

Slide 1



Welcome to the Interstate Compact on the Placement of Children: Understanding ICPC webinar. This is the overview training for understanding the Interstate Compact on the Placement of Children. This training will give you an overview of what ICPC is, why it is important, how it is structured, when it applies, an overview of the workflow, agency roles and what resources are available for you to make a referral or respond to referral from another state. This training will not review eWiSACWIS steps for sending or responding to an eWiSACWIS referral.

## Interstate Compact on the Placement of Children (ICPC)

Protecting the Best Interests of the Child

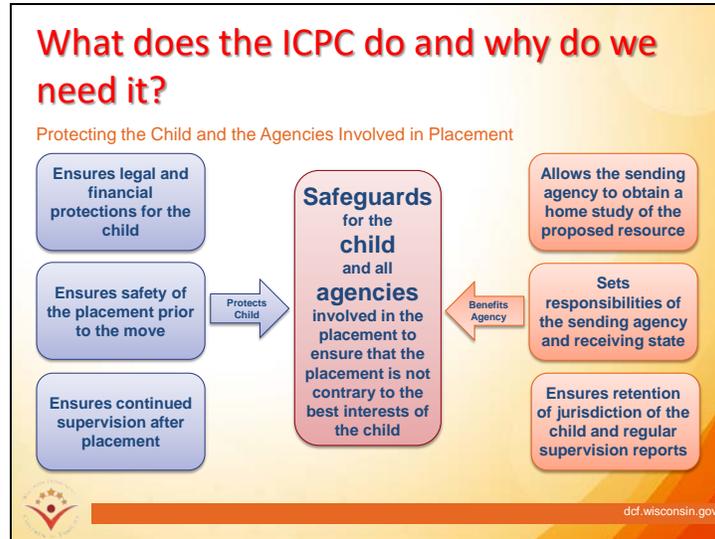
- Legally binding contract between states to provide order and protection for children moving across state lines
  - Establishes uniform legal and administrative procedures for the interstate placement of children
- All 50 states, the District of Columbia, and the US Virgin Islands have adopted the Compact into law
  - Puerto Rico may accept ICPC requests, but is not included in the Compact
  - WI Statutes 48.988 and 48.989



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The Interstate Compact on the Placement of Children, known as ICPC, is a legally binding contract between states to provide order and protection for children who are moving across state lines. This compact establishes uniform legal and administrative procedures for the interstate placement of children.

All 50 states, the District of Columbia, and the US Virgin Islands have adopted the Compact into state law. Puerto Rico may accept ICPC requests, but is not actually included in the Compact. You can find WI ICPC Statutes in Chapter 48.988 and 48.989.



So, what does the ICPC do and why do we need it? It protects the child and the agencies involved in the placement of a child across state lines. First, the ICPC ensures legal and financial protections for the child, it ensures the safety of the placement prior to the move, and ensures that there will continued supervision of the child after placement. This protects the child. It allows the sending agency to obtain a home study of the proposed resource. It sets responsibilities of the sending agency and the receiving state, and it ensures retention of jurisdiction of the child and regular supervision reports. These things together are safeguards for the child and all agencies involved to ensure that the placement is not contrary to the child's best interests.

## When does the ICPC apply?

Four types of situations

- ICPC is used when an agency has some jurisdiction or will have jurisdiction of a child when the child is placed, including but not limited to:
  - Child Welfare,
  - Child in Need of Protection and Services (CHIPS),
  - Juvenile in Need of Protection and Services (JIPS),
  - Temporary Physical Custody (TPC), and
  - Consent decrees
- ICPC is also used in certain private case circumstances such as private adoptions and private parent placements into a facility

The diagram consists of four colored boxes arranged in a 2x2 grid, each with a large arrow pointing outwards from the center. The top-left box is pink and labeled 'Parents & Relative Placements'. The top-right box is blue and labeled 'Licensed or Approved Foster or Kinship Homes'. The bottom-left box is green and labeled 'Group Homes and Residential Care Centers'. The bottom-right box is orange and labeled 'Placements Preliminary to Adoption'.

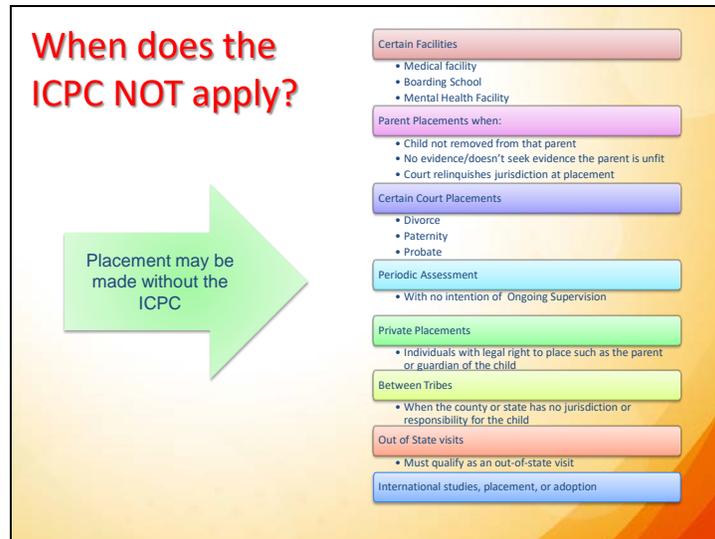
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The ICPC is used when an agency has jurisdiction or will have jurisdiction of a child when the child is placed, including but not limited to:

- Child Welfare,
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- Temporary Physical Custody (TPC), and
- Consent decrees

ICPC is also used in certain private case circumstances such as private adoptions and private parent placements into a facility.

Under these circumstances, parent and relative placements, placements in licensed foster homes or approved kinship homes, placement in group homes and residential care centers, and placements preliminary to adoption are all subject to the ICPC.



The ICPC does not apply in the following circumstances:

- Certain facilities such as medical facilities, boarding schools, and mental health facilities
- Parent placements when the child was not removed from that parent, no evidence exists or is being sought that the parent is unfit, and the court will relinquish jurisdiction at the time of placement
- Certain court placements such as divorce, paternity, or probate court
- Periodic assessment of a child is desired but there is no intention of ongoing supervision
- Private placements made by individuals with the legal right to place such as the parent or guardian of the child.
- Placement between tribes when the county or state has no jurisdiction or responsibility for the child.
- Qualifying out of state visits, which we will discuss next.
- International studies, placement, or adoption

If it meets criteria above, the placement may be made without the ICPC

## What is an Out-of-State Visit?

**Definition**

- For an Out-of-State visit to not be subject to the ICPC, certain criteria must be met
- The visit cannot be extended beyond 30 days or the school vacation
- Emergency placements across state lines are not considered visits and are subject to the ICPC



Purpose of cultural or social experience

Less than 30 days or the period of school vacation

Has an end date or duration

No intention of placement or a series of visits

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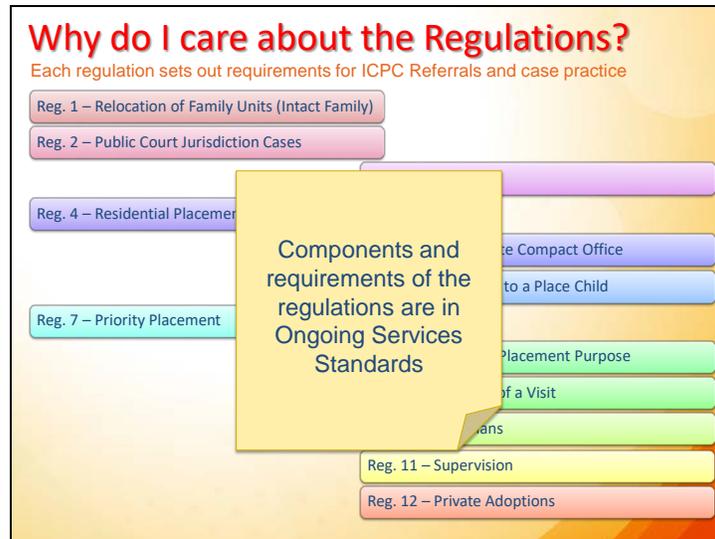
So I mentioned out-of-state visits. In order to be considered an out of state visit that is not subject to the ICPC, the visit must meet certain criteria.

First, the purpose of the visit must be cultural or social in nature. It must be less than 30 days or less than the period of school vacation, the visit cannot be extended beyond that 30 days or that school vacation if that time runs out. It must have an expressed end date or a particular duration, and not just a visit for an undetermined amount of time. The visit cannot be for the intention of becoming a placement or having a series of visits with the intent of placement. For example, the child cannot go for a week-long visit in another state, come to WI for a weekend, and then return to the other state for another week and continue that cycle in lieu of placement. Emergency placements across state lines are not considered visits and are subject to the ICPC. If an illegal placement is made, the placement must come into compliance as soon as possible and the receiving state has absolutely no obligation to supervise the child.



So what exactly is this compact? The Compact law contains 10 articles. These define the types of placements and placers subject to the law; the procedures to be followed in making an interstate placement; and the specific protections, services, and requirements brought by enactment of the law are described here.

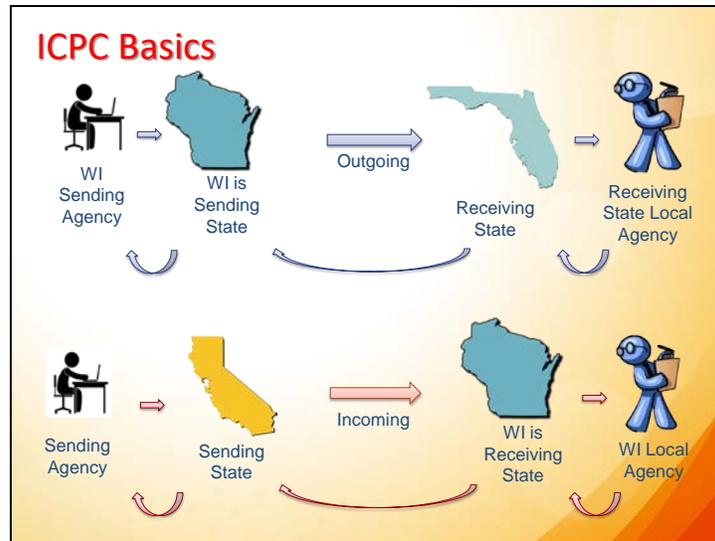
The articles set 12 regulations that help guide the daily practice of the ICPC and help maintain consistency across states.



You may be wondering what these regulations mean for you and for your agency. Each regulation sets out requirements for the ICPC referrals and case practice, and will therefore drive your responsibilities for each case depending on the type of regulation.

- Regulation 1 is the relocation of family units and sets practice for a child and family unit moving across state lines
- Regulation 2 sets practice for most cases, our public court jurisdiction cases
- Regulation 3 has definitions for the icpc regulations
- Regulation 4 sets practice for residential placements across state lines
- Regulation 5 sets requirements for central state compact offices
- Regulation 6 provides situations in which permission to place a child is granted
- Regulation 7 sets practice requirements for our expedited placement decisions
- Regulation 8 is change of placement
- Regulation 9 defines out of state visits
- Regulation 10 discusses guardians and their ICPC applicability
- Regulation 11 defines supervision practice
- And regulation 12 sets practice for private adoption.

The four regulations on the left are the ones that your referrals and cases will fall in. All of the components and requirements of these regulations are in ongoing standards.



So how does the ICPC actually work? There are two situations a state could be in: the sending state or the receiving state.

When WI is the sending state, there is a Wisconsin sending agency that would like to make placement of a child out of state.

They submit the ICPC referral to the Wisconsin state ICPC Office.

The ICPC office will then send the referral to the receiving state ICPC Office.

The receiving state ICPC office will then assign a local agency in the receiving state to complete a home study on the proposed placement resource.

The local agency will complete that home study, send it to the state ICPC office, which will send to Wisconsin's ICPC office. The Wisconsin office will communicate results with the sending agency in Wisconsin.

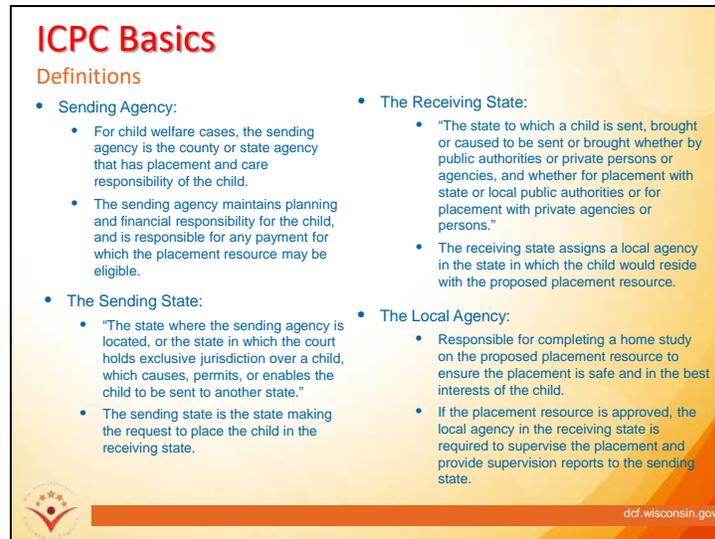
When Wisconsin is the receiving state, there is a sending agency in the other state that wishes to place a child in Wisconsin.

The sending agency sends a referral to the sending state ICPC office, which will send it to Wisconsin.

The Wisconsin ICPC office will process the referral and assign it to a Wisconsin agency to complete the home study on the proposed placement resource.

The Wisconsin agency will complete the home study and the results will go through the ICPC offices back to the sending agency.

This process has many steps in order to ensure that all laws and regulations are being followed.



The slide is titled "ICPC Basics" in red. Below the title is the word "Definitions" in orange. The content is organized into four bullet points, each with a sub-bullet. The sub-bullets are indented. At the bottom left is a logo with a sun and a person, and at the bottom right is the URL "ddf.wisconsin.gov".

## ICPC Basics

### Definitions

- **Sending Agency:**
  - For child welfare cases, the sending agency is the county or state agency that has placement and care responsibility of the child.
  - The sending agency maintains planning and financial responsibility for the child, and is responsible for any payment for which the placement resource may be eligible.
- **The Receiving State:**
  - "The state to which a child is sent, brought or caused to be sent or brought whether by public authorities or private persons or agencies, and whether for placement with state or local public authorities or for placement with private agencies or persons."
  - The receiving state assigns a local agency in the state in which the child would reside with the proposed placement resource.
- **The Sending State:**
  - "The state where the sending agency is located, or the state in which the court holds exclusive jurisdiction over a child, which causes, permits, or enables the child to be sent to another state."
  - The sending state is the state making the request to place the child in the receiving state.
- **The Local Agency:**
  - Responsible for completing a home study on the proposed placement resource to ensure the placement is safe and in the best interests of the child.
  - If the placement resource is approved, the local agency in the receiving state is required to supervise the placement and provide supervision reports to the sending state.

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Now that you understand the high level work flow of an ICPC referral, let's break down the agencies I was just discussing. Each agency has a role in the ICPC process.

The sending agency is the county or state agency that has placement and care responsibility of the child. It maintains planning and financial responsibility for the child, and is responsible for payments to the placement resource if they are eligible.

The Sending State is the "The state where the sending agency is located, or the state in which the court holds exclusive jurisdiction over a child, which causes, permits, or enables the child to be sent to another state." Basically, the sending state is the state making the request to place the child in the receiving state.

The Receiving State is "The state to which a child is sent or brought. The receiving state assigns a local agency in the state in which the child would reside with the proposed placement resource.

The Local Agency is responsible for completing a home study on the proposed placement resource to ensure the placement is safe and in the best interests of the child. If the placement resource is approved, the local agency in the receiving state is required to supervise the placement and provide supervision reports to the sending state.

**What Do ICPC Specialists Do?**

*Did you know?*  
At any given time each Wisconsin ICPC Specialist has approximately 350 cases and processes over 40 referrals a month!

- Review submitted requests and documentation for completeness and compliance with state and ICPC regulations and send to the receiving state/assign to a local agency for action.
- Communicate with the receiving state to address any questions during the home study and investigation process.
- Review the home study reports, final home studies and receiving state recommendation decision for placement.
- Review home study reports and completed home studies and Wisconsin local agencies' recommendation to approve or deny a proposed resource, and make a decision to approve or deny the resource.
- Send the completed home study and decision to the sending state's ICPC Specialist/Compact Administrator.
- Review and process quarterly supervision reports.
- Ensure the sending agency maintains responsibility for the child and acts appropriately to return the child to the sending state following a placement disruption.
- Keep track of children placed in facilities outside of the state and notify the sending agency of any significant change in status.

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Wisconsin ICPC has three ICPC specialists and an ICPC assistant that facilitate the ICPC process. The ICPC Specialists review submitted requests and documentation for completeness and compliance with state and ICPC regulations so that they may send the referral to the receiving state to assign for action.

They communicate with the receiving state to address any questions during the home study and investigation process.

They review the home study reports, final home studies, and receiving state recommendations and placement decisions.

They also review home study reports and completed home studies from Wisconsin agencies and make a decision to approve or deny the resource.

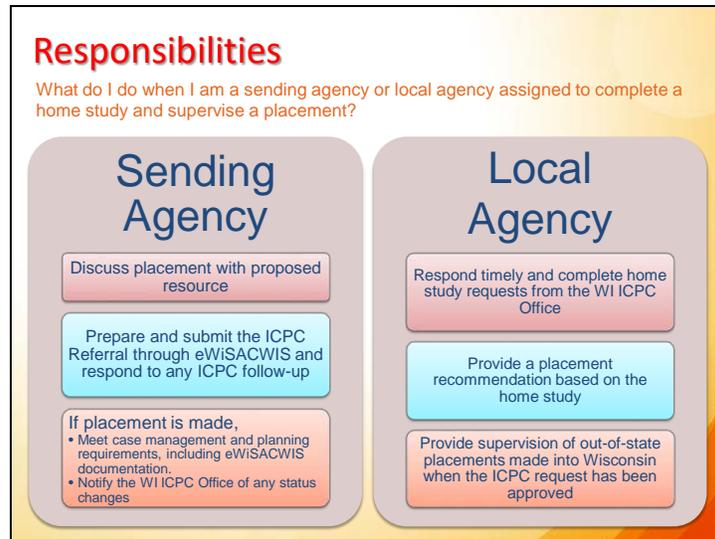
The ICPC Specialists will send the completed home study and decision to the sending state ICPC Office.

They will review and process quarterly supervision reports after a child is placed.

They will ensure that the sending agency maintains responsibility for the child and acts appropriately to return the child following a placement disruption.

Also, they keep track of children placed in facilities outside of Wisconsin.

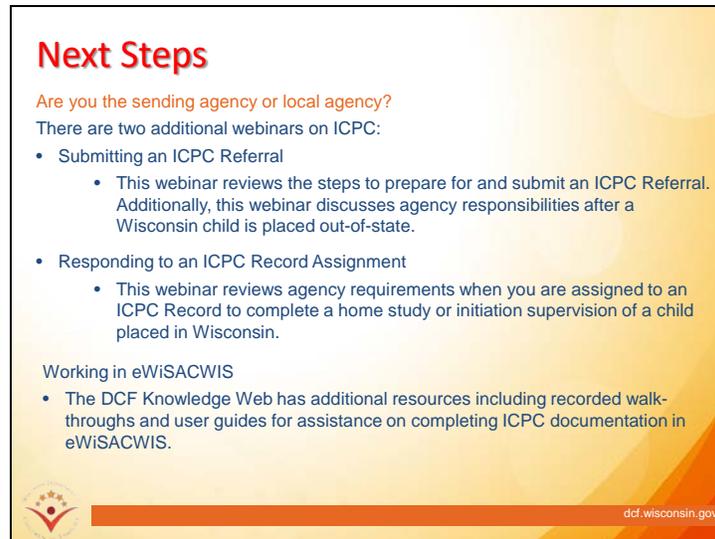
Did you know that at any given time each Wisconsin ICPC Specialist has approximately 350 cases at various stages of the process and processes over 40 referrals a month?



You may be wondering what your responsibilities are when you are a part of an ICPC request. This is a very high level overview of what your responsibilities as a county or public adoption agency may be. If your agency is the sending agency, which means you are looking to place a child outside of Wisconsin, you first must discuss the placement with the proposed resource. You will also prepare and submit the ICPC referral through eWiSACWIS and respond to any ICPC Office questions or follow up. If placement is made, you must meet all case management and planning requirements, including any eWiSACWIS documentation and you are also required to notify the Wisconsin ICPC office of any status changes in the case

If you have been assigned by the Wisconsin ICPC office to respond to a request from another state, you must respond timely and complete the home study requests from the ICPC office. You must provide a placement recommendation to the ICPC Office based on the home study results. If the child is placed in Wisconsin you must provide supervision of the child.

If you are made aware of an illegal placement in Wisconsin you should inform the Wisconsin ICPC office.



**Next Steps**

Are you the sending agency or local agency?

There are two additional webinars on ICPC:

- Submitting an ICPC Referral
  - This webinar reviews the steps to prepare for and submit an ICPC Referral. Additionally, this webinar discusses agency responsibilities after a Wisconsin child is placed out-of-state.
- Responding to an ICPC Record Assignment
  - This webinar reviews agency requirements when you are assigned to an ICPC Record to complete a home study or initiation supervision of a child placed in Wisconsin.

Working in eWiSACWIS

- The DCF Knowledge Web has additional resources including recorded walk-throughs and user guides for assistance on completing ICPC documentation in eWiSACWIS.

 [dcf.wisconsin.gov](http://dcf.wisconsin.gov)

Now that you have an understanding of the ICPC in general, there are additional resources on how to complete a referral or respond to a referral.

There are two additional webinars on ICPC. One is “Submitting an ICPC Referral”. This webinar reviews the steps to prepare for and submit a referral through eWiSACWIS. Additionally, this webinar discusses agency responsibilities after a Wisconsin child is placed outside of Wisconsin. This does not review the eWiSACWIS steps.

There is also “Responding to an ICPC Record Assignment”

This webinar reviews agency requirements when you are assigned to an ICPC Record in order to complete a home study or initiate supervision of a child placed in Wisconsin.

Working in eWiSACWIS. There are also a lot of resources out there to understand the eWiSACWIS workflow. The DCF Knowledge Web has additional resources including recorded walk-throughs and user guides.

## Additional Resources

Where can I find even more information?

- [www.dcf.wisconsin.gov/cwportal/icpc](http://www.dcf.wisconsin.gov/cwportal/icpc)
  - Additional webinars
  - Ongoing Services Standards
  - eWISACWIS Knowledge Web
  - ICPC Contact Information
  - ICPC State Pages
- ICPC Desk Guide
  - Contact your DCF Child Welfare Regional Coordinator



Further than that there are additional resources available for you. You can find more information by going to the DCF website where there are webinars I just discussed, a link to the Ongoing Services Standards, which has an extensive ICPC policy, a link to the eWISACWIS Knowledge Web that has user walkthroughs and webinars with eWISACWIS walkthroughs. The website also has contact information for the ICPC Specialists and ICPC Assistant, And a link to the ICPC State pages, which has information about each state's ICPC requirements.

There is also an ICPC desk guide that provides and overview of the ICPC process and tips on workflow. Contact your DCF Child Welfare Regional Coordinator for a copy of this desk guide.

That's the end of this webinar. Hopefully you have a better understanding of what ICPC is in general and can check out the additional webinars or other resources to find out more information about submitting a referral or responding to an ICPC assignment.