


POLICY TITLE:	Interstate Compact on the Placement of Children (ICPC)		
	CHILD AND FAMILY SERVICES AGENCY		
Approved By:	Date Approved:	Original Effective Date:	Last Revision:
Brenda Donald	July 6, 2020	July 2, 2010	June 8, 2020

I. AUTHORITY	<p>The Director of the Child and Family Services Agency (CFSA or Agency) adopts this policy to be consistent with the Agency’s mission, and applicable federal and District of Columbia laws and regulations, including the provisions of the Interstate Compact on the Placement of Children (ICPC) as codified in DC Official Code §4-1420 through §4-1423 and the LaShawn A. v. Gray Implementation and Exit Plan (December 17, 2010). <i>This policy supersedes the previous policy regarding the Interstate Compact on the Placement of Children (ICPC) dated July 2, 2010.</i></p>
II. APPLICABILITY	<p>This policy applies to all CFSA employees and its contracted child placing agencies.</p>
III. RATIONALE	<p>The Interstate Compact on the Placement of Children (ICPC) is a uniform law enacted by all 50 member states, the District of Columbia (hereinafter, the “District”) and the U.S. Virgin Islands, to ensure protection and services to children who are placed across state lines. The ICPC affords children in the custody of the Child and Family Services Agency (CFSA) who are placed out of the District the same protections and benefits of child welfare agency oversight as those placed within the District. The ICPC allows children placed out-of-state to return to their “home state” in the event that the out-of-state placement proves not to be in their best interest or if the need for out-of-state services ceases.</p>
IV. POLICY	<p>It is the policy of CFSA to comply with provisions of the ICPC when placing a child in another state (or acting as the “sending state”) or receiving a child from another state (as “receiving state”) with a few exceptions (<i>see Section A(1) for more information on exceptions</i>). As a sending state, CFSA shall request ICPC approval of any receiving state each time CFSA seeks to place a child outside the District. CFSA shall continue to maintain responsibility for the child for the duration of the interstate placement.</p> <p>CFSA shall not place any child in a receiving state until the receiving state notifies CFSA that the proposed placement is not contrary to the interests of the child. CFSA shall not place any child in another state unless the resource provider in the receiving state is fully licensed, certified, or approved for the placement of that child or sibling group according to the receiving state’s standards, unless the DC Maryland Border Agreement applies (link).</p> <p>As a receiving state, CFSA will abide by the terms of the ICPC with respect to providing services. If a child is placed in the District in violation of the ICPC, the District is not responsible for meeting the service delivery and supervision requirements of the ICPC.</p> <p>An out-of-state placement made in violation of the terms of the ICPC constitutes a violation of the laws of both the sending and receiving states.</p>

<p>V. CONTENTS</p>	<p>A. General Procedures for Completing an ICPC Request When Placing Children in Another State</p> <p>B. Requests for Adoption and Guardianship Placement Approval in the State of Maryland</p> <p>C. Home Study Requests and/or Placement Approvals</p> <p>D. Requests for Resource Providers Who Relocate with a Child to Another State</p> <p>E. Requests to Place Children in the District of Columbia by Other States: Out of Town Inquiries (OTI) For Home Assessments or a Full Home Study</p> <p>F. Requests for Priority Placements</p>
<p>VI. SECTIONS</p>	<p>Section A: General Process for Completing an ICPC Request When Placing Children in Another State</p> <p>Any child in the care of CFSA placed in another state or a child from another state placed into the District of Columbia for the purpose of foster care and adoption (including kinship, psychiatric residential treatment facility (PRTF), and group home placements) shall be placed in compliance with ICPC requirements, unless the placement falls under an exception listed in item 1 below.</p> <p>1. An ICPC is not required when a child is placed outside of the District of Columbia for the following conditions:</p> <ul style="list-style-type: none"> a. Children placed with parents outside the District of Columbia, unless an ICPC placement is court ordered. <p><i>Note: ICPC approval is required for parent placement in the District of Columbia but only at the sending state's request. Please see Section E for more information regarding Out of Town Inquiries (OTIs).</i></p> <ul style="list-style-type: none"> b. A placement with a relative made by an adult (e.g., parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt or child's guardian) who has custody of a child not in foster care with CFSA, or under and order of a D.C. Court or other "sending agency". c. Placements covered by any other interstate compact, e.g., Interstate Compact on Juveniles (ICJ), Interstate Compact on Adoption and Medical Assistance (ICAMA), or Interstate Compact on Adults (ICA). d. CFSA children visiting another state for less than 30 days or for more than 30 days if the visit begins and ends during the school vacation period, and the duration of the visit is clear based on the circumstances or there is an expressed ending date. e. Parental Custody Home Study requests from the DC Domestic Relations Division, located in the DC Superior Court. f. Placements in medical and mental health facilities. g. Placements in boarding schools or any institution that is primarily educational in character.

	<ol style="list-style-type: none"> 2. An out-of-state placement that requires an ICPC may only occur upon receipt of an ICPC approval from the “receiving state”. 3. When placing CFSA children in another jurisdiction, all out-of-state placements must be licensed, certified, or approved. 4. ICPC approvals shall be valid for not more than 6 months from the date of issuance. The child must be placed with the approved placement resource in the receiving State within 6 months of the ICPC approval from the receiving state. <i>Note: if the placement does not occur within 6 months, a new ICPC request is required.</i> 5. Under the ICPC, when CFSA places a child out-of-state, the receiving agency is responsible for the following activities: <ol style="list-style-type: none"> a. Conducting monthly face-to-face home visits b. Monitoring the placement and ensure the overall safety, permanency, and well-being of the child c. Providing quarterly progress reports to CFSA. 6. As a sending state, CFSA shall retain legal and financial responsibility for the child until the placement ends or the case closes. 7. Throughout the out-of-state placement, CFSA maintains all case management responsibilities with the assistance of the receiving state’s social worker, until the placement ends or the case closes. 8. If the out-of-state placement disrupts, as the sending agency, CFSA shall make arrangements to ensure the return of the child to the District. 9. All changes to placement status shall be documented through the use of Form ICPC-100B.
	<p style="text-align: center;">Section B: Requests for Adoption and Guardianship Placement Approval in the State of Maryland</p> <p>Under the 2013 Border Agreement between the District of Columbia and the state of Maryland, ICPC referrals do not have to be completed for foster care placements in either state. An ICPC referral is required in the state of Maryland only if the foster/kinship parent files a petition for adoption or guardianship. All guardianship ICPC referrals shall be submitted as a foster care request in the State of Maryland.</p>

Section C: Home Study Requests and/or Placement Approvals

1. When considering the placement of a child in another jurisdiction, a sending worker can request a home study and placement approval, or a placement approval only, if a home study has already been completed.
 - a. When a home study and placement approval is requested by CFSA, the receiving state is expected to complete a home study within 60 calendar days and provide a written justification of their decision to approve or deny the placement request according to the receiving state’s licensing timeframe.
 - b. Full licensure requests are expected to be completed within 120 days from the time of the request.
 - c. If a home study has already been completed and only a placement approval is requested by CFSA, the receiving state is expected to provide a written decision within 30 calendar days.
2. A CFSA child must be “legally free” for adoption before the Agency will seek an adoption home study and placement approval from the receiving state. Otherwise, the ICPC home study and placement request shall be for a foster care placement.
3. The receiving state shall approve or deny a priority placement request within 20 calendar days. *(See Section E for more information regarding priority placement requests.)*
4. The DC/ICPC office requires a new ICPC referral for all adoptive placements, including instances where the foster parent is adopting a child that is currently placed in his or her home.

Section D: Requests for Resource Parents Who Relocate With the Child to another State

CFSA shall inform resource parents of their responsibility to notify the Agency of their intent to relocate to another state (including Maryland) at least 60 calendar days before the planned moving date.

1. Within 30 days of notification of the relocation, the receiving agency is expected to make initial contact with the family to ascertain compliance with applicable laws and requirements of the receiving state.
2. The receiving state and receiving agency are expected to accept or validate the resource parent’s current license, certificate or approval, unless the receiving state determines that the child’s needs and safety cannot be met under the circumstances of the proposed relocation. If this occurs, the receiving state may provide a provisional approval that would grant the resource parent an opportunity to remedy problems in the home.
3. If the resource parent is not in compliance with the receiving state’s licensing requirements, the child shall be returned to DC until the requirements are satisfied.

Section E: Requests from Other States to Place Children in the District of Columbia: Out of Town Inquiries (OTI) For Home Assessments or a Full Home Study

As a receiving state, CFSA is responsible for responding to ICPC placement requests that are made in accordance with the current terms of the ICPC or any agreements between the District of Columbia and another state. CFSA shall abide by the timeframes for processing requests, home studies, notifications back to sending states, safety checks and the submittal of progress reports as required by the ICPC.

1. Under the ICPC, a sending agency shall not place any child in the District unless that resource provider is licensed or approved for the placement of that child or sibling group by CFSA. Note that if the sending agency does not request an ICPC placement with a parent, CFSA will not apply the ICPC.
2. CFSA will complete a relative home assessment or a full home study as requested by the sending state.
 - a. If the request is for a relative home assessment, within 60 calendar days of the date of receipt of the request, CFSA shall complete the home assessment with written recommendation of the approval or denial of the placement request and forward it to the sending state.
 - b. If the request is for a full home study, before the 60th calendar day of the date of receipt of the request, CFSA shall provide a status report of the placement request and forward it to the sending state. Full licensure requests shall be completed within 150 days from the Licensing Unit's receipt of the request.
3. If children are placed with a relative or parent per a home assessment in the District of Columbia, then the caretaker shall be financially and medically responsible for the child's care. If the placement is made upon full licensure, then the sending state will provide foster care payments
4. Approval or the denial of the placement request shall be documented on the ICPC 100A and signed by the CFSA ICPC Administrator (or designee).
5. Following the child's placement, CFSA shall make a home visit the caretaker's home within 5 business days.
6. CFSA is not responsible for performing home studies, provider licensing activities, home visits, safety checks, or any other activities related to an ICPC as a receiving state, unless the sending state complies with the requirements of the compact.

Section F: Request for Priority Placement

1. In order to expedite the placement of a CFSA child with a parent, relative in another state, CFSA shall petition the DC Superior Court to issue a court order for a Priority Placement Home Study.
 - a. The receiving state is expected to provide a written justification of their decision to approve or deny a priority placement request within 20 business days from the date the request was received.
 - b. As a sending state, CFSA shall ensure that it meets the ICPC timeline requirements for priority placement request to ensure the request receives priority consideration.
2. CFSA as a receiving state shall comply with ICPC Priority Placement requirements in a timely manner.