



ICPC REWRITE CHARTER – DEVELOPMENT AND DRAFTING TEAM

June 2004

ISSUE STATEMENT

The Interstate Compact for the Placement of Children, as currently written and implemented is not an effective mechanism for use by the states to ensure that children placed across state lines for purposes of foster care or adoption are placed with safe, suitable parents that can provide proper care and to ensure that necessary services and supports are in place.

Language within the compact is outdated, governing structures established by the compact are antiquated and basic management and administration issues of the compact are either obsolete or omitted completely from the existing language. Its application has become “overly broad” and the underlying assumption regarding the cost of the provision of home studies and supervision would be one of quid pro quo is no longer accurate. The current compact makes no reference to rules or rulemaking and does not even establish or recognize its own compact administrator association or provide for either enforcement or mediation of disputes between states. The agreement does not establish a system of financial support for the compact, nor does it call for the sharing of information and data on placed children. Therefore, the overall construction of the compact should be replaced with a more comprehensive structure that is based in contemporary compact law, offering greater flexibility when faced with the need for future. Drafted in the 1950s and currently enacted by all 50 states, the District of Columbia and the U.S Virgin Islands, the compact is in need of a massive overhaul to repair its outdated construction and enhance its effectiveness in ensuring that interstate placements are made in a timely and effective manner.

GOAL OF THE PROJECT

Revise the Interstate Compact on the Placement of Children to be presented to the state commissioners, child welfare directors, and compact administrators for review and final sign off. The revised compact will be based on recommendations already made to APHSA by its members, observations made by the stakeholder organizations represented on the developing and drafting team (DDT) as well as a select group of additional outside stakeholders, and compact expertise and advice from The Council of State Governments and other needed consultants. Once a new compact is approved, introduction and passage by state legislators, and implementation of the revised compact by all 50 states, the District of Columbia, and the United States territories is the goal.

PARAMETERS OF WORK

APHSA will identify and assemble a national stakeholder group, which will be named the ICPC Development and Drafting Team (DDT), to provide insight and advice as to: (1) the components of a new Interstate Compact *for* the Placement of Children, (2) the development of educational materials , and (3) a strategy for introduction and passage of the rewritten compact.

A subgroup of the DDT will work with APHSA and Council of State Governments staff to translate the objectives of the states and the members of the DDT team into specific provisions of a comprehensive amended compact.

APHSA will facilitate the DDT in examining the current language of the Interstate Compact on the Placement of Children and the development of recommendations on how to proceed with regard to compact language, structure, rules and a long-term promotion/education of the effort. The rewrite will include at a minimum: (1) a narrowing of the types of placements covered, (2) clear rulemaking and enforcement authority, (3) mandatory use of computer technology to improve the speed and quality of communication and the sharing of information, (4) a clear articulation of the administrative process and procedures, and (5) a new financing scheme for interstate placements that will support improved performance and timeliness.

Results Expected:

- The new compact will provide a better framework for ensuring timely placement of children across state lines and the suitability of prospective placements, and the provision of needed support services.
- A rewrite of the compact by December 2004, but no later than March 2005
- Introduction and passage of the new compact by a minimum of 1/3 of the states by the end of 2005

Communication: APHSA will assist DDT members in developing a communication plan to ensure that the members of the organizations that they represents are kept informed of the process and are provided and opportunity to provide input regarding the recommended provisions of the revised compact that can be brought forward by the DDT member representing them. In addition, APHSA will develop a communication plan for keeping its members up-to-date and getting input on all drafts of the new provision of the revised compact.

Continued Stakeholder Investment and Input: APHSA will ensure that after each meeting of the DDT, a summary of the meeting will be provided to state humans service commissioners, child welfare directors, compact administrators, and outside stakeholders not represented on the DDT. As new provisions of the compact are drafted they will be vetted with state humans service commissioners, child welfare directors, compact administrators, and outside stakeholders not represented on the DDT.

COMMITMENT TO WORK

APHSA will commit staff time and resources to lead and facilitate the rewrite of the Interstate Compact on the Placement of Children and state adoption of the revised compact.

APHSA will contract with the Council of State Governments to assist in the rewrite of the compact and its adoption by the 50 states, the District of Columbia, and the U.S. Territories.

From July 2004 through December 2004, the DDT team will meet 3 times; once in July, in October, and in November in Washington, DC at APHSA's office.

DDT members will be expected to report back on the meetings to their constituents and provide opportunity for input that will be provided to APHSA staff and the DDT team, and the states for final comment.