

IV. DEFINITIONS AND APPLICABILITY

For Definitions, please refer to Section III Regulation 3.

Placement Categories requiring compliance with the Interstate Compact when there is public court jurisdiction relating to dependency, abuse or delinquency are as follows:

1. Placements preliminary to an adoption.
2. Placement with a related or unrelated caregiver.
3. Placement with parents and relatives when a parent or relative is not making the placement.
4. Residential Placements of all children as defined in Regulation 4.

Court jurisdiction often means that custody has been given to a Child Welfare agency and removed from the home. It also may include cases where the children remain in the home and the parents retain custody. If the Court has an open case for abuse, neglect or dependency and has the authority to supervise, remove and to place the child(ren), it has jurisdiction. Should this be the case at the time of an application for Interstate Services, the ICPC-100A should indicate Court Jurisdiction only.

Cases where court jurisdiction only might be checked on the ICPC-100A legal status are:

1. Contingency or concurrent requests in cases where removal may become necessary.
2. Parent or relative with guardianship/custody has relocated to a Receiving State and the court retains jurisdiction and wishes to have a home study to determine best interests of child.

Placements made without Interstate Compact protections:

1. A placement with a parent from whom the child was not removed, the court has no evidence the parent is unfit and seeks no evidence from the Receiving State.
2. Sending court makes a parent placement with a courtesy check.
3. Placement made by private individuals with legal rights to place.
4. Placements handled in divorce, paternity or probate courts.
5. Placements made pursuant to other compacts.

All requests for placement must include the following (For guidance in completing an Interstate Placement Packet, refer to DSS-5255 Checklist for Interstate Requests: <http://info.dhhs.state.nc.us/olm/forms/dss/dss-5255-ia.pdf>):

1. The ICPC-100A (DSS-1837: <http://info.dhhs.state.nc.us/olm/forms/dss/dss-1837-ia.pdf> and Instructions DSS1837I: <http://info.dhhs.state.nc.us/olm/forms/dss/dss-1837I.pdf>) requires 5 copies be submitted to initiate an out-of-state placement request. These must be signed by an agency representative and submitted with the request package, but not stapled to or mixed with other documentation.
2. The following information/materials, hereafter known as the **Interstate Placement Packet**, must be submitted in *triplicate* to the North Carolina ICPC office.
 - a. **Cover letter**- This letter should be addressed the NC ICPC office and include identification of each child for whom the placement is sought, one placement resource and the type of placement requested.
 - b. **Social Assessment of the Child and Family**- The social assessment must be current within six months. See the sample outline in number 7 below for guidance.
 - c. **Legal Documents**- A copy of the most recent court order specifying the agency's authority to place the child. If a court order is not available, a statement of the basis on which the agency is placing the child and documentation that supervision is ongoing must be included.
 - d. **Case/Services/Permanent Plan**- A copy of the plan along with any supplements.
 - e. **Financial/Medical Plan (DSS- 5251: <http://info.dhhs.state.nc.us/olm/forms/dss/dss-5251.pdf>)** - The plan must specify how the child's financial/medical needs will be met. In a few cases, the family will be able to assume financial responsibility. However, in most cases of non-parental placement, financial assistance, either TANF or foster care maintenance payments, will be needed. In all cases, it must be specified whether the child is IV-E eligible.
 - f. **Birth Certificate and/or Social Security Card**
 - g. **Foster Care Certifications/Home study**- A copy of the most recent home study and license, certificate or approval of the qualifications of the placement resource and/or their home (if available) showing they are a qualified placement resource. Information should also be included about any other children that were ever placed in the home prior to this request.
 - h. **Medical/Educational/Psychological Information**- The type and amount of information should be included in the request packet based on the case. The information given should help the

- receiving state ensure that the placement resource is able to meet the needs of the child(ren).
- i. Public Adoption cases require legal clearance documents and an adoption Profile (or other information relevant to the adoptive placement).
 - j. Foster and Relative Requests- require a Statement of Interest (DSS 1841: <http://info.dhhs.state.nc.us/olm/forms/dss/dss-1841-ia.pdf>).
 - k. Expedited Requests- require a court Order of Compliance consistent with form DSS-1839 (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-1839-ia.pdf>) and a signed statement of interest form (DSS 1840: <http://info.dhhs.state.nc.us/olm/forms/dss/dss-1840-ia.pdf>).
3. When a child is in the legal custody of a Department of Social Services, the ICPC-100A must be signed by the DSS director or his designee.
 4. When the child is not in the legal custody of a Department of Social Services, but is under the court's jurisdiction, the ICPC-100A must be signed by the Judge. In these cases, the court is the sending agency and must be specified in Section I of the ICPC-100A as the agency responsible for planning and as financially responsible.
 5. If the child is a member of a federally recognized Indian tribe, the Indian Child Welfare Act applies.
 6. ICPC-100B (DSS-1838: <http://info.dhhs.state.nc.us/olm/forms/dss/dss-1838-ia.pdf> and Instructions DSS 1838!: <http://info.dhhs.state.nc.us/olm/forms/dss/dss-1838i.pdf>) must be completed if the child is already present in the Receiving State. The packet should include 3 copies.
 7. Sample outline and directions for the Child and Family Assessment:

DIRECTIONS:

Please review the existing case material on each child to ensure that the information listed below accompanies the ICPC-100A. If there is no social assessment available on the referred child and family, please address all areas.

CURRENT SITUATION

Circumstances precipitating out-of-state placement
Location of child and length of time there
Situation and location of parents, situation and location of siblings, if any
Description of out-of-state placement resource, if known, or type of placement resource being sought
Child's attitude toward placement

Parent's attitude toward placement

CURRENT ASSESSMENT OF CHILD

Physical appearance height, weight, hair color, eye color, skin color,

Distinctive marks

Current adjustment: behavioral, emotional, social skills.

Relationship/interactions with parents, caregivers, siblings, peers

Health: diagnosis, treatment, prognosis.

Special needs, if any.

Education: grade, achievement, classroom behavior, relationship to teachers and classmates, extra curricular activities.

Significant others in the child's life

ASSESSMENT OF PARENT (S) AND FAMILY

Physical description of parent(s) (appropriate for adoption)

Current functioning: education, employment, financial, parental, and social.

Relationship/interactions with spouse, children, other significant family members

Health: physical and mental; diagnosis, treatment, and prognosis.

Current and anticipated involvement with child

BRIEF HISTORY OF CHILD AND FAMILY

Composition of the family, including birth order of siblings
Parent(s) history: marriage(s), divorce(s), separation(s), death(s),
employment, education, and functioning within family group
Health: major illnesses, hospitalizations; at what age, duration, treatment,
hereditary conditions.
Child's developmental functioning: problems, lags, fixations, and
regressions.
Placement history, if any, including circumstances leading to initial
request for placement
Involvement of relatives and/or significant others

PERMANENCY PLANNING

Permanent plan for the child
Other options available for the child
Anticipated duration of the proposed placement
Relationship of proposed placement to the permanent plan