

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY</b>	
	<b>Chapter 9:</b> Interstate Compact on the Placement of Children (ICPC)	<b>Effective Date:</b> November 1, 2020
	<b>Section 1:</b> Request to Place an Indiana Child in Another State	<b>Version:</b> 3

**STATEMENTS OF PURPOSE**

The Indiana Department of Child Services (DCS) requires the DCS local office wishing to place an Indiana child in another state to submit a referral packet to the DCS Interstate Compact on the Placement of Children (ICPC) Office. Contents of the referral packet are included in the [procedure](#) section of this policy. The DCS ICPC Office will notify the DCS local office of incomplete requests, which may result in a delay in processing.

DCS will not require that prospective out-of-state relative placements be licensed prior to placement. If the receiving state has a requirement that incoming ICPC relative referrals be licensed or meet other requirements, DCS will abide by such requirements and require a copy of the license to be sent to the ICPC Unit. If the relative becomes licensed in the receiving state, Indiana DCS will pay a per diem according to Indiana foster care per diem rates. DCS recommends that the out-of-state relative placement become licensed in their state. However, it is not a requirement for approval of the placement.

If the type of an ICPC case changes (e.g., foster care to adoption or relative care to foster care), DCS will require a new ICPC referral.

DCS **will not allow** an Indiana child to be placed in another state **without the written approval** of both the DCS ICPC Office and the receiving state's ICPC Office unless the child is placed with a parent residing in another state. If the court orders an Indiana child be placed out-of-state without approval of the DCS ICPC Office and the receiving state's ICPC Office, with the exception of placement of a child with a parent, DCS will file an objection with the court based on the rules of the ICPC. If the court orders the placement over the objection, the local office must notify the DCS General Counsel and the DCS ICPC office.

**Note:** The ICPC does not apply when the court orders a child to be placed with his or her parent from whom the child was not removed and subsequently releases wardship of the child (see [ICPC Regulation No. 2](#)).

An Indiana child may visit a proposed placement. However, the stay may not last longer than 30 days, as any stay lasting longer than 30 days is considered a placement. Once an ICPC request has been initiated, a visit cannot occur while the ICPC is pending (see [Practice Guidance](#)).

**Note:** For more information about Indiana DCS' ICPC process, please review the [Indiana ICPC Interactive Guide](#).

Code References

1. [IC 31-28-4: Interstate Compact on the Placement of Children](#)
2. [ICPC Regulation No. 2](#)
3. [ICPC Regulation No. 9](#)

## PROCEDURE

The Family Case Manager (FCM) will:

1. Meet with his or her FCM Supervisor and/or the Child and Family Team (CFT) regarding the feasibility of an ICPC placement for the child;
2. Identify any possible ICPC placement resource (see [Practice Guidance](#));
3. Engage the placement resource and determine his or her willingness and ability to have the child placed in their care;
4. Begin to assemble the contents of the referral packet within five (5) business days of identification of the placement resource. The referral packet should include the following:
  - a. Completed [Interstate Compact on the Placement of Children Statement of Family Case Manager/Potential Placement Resource \(SF 55736\)](#),
  - b. A cover letter detailing the reason for the referral including any specific issues that need to be addressed,
  - c. The child's social history (see separate policy, [10.11 Child Social Summary](#)),
  - d. Signed [Indiana Interstate Compact on the Placement of Children- Financial/Medical Plan- If Child is Placed Out-of-State \(SF 49597\)](#),
  - e. The child's medical history,
  - f. Psychological reports and any other reports current within the past year,
  - g. Documentation of the child's legal status, including wardship and/or custody order or other applicable court order documenting DCS care, custody, and control over the child. This includes juveniles subject to probation for delinquent acts. If the wardship is over 12 months old, the most recent court order must be included, as well as the order granting wardship. All court orders must be signed and dated by the presiding judge,
  - h. Signed [Case Plan \(SF 2956\)](#),
  - i. Copy of birth certificate, and
  - j. Copy of Social Security card, if available.

**Note:** See the [Indiana ICPC Interactive Guide](#) for more detail about the referral packet.

5. Submit one (1) identical copy of the referral packet to the DCS ICPC Office; and
6. Complete the [Interstate Compact on the Placement of Children Request \(SF 106\)](#), scan separately from the referral packet, and submit one (1) copy to the DCS ICPC Office.

The FCM Supervisor will:

1. Review the case during [clinical supervision](#) to ensure the FCM explores all in-state relative placement options prior to deciding on an ICPC placement; and
2. Ensure timely and accurate submission of the referral packet to the DCS ICPC Office.

The DCS Compact Administrator, Deputy Compact Administrator, or designee will:

1. Review the packet for accuracy and ensure that all necessary documentation is included within three (3) business days of receipt;
2. Notify the FCM and their FCM Supervisor immediately via email if there is missing information; and
3. Forward the completed packet to the receiving state ICPC Office within three (3) business days of approval, and retain a copy for six (6) months upon closure of the case for DCS ICPC Office records.

The sending state ICPC office will:

1. Review the packet for completeness; and

2. Forward the completed packet to the receiving state through the [National Electronic Interstate Compact Enterprise \(NEICE\)](#) or through email.

The receiving state ICPC Office will:

1. Review the [Interstate Compact on the Placement of Children Request \(SF 106\)](#) and the DCS ICPC referral packet; and
2. Forward the [Interstate Compact on the Placement of Children Request \(SF 106\)](#) and referral packet to the receiving state's local child welfare office, requesting that a home study be completed on the proposed placement resource.

The receiving state's child welfare local office will:

1. Complete the requested home study, including a specific placement recommendation; and
2. Return the home study to its state ICPC Office.

The receiving state ICPC Office will:

1. Review the home study, noting the specific placement recommendation; and
2. Complete the [Interstate Compact on the Placement of Children Request \(SF 106\)](#) and send it, along with the home study and Placement decision, to the Indiana DCS ICPC Office through [NEICE](#) or through email.

The DCS Compact Administrator, Deputy Compact Administrator, or designee will forward the completed home study and [Interstate Compact on the Placement of Children Request \(SF 106\)](#) to the designated ICPC contact.

## PRACTICE GUIDANCE

### **Determining Placement Options**

The FCM should collaborate with the family to determine whether there is a relative interested in having the child placed with them. First consideration should always be given to a parent, even if the parent lives out-of-state. If a parent who resides out-of-state is an option, ICPC is not required. A pre-screening of the prospective placement resource prior to the submission of an ICPC referral is required under [ICPC Regulation No. 2](#) and [ICPC Regulation No. 7](#). This information will be documented on the [Interstate Compact on the Placement of Children Statement of Family Case Manager/Potential Placement Resource \(SF 55736\)](#) and gathered by the case manager in the sending state. The FCM will be responsible for contacting the prospective placement resource in the receiving state to complete the [Interstate Compact on the Placement of Children Statement of Family Case Manager/Potential Placement Resource \(SF 55736\)](#). The intent of this pre-screening is to prevent sending an ICPC referral to a placement resource who is not interested, lacks qualifications (based on home space or financial resources), or who has a criminal history which would preclude placement. The FCM must include this form with the [Interstate Compact on the Placement of Children Request \(SF 106\)](#) when submitting an ICPC referral. Upon determination that a case is appropriate for an ICPC referral, the FCM should then work with the resource parent to ensure they have the necessary information regarding the placement.

**Note:** If the relative is located out-of-state, and the case meets the criteria for an ICPC expedited placement, see separate policy [9.05 Expedited Placement for Out-of-State ICPC Placements](#) for guidance.

### **Out-of-State Parent Rapid Response**

Upon learning of a potential out-of-state placement with a parent with whom there are concerns, rather than sending an ICPC request, a rapid response team will meet to review the concerns. The rapid response team is composed of the following:

1. FCM;
2. FCM Supervisor;
3. Local Office Director (LOD) or Division Manager (DM);
4. DCS Staff Attorney;
5. Regional Manager (RM); and
6. Chief Counsel.

The rapid response team will meet as soon as possible and consider the following:

1. The concerns regarding the out-of-state parent and whether those concerns are significant enough to not immediately place the child with his or her parent;
2. Whether the concerns about the out-of-state parent have been well documented in DCS' petition and/or if DCS needs to amend the petition or dispositional order;
3. Whether DCS has enough information to use a "best interests" argument for not wanting to place the child with the out-of-state parent. If so, DCS should cite [IC 31-10-2-2](#) in its objection for the placement and need for additional information. Reasons for this may include, but are not limited to: lack of a parent-child relationship, the parent having a criminal or child welfare history, parents instability or lack of resources, and unresolved mental health issues; and
4. Methods DCS may use to determine if the out-of-state parent is appropriate for placement without using the ICPC process.

If the rapid response team needs additional assistance following the meeting, Assistant Deputy Directors (ADD), the Assistant General Counsel, and/or other members of management may assist in planning for these cases.

### **Visit With A Proposed Placement**

According to [ICPC Regulation No. 9](#), a visit is considered to be a stay with the proposed placement that lasts no longer than 30 days. Any stay lasting longer than 30 days is considered a placement. The only time a stay longer than 30 days may be considered a visit is if it begins and ends within the period of a child's vacation from school, as determined by the academic calendar of the school. A rebuttable presumption is established that the intent of the stay or proposed stay is not a visit when a request for a home study or supervision, made by the person or agency sending or proposing to send a child on a visit, is pending at the time that the visit is proposed.

### **FORMS AND TOOLS**

1. [Interstate Compact on the Placement of Children Request \(SF 106\)](#) – also available in the case management system
2. [Indiana Interstate Compact on the Placement of Children- Financial/Medical Plan- If Child is Placed Out-of-State \(SF 49597\)](#)
3. [Interstate Compact on the Placement of Children Report on Child's Placement Status \(SF 26174\)](#)
4. [Case Plan \(SF 2956\)](#)- available in the case management system
5. [Interstate Compact on the Placement of Children Statement of Family Case Manager/Potential Placement Resource \(SF 55736\)](#)
6. [Indiana ICPC Interactive Guide](#)

### **RELATED INFORMATION**

### **DCS ICPC Unit Electronic Mailbox**

The DCS ICPC Unit Mailbox [ICPCUnit.dcs@dcs.in.gov](mailto:ICPCUnit.dcs@dcs.in.gov) may be accessed in Outlook. Progress reports, [Interstate Compact on the Placement of Children Report on Child's Placement Status \(SF 26174\)](#), and questions may be sent to this mailbox.

### **DCS ICPC Office**

The DCS ICPC Office is located at the DCS Central Office.  
Indiana Department of Child Services  
Attn: Deputy Compact Administrator  
302 West Washington Street  
Room E306, MS 08 ICPC Unit  
Indianapolis, Indiana 46204-2739  
(317) 234-5764- phone  
(317) 232-2069- fax

### **National Electronic Interstate Compact Enterprise (NEICE)**

NEICE is a national electronic system for quickly and securely exchanging all the data and documents required by the ICPC to place children across state lines.

### **Clinical Supervision**

Clinical Supervision is a process in which an individual with specific knowledge, expertise, or skill provides support while overseeing and facilitating the learning of another individual.

**Example:** The focus of clinical supervision for an FCM is on practice that directly impacts outcomes for families.

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