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I. Authorization

Article I(K) of the Compact statute states the purpose of this compact, which includes, *“monitor compliance with rules governing interstate movement of juveniles and initiate interventions to address and correct noncompliance.”*

Article IV(4) of the Compact statute states the powers and duties of the Interstate Commission, which include: *“To enforce compliance with the compact provisions, the rules promulgated by the Interstate Commission, and the by-laws, using all necessary and proper means, including but not limited to, the use of judicial process.”*

Article VII(B)(3) of the Compact Statute states, *“The Interstate Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact using any or all means set forth in Article XI of this compact.”*

II. Policy


The Commission utilizes a proactive approach to monitoring States’ compliance with the Commission’s rules and policies through providing compliance dashboards, assessment reports, and technical support. The Compliance Committee also has discretion to address national or State-level concerns using other approaches related to compliance with the Commission’s rules and policies.

This policy provides guidelines and procedures for conducting compliance assessments, including responsibilities; compliance rates; procedures for the review, assessment, and presentation of findings; the Proactive Compliance Response Schedule; establishes the Targeted Compliance Assistance program; and outlines requirements for corrective action plans.

III. Responsibilities

A. The Compliance Committee is responsible for:


1. Establishing compliance standards and rates; determining schedules and assessment periods; and conducting periodic reviews of the policy and recommending changes as needed.

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2. Reviewing assessment reports and determining what action is recommended or required of States to achieve compliance.
3. Determining whether to override or amend States' assessment reports.
4. Analyzing national and State compliance trends and determining action as needed, including addressing patterns of non-compliance that may fall outside of the established consecutive, quarterly assessment schedule.
5. Providing Targeted Compliance Assistance.
6. Reviewing, amending, and approving corrective action plans.
7. Reviewing and assessing monthly progress reports for corrective action plans.
8. Ensuring that all assessment details and documentation shared for the purpose of the committee's review remain confidential and are not circulated.

B. States are responsible for:

1. Educating State and local personnel who manage cases that are subject to the Interstate Compact for Juveniles about the Commission's rules and policies related to compliance.
2. Monitoring case due dates in the Commission's electronic information and reporting systems.
3. Cooperating with the Compliance Committee and National Office regarding investigations and assessment reports.
4. Providing written responses to quarterly and annual assessment reports when challenging assessment findings.
5. Determining whether to prepare and provide a Voluntary Response Plan, when recommended.
6. Participating in Targeted Compliance Assistance, when required.

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7. Preparing corrective action plans and submitting monthly reports, when required.

C. The National Office is responsible for:


1. Maintaining confidentiality by ensuring that all personally identifiable information is de-identified and is not circulated, publicized, or published.
2. Maintaining records of States' compliance data.
3. Analyzing compliance trends.
4. Providing reports to the States and the Compliance Committee.
5. Maintaining copies of all reports.
6. Tracking and monitoring Targeted Compliance Assistance, corrective action plans, and progress reports.
7. Providing States with year-end reports.

IV. Compliance Rates

The compliance rate for all identified compliance standards is ninety (90) percent, except for any standard relating to the submission of home evaluation reports by the receiving State, which has a compliance rate of eighty-five (85) percent.

V. Procedures

- A. The National Office will use information from the Commission's electronic information and report systems to obtain compliance-related data and to prepare assessment reports on a quarterly and annual basis.
- B. Annual quarters are based on the calendar year: Q1 – January, February, and March; Q2 – April, May, and June; Q3 – July, August, and September; and Q4 – October, November, and December.

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- C. The National Office will send a State’s commissioner, and their designee when applicable, an assessment report when the State does not meet the compliance rate for any compliance standard(s).
- D. Each assessment report will highlight the standard(s) for which the compliance rate(s) were not met for the specified quarter; inform the State of its opportunity to provide a response addressing individual cases that did not meet the compliance rate(s) for the specified quarter; and indicate any recommendations or requirements pursuant to the Proactive Compliance Response Schedule in Section VI of this policy.


VI. Proactive Compliance Response Schedule

The following Proactive Compliance Response Schedule shall apply when a State does not meet the compliance rate required for each standard for one or more consecutive quarters.

Quarter Below Compliance Rate	Recommended Proactive Response	Required Proactive Response
First Quarter	Review policy	n/a
Second Consecutive Quarter	Review policy and supportive training resources	n/a
Third Consecutive Quarter	Voluntary Response Plan	Targeted Compliance Assistance
Fourth Consecutive Quarter	n/a	Corrective Action Plan

VII. Written Responses and Assessment Report Amendments

- A. A commissioner, or their designee when applicable, may challenge any finding(s) on an assessment report by submitting a written response to the National Office within fifteen (15) calendar days from the date of receiving the assessment report.

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- B. The written response will include a record of relevant details as evidence and may only include UNITY case numbers, not personally identifiable information, to identify specific cases.
- C. The Compliance Committee, or committee chairperson, will review assessment reports and written responses from the State and determine whether to amend the assessment report based upon relevant details and evidence provided.
- D. The National Office will provide the State with a response to their request within fifteen (15) calendar days of the decision by the Compliance Committee, or committee chairperson.
 - 1. If the request to amend the assessment report is approved, the response will include an amended report.
 - 2. If the request to amend the assessment report is denied, the response will indicate the recommended or required action pursuant to the Proactive Compliance Response Schedule in Section VI of this policy.

VIII. Voluntary Response Plan

A voluntary response plan is a written response submitted by a State to the Compliance Committee via the National Office, indicating their action plan to address areas of non-compliance. The format and content of the plan is left to discretion of the State submitting the plan.

IX. Targeted Compliance Assistance Program


- A. Targeted Compliance Assistance is strategic support provided by the Compliance Committee to assist States with improving compliance. Targeted Compliance Assistance may include providing education, training resources, coaching, policy development, or other technical assistance.
- B. When required, States shall participate in Targeted Compliance Assistance within fifteen (15) business days from receipt of the assessment report, or upon notice that a request to amend a report was denied. Failure to participate will be considered an

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aggravating factor in the event that non-compliance is addressed through other policies.

X. Corrective Action Plans

- A. Corrective action plans are documented strategies to diagnose, address, and correct root causes of issues contributing to non-compliance and must include clear, measurable goals and timelines for achieving and maintaining compliance.
- B. When required, corrective action plans are due to the Compliance Committee via the National Office within thirty (30) calendar days from receipt of the initial assessment report or notice from the Compliance Committee. The State may request an extension to this timeframe, when applicable.
- C. States are responsible for creating their own corrective action plans using the Commission’s approved template, and identifying corrective action strategies, which may include, but are not limited to, training and technical assistance provided through the State ICJ Office or National Office, pursuant to the Commission’s Policy 07-2009: *Training and Technical Assistance*.
- D. The corrective action plan shall include:
 1. A problem statement, with reference to the relevant standard(s), including an explanation of conditions that led to the compliance issue; and
 2. A success statement specifying the desired outcome; and
 3. A description of the corrective action to be taken to address the issue and the desired outcome; and
 4. The corrective action implementation start date and anticipated completion date; and
 5. For each corrective action, the plan must identify the person responsible, the stakeholders, resources, constraints, and the metrics used to measure success; and

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6. The signature of the compact administrator and commissioner, or their designee when applicable.

- E. A commissioner, or their designee when applicable, shall submit monthly progress reports on the corrective action plan to include a status report on the measures taken to address the problem. The progress report shall include data from the electronic information and report systems to indicate progress toward meeting the compliance rate.
- F. Upon completion of a corrective action plan, the State shall submit a final progress report.
- G. The Compliance Committee, or committee chairperson, shall review final progress reports along with data from the electronic information and report systems on the status of the compliance standard(s) and determine if the corrective action plan is complete, or whether the corrective action plan should remain active.
- H. If the State is unable to achieve compliance through a corrective action plan, refuses to submit or implement a corrective action plan, or if a report reveals other areas of non-compliance, the issue(s) will be addressed as outlined in the Commission’s Compliance Policy *01-2009: Response to Allegations of Default*.

XI. Year-End Reports

The National Office will provide States with a year-end report based on standards selected by the Compliance Committee. Reports will not contain personally identifiable information and may be shared with State auditors or other agencies at the discretion of the commissioner or compact administrator.

Appendix: ICJ Performance Measurement Standards

ICJ Performance Measurement Standards

The Commission has established two equally-important priorities for performance monitoring:

- A. Safe & Successful Supervision
- B. Effective Returns

The Committee also identified 6 “Core Standards.”

This document lists Standards associated with each Compliance Priority. Core Standards are listed at the top of each section and marked with an asterisk (“*”). Additional Standards are listed in numerical order according to the related ICJ Rule.

Priority A: Safe and Successful Supervision

- A-01*** For all cases falling under Rule 4-102, Receiving States shall forward the home evaluation within 45 calendar days of receipt of the referral. **Rule 4-102(4)**
- A-02*** Receiving States shall furnish written progress reports to the sending state on no less than a quarterly basis. **Rule 5-101(4)**
- A-03*** Sending States shall respond to a report of violation, to include action to be taken by the sending state and the date the action will occur, no later than 10 business days following receipt. **Rule 5-103(2)**
- A-04*** Sending States shall issue a referral packet within 30 calendar days of the effective date of the Travel Permit for a juvenile testing a proposed residence. **Rule 8-101(3)**
- A-05** With regard to state committed parole cases, Sending States shall not allow the juvenile to transfer to the receiving state until the request for transfer has been approved. **Rule 4-102(2)(a)**
- A-06** With regard to state committed parole cases where it is necessary for a juvenile to relocate out of state prior to the acceptance of supervision, Sending States shall provide the complete ICJ referral to the receiving state ICJ Office within 10 business days of submitting a Travel Permit for that juvenile. **Rule 4-102(2)(a)**

- A-07 With regard to juvenile sex offender cases, Sending States shall ensure documentation is provided to the receiving state. **Rule 4-103(2)**
 - A-08 With regard to juvenile sex offender cases where it is necessary for a juvenile sex offender to relocate or reside with a legal guardian prior to the acceptance of supervision, Sending States shall provide the completed ICJ referral to the receiving state ICJ Office within 10 business days of submitting a Travel Permit for that juvenile. **Rule 4-103(3)(b)**
 - A-09 Sending States shall provide a written explanation within 60 calendar days when a request to discharge/terminate supervision is denied. **Rule 5-104(3)**
 - A-10 Sending States shall respond to the Form IX, Mandatory Relocation Report, no later than 10 business days following receipt by the sending state. **Rule 5-103A(3)**
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Priority B: Effective Returns

- B-01* Home/Demanding States, shall return juveniles within five (5) business days of receiving a completed Form III or adult waiver. **Rule 6-102(10)**
- B-02* Home/Demanding States shall return juveniles within 5 business days of receiving the order granting the requisition. **Rule 6-103(9) and 6-103A(9)**
- B-03 As it applies to Rule 5-103(3)(d), when Sending States determine a violation requires retaking, it shall return the juvenile within 5 business days. **Rule 5-103(3)(d)**
- B-04 If an alternative living arrangement is not secured, the Sending State shall return the juvenile no later than ten (10) business days following receipt of the Form IX, Mandatory Relocation Report. **Rule 5-103A(3)(b)**

While Performance Measurement Assessments (PMA) help ensure compliance with ICJ Rules, it is not feasible to proactively assess compliance with all ICJ Rules. Therefore, compliance-related matters may also be addressed in accordance with ICJ Compliance Policies 01-2009, 02-2009, and 03-2009. State Council Enforcement is addressed in accordance with ICJ Administrative Policy 02-2011. Commissioner Appointment is addressed in accordance with ICJ Administrative Policy 01-2015.