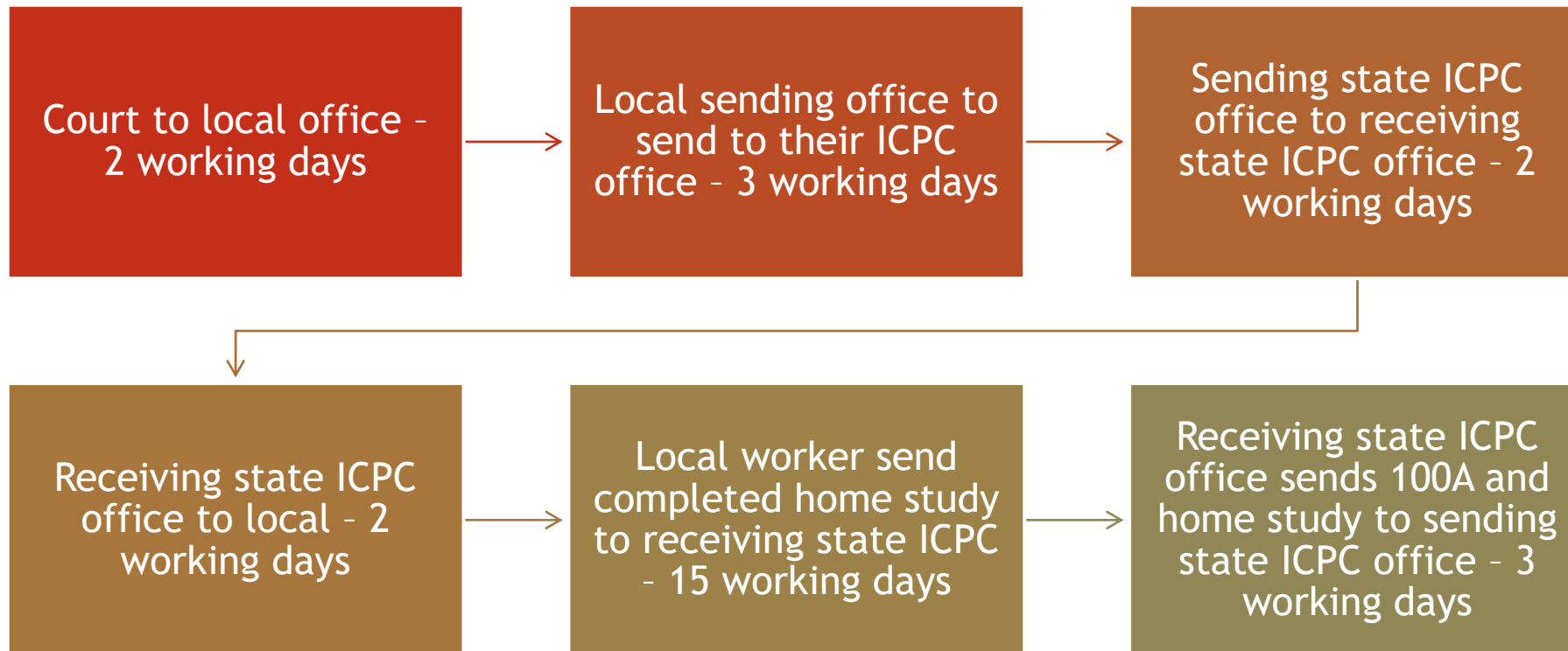
Unexpected dependency due to parental incapacitation or incarceration

Four years old or younger

Substantial relationship with the placement resource

Child in emergency shelter or placement

# REGULATION 7 TIMEFRAMES



# ICPC REGULATION 9 - VISITS

PROVIDES A CHILD WITH SOCIAL OR CULTURAL EXPERIENCES



LASTS FEWER THAN 30 DAYS



DOES NOT REQUIRE AN ICPC REQUEST



MAY BE EXTENDED FOR AN ADDITIONAL 30 DAYS IF IT DOES NOT INTERFERE WITH SCHOOL

- THINGS TO CONSIDER:
  - NO ICPC SUPPORT FOR THE PLACEMENT
  - SENDING STATE IS SOLELY RESPONSIBLE FOR A CHILD ON A VISIT

# ICPC REGULATION 9 (cont'd)

IF AN ICPC PACKET HAS BEEN SUBMITTED, THE CHILD MAY NOT VISIT UNDER  
REGULATION 9



THINGS TO CONSIDER IF THE VISIT IS FOUND TO BE IN VIOLATION OF THE  
ICPC:

If a violation is found, Receiving State may require a child's return to Sending State pending the completed home study

No ICPC support, (home visits, local agency involvement, etc)

Future ICPC packets for the child may be affected

Potential Penalties for illegal placements





ICPC  
REGULATION 11

RESPONSIBILITY OF  
STATES TO  
SUPERVISE CHILDREN


# ICPC REGULATION 11 (cont'd)

Supervision must begin when the receiving state has been notified of the placement via the appropriate documentation

Includes face to face contacts with the child at least once per month

# SUPERVISION TIME FRAMES

Per regulation 1, first face to face contact will occur within 30 days of when the receiving state receives notice the resource and child have arrived in the receiving state.



Per Regulation 2, the first face to face contact will occur within 30 days of the receiving state being notified the child has been placed in the receiving state.

**Supervision reports are due at least once every 90 days.**

ICPC  
REGULATION 12  
PRIVATE/INDEPENDENT  
ADOPTIONS

- ▶ This Regulation is to provide guidance and ICPC requirements for the processing of private agency or independent adoptions.

# ICPC TIMEFRAMES

- ▶ REGULATION 2 HOME STUDIES
  - ▶ The Safe and Timely Interstate Placement of Foster Children Act of 2006 requires a home study report to be completed within sixty (60) days of receipt but encourages completion within thirty (30) days.
  - ▶ If a home study cannot be completed within the allotted time, a preliminary report explaining the delay and expected completion date should be sent by the local worker to their ICPC office for forwarding to the Sending State ICPC and local office.

# ICPC TIMEFRAMES (cont'd)

## REGULATION 4 TIME FRAMES

- The Receiving State must supply a placement decision for a Regulation 4 request within 3 business days.
- An approval for placement for a Regulation 4 request is valid for 30 days.

## REGULATION 12 TIME FRAMES

- The Receiving State must supply a placement decision for a Regulation 12 request within 3 business days.
- An approval for placement for a Regulation 12 request is valid for 30 days, unless an extension is needed for continued medical care for the child.

# BARRIERS AND OBSTACLES

- ▶ LACK OF NEICE ACCESSIBILITY
  - ▶ The National Electronic Interstate Compact Enterprise allows states to expedite requests for placement of children in safe, permanent families across the state lines and reducing administrative paperwork and costs. This is NOT a barrier, however:
  - ▶ Only 48 of the 52 entities in the compact currently utilize the NEICE system. All have signed MOU's, but that this time, those entities require ICPCs to be conducted through emails, which can delay the request and placement decision.

# BARRIERS AND OBSTACLES (cont'd)

LACK OF CONSISTENCY AMONG  
STATES IN HOME STUDY AND  
LICENSING PROCESSES



# BARRIERS AND OBSTACLES (cont'd)

- ▶ LACK OF CONSISTENCY AMONG STATES REGARDING PARENT PLACEMENTS
  - ▶ States and courts are divided on whether the ICPC applies to an out of state parental placement.
  - ▶ Many states have restrictions on parent study requests or simply do not conduct parent home studies.
  - ▶ The following states impose limitations or refuse parent study requests:
    - ▶ Arkansas, California, Connecticut, Indiana, Maryland, New Hampshire, Oregon, Texas, Washington, Arizona, Delaware, Florida, Hawaii, Massachusetts, Mississippi, Montana, New York, Oregon and Tennessee.

# PARENT REQUESTS (cont'd)

- ▶ Should the Court or the sending state agency determine a child should be placed with the parent in the other state:
  - ▶ There is no evidence the parent is unfit
  - ▶ Jurisdiction is relinquished immediately.
  - ▶ No supervision or assistance will be offered by the other state.

# INITIATIVES AND PROPOSALS TO IMPROVE PERMANENCY OUTCOMES

- ▶ The Safe and Timely Act of 2006 is being discussed thoroughly in the Performance Improvement Committee within the Association of Administrators of the Interstate Compact on the Placement of Children (AAICPC).

# INITIATIVES AND PROPOSALS TO IMPROVE PERMANENCY OUTCOMES

## PROPOSED REVISED ICPC

The Revised ICPC will address issues such as:

- Consistency among all entities regarding parent home studies
- Clearly defined consequences for ICPC violations
- Provide mediation and binding dispute resolution between states
- Residential facility placements will no longer require receiving state approval, just notification from the sending state the child has been placed.
- Other components to be determined once 35 states have passed the Revised ICPC

QUESTIONS?

**THANK YOU!**

Please feel free to reach out to me with any future questions you may have regarding the ICPC process.

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