

GUIDELINES FOR THE INTERSTATE PLACEMENT OF CHILDREN INTO LICENSED OUT-OF-STATE RESIDENTIAL FACILITIES

The Interstate Compact on the Placement of Children (ICPC) is a reciprocal state law enacted in the 50 states, the District of Columbia, and the Virgin Islands. Each state has its own legal citation. In Texas it is the **Texas Family Code Chapter 162, Subchapter B.**

The ICPC establishes procedures for the interstate placement of children in residential facilities and the responsibilities for those involved in placing these children. Under the ICPC, the state that is placing the child is called the **sending state**. The agency or person who makes the arrangements in the sending state is called the **sending agent**. The sending agent may be a biological parent, a public agency, an agency licensed or certified to place children, a relative who has legal custody or guardianship, or a court. The facility or person with whom the child is placed in the receiving state is called the **receiving agent**. The state where the child will be placed is called the **receiving state**.

The ICPC requires the appropriate authority in the receiving state to give written notification that the proposed placement does not appear contrary to the best interests of the child. This permission must be given before the child is brought into the receiving state by signature of the compact authority on the **ICPC Form 100-A**. In Texas, the compact authority is the **Texas Department of Family and Protective Services (TDFPS)**. The placement remains active under the compact until the child is returned to the sending state or reaches majority age (18 years of age)

ICPC PROCEDURES

1. The sending agency (County JPD) sends the following to the Texas ICPC compact authority (TDFPS):
 - a. ICPC Form 100-A (*Complete 6 copies; retain 1 copy and forward 5 to TDFPS*).
 - b. Copy of the probation or disposition order showing where the child is to be placed (*3 copies*).
 - c. A letter (or other documentation) showing the child has been accepted into the facility in the receiving state (*3 copies*).
2. Texas ICPC authority (TDFPS) reviews the material and, if acceptable, signs the 100-A and forwards 4 copies to the receiving state ICPC authority.
3. The receiving state ICPC authority reviews the material and, if acceptable, completes Section IV of Form 100-A indicating that placement may be made. They then forward one (1) copy to the receiving agent and return two (2) copies to TDFPS within 30 days. TDFPS will forward one copy to the County JPD.
4. If there is a change in placement the County JPD notifies the TDFPS via Form 100-B who in turn notifies the receiving state ICPC authority.
5. When the placement is terminated, the County JPD notifies the TDFPS via Form 100-B and they in turn notify the receiving state ICPC authority. The ICPC file is closed.

The Texas ICPC office is:

Texas Department of Family and Protective Services
PO Box 149030, Mail Code Y-942
Austin, Texas 78714-9030