



CDSS

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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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EDMUND G. BROWN JR.
GOVERNOR

November 19, 2012

ALL COUNTY LETTER NO. 12-56

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHIEF PROBATION OFFICERS
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS
ALL TITLE IV-E AGREEMENT TRIBES
ALL CDSS ADOPTION DISTRICT OFFICES
ALL PUBLIC AND PRIVATE ADOPTION AGENCIES
ALL INTERSTATE COMPACT ON THE PLACEMENT OF
CHILDREN COUNTY LIAISONS

SUBJECT: INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN
(ICPC) REGULATION NO. 5, AMENDED AND ADOPTED BY THE
ASSOCIATION OF ADMINISTRATORS OF THE INTERSTATE
COMPACT ON THE PLACEMENT OF CHILDREN (AAICPC),
EFFECTIVE JULY 1, 2012

REFERENCE: FAMILY CODE SECTIONS 7900-7913, ICPC REGULATION NO. 5

This All County Letter is to notify local California agencies that there has been a change to Regulation No. 5, titled Central State Compact Office.

This amended regulation was adopted on May 5, 2012, at the Annual Business Meeting of the AAICPC and became effective July 1, 2012. All agencies who have been delegated the authority to send and receive placement requests via the ICPC will be required to adhere to the new regulation for placements made both entering and leaving California on or after July 1, 2012.

The amended regulation clarifies the authority and responsibilities of central state compact offices. The regulation specifies for states that have delegated ICPC activities to counties or other designated entities, those entities shall have the same authority and responsibility with respect to those specific activities as if they were the central state compact office.

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

All County Letter No. 12-56
Page Two

In addition, this amended regulation requires that any person making a recommendation for or against a placement of a child, as evidenced by signing the ICPC 100A Form, **can not** be the same person who **conducted** the home study upon which such recommendation is made.

Therefore, California counties and agencies who have been delegated the authority to process ICPC referrals, including the signing of the ICPC 100A Form, must ensure that the individual who signs the ICPC 100A Form **is not** the same person who has conducted the home study for that placement.

The amended Regulation No. 5 language is attached for your reference. If you have any questions regarding this letter, please contact the Out-of-State Placement Policy Unit at (916) 651-8100 or ICPC@dss.ca.gov.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division

Attachment

Regulation No. 5

Central State Compact Office

Regulation No. 5, ("Central State Compact Office"), as first effective April 20, 1982, amended as of April 1999 and April 2002, is amended to read as follows:

1. It shall be the responsibility of each state party to the Interstate Compact on the Placement of Children to establish a procedure by which all Compact referrals from and to the state shall be made through a central state compact office. For those states that have decentralized specific activities regarding Compact referrals from the central state compact office to a county, local office, or designated agency, the county, local office, or designated agency shall have the same authority and responsibility with respect to those specific activities regarding Compact referrals as if it were the central state compact office. The Compact office shall also be a resource for inquiries into requirements for placements into the state for children who come under the purview of this Compact.

2. The Association of Administrators of the Interstate Compact on the Placement of Children deems certain appointments of officers who are general coordinators of activities under the Compact in the party states to have been made by the executive heads of states in each instance wherein such an appointment is made by a state official who has authority delegated by the executive head of the state to make such an appointment. Delegated authority to make the appointments described above in this paragraph will be sufficient if it is either: specifically described in the applicable state's documents that establish or control the appointment or employment of the state's officers or employees; a responsibility of the official who has the delegated authority that is customary and accepted in the applicable state; or consistent with the personnel policies or practices of the applicable state. Any general coordinator of activities under the Compact who is or was appointed in compliance with this paragraph is deemed to be appointed by the executive head of the applicable jurisdiction regardless of whether the appointment preceded or followed the adoption of this paragraph. No person within an agency so designated by the appropriate authority in a state to make recommendations for or against placement of a child, as evidenced by signing Form 100A, shall also conduct the home study upon which such recommendation is made.

3. Words and phrases used in this regulation have the same meaning as in the Compact, unless the context clearly requires another meaning.

4. This regulation was amended pursuant to Article VII of the Interstate Compact on the Placement of Children by action of the Association of Administrators of the Interstate Compact on the Placement of Children at its annual meeting May 4 through 7, 2012; such amendment was approved on May 5, 2012 and is effective as of July 1, 2012.