



# **Understanding and Supporting Kinship/Grandfamilies**

**Southern Legislative Conference  
Council of State Governments**

**July 11, 2022**



# GRANDFAMILIES & KINSHIP SUPPORT NETWORK

A National Technical Assistance Center

- Generations United has worked on behalf of and with grandfamilies/kinship families since 1997- [www.gu.org](http://www.gu.org)

## Grandfamilies & Kinship Support Network:

- Cooperative agreement in September 2021, overseen by the Administration for Community Living (ACL)
- Provides technical assistance to the array of government agencies – **aging, child welfare, disability, education, housing, Medicaid and Medicare, nutrition, and Temporary Assistance for Needy Families** – and organizations that serve kinship families, including **kinship navigator programs**
- Partners: Child Trends, National Caucus and Center on Black Aging, National Indian Child Welfare Association, US Aging, ZERO TO THREE.



*The Network is supported by the Administration for Community Living (ACL), U.S. Department of Health and Human Services (HHS) as part of a financial assistance award totaling \$9,950,000 with 95 percentage funded by ACL/HHS and \$523,684 and 5 percentage funded by non-government sources. The contents are those of the authors and do not necessarily represent the official views of, nor an endorsement, by ACL/HHS, or the U.S. Government.*

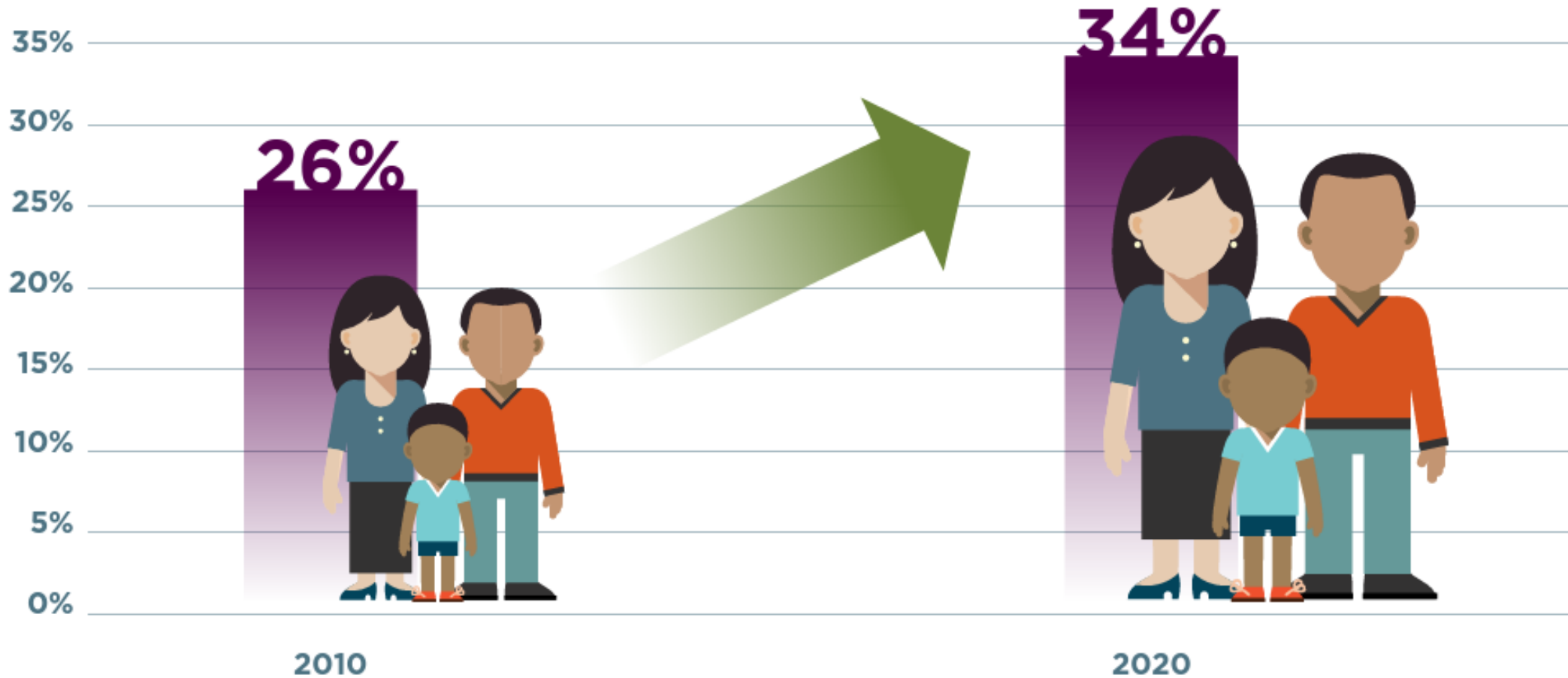
# Children in Grandfamilies



For every **1 child** being raised by kin in foster care, there are **18 children** being raised by kin outside foster care.

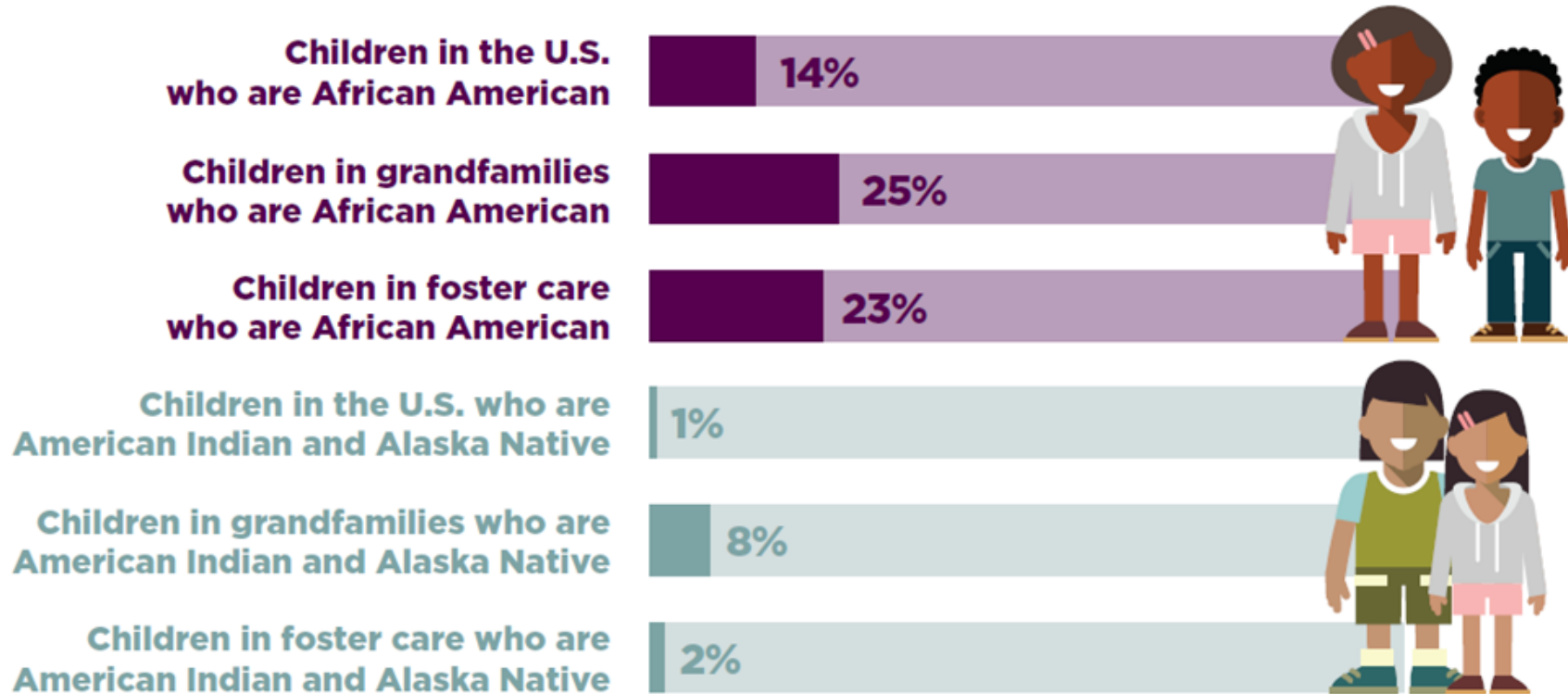


# Percentage of Children in Foster Care Being Raised by Relatives



*National data are not publicly available on the percentage of these children who are with licensed relatives.*

# Racial Overrepresentation in Grandfamilies



*Latino, Asian, and white children are not overrepresented in grandfamilies without parents in the home – they are either equally or more likely to live in parent-headed homes.*

*However, Latino, Asian, and Black children are more likely to live in multigenerational households than white children.*

# Grandfamilies

## Strengths and Challenges



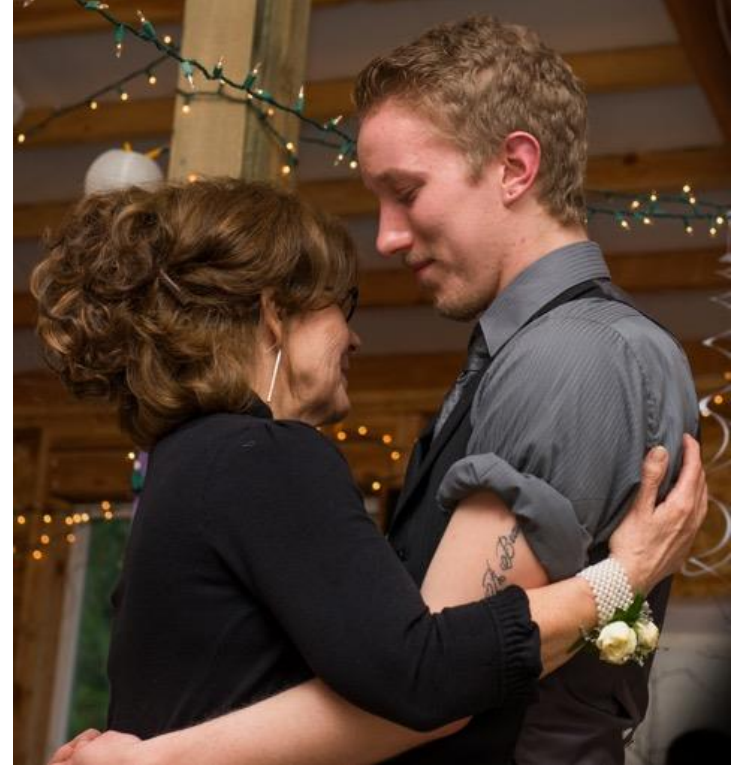
# Grandfamilies Strengths: Children Thrive



# Mr. Chad Dingle

## *Adult raised by his grandmother*

***“...most people go to grandma’s house and get spoiled but for me it was the only safe place I had...getting to live with grandma was like ‘going to grandma’s house’ all the time. I had more love there than anywhere else in my life”***



# Unique Challenges

- Raising children at time wasn't planned or expected
- Often get children at a moment's notice – in a traumatic situation
- Do not have an automatic legal relationship to the children like parents have – impacts all aspects of access to services, supports, and alternative care planning for the children

# Grandfamilies Challenge: Legal

Legal issues are frequently among the top concerns for grandfamilies, particularly for those outside the child welfare system:



- The process of obtaining a legal relationship with the children – through adoption, legal custody, or guardianship – is usually expensive and time-consuming, and it can be disruptive to family dynamics
- Opting to raise the children without any legal relationship may severely limit caregivers' ability to consent to health care or access educational services on the children's behalf
- **Solutions:** Legal Guides, Legal Clinics, LINK Network for Attorneys, Partnerships for Pro Bono Help

“I was retired from my job with the federal government by that time, and I depleted my 401(k) to adopt and continue caring for my grandchildren. That was supposed to fund our retirement, but the grandchildren became our priority.”

Sarah Smalls, Grandmother Raising Grandchildren

# Grandfamilies Challenge: Health

Both the caregivers and the children in these families face physical and mental health issues to a greater degree than the general population:

- Children exhibit a variety of physical, behavioral, and emotional challenges, often due to the difficult and traumatic situations that caused them to be placed in the relative's care
- Relative caregivers frequently suffer stress-related health problems like depression, diabetes, and hypertension, but often are unable to attend to their own health due to a lack of daycare or respite care or inadequate health insurance
- **Solutions:** Quality Kinship Navigators, National Family Caregivers Support Program, Peer Supports, Specialized Training for Providers



“I think traditionally people tend to think of their own health as being theirs and when you’re in a situation like we’re in you realize that your health is a big issue not just for you and not just for your spouse, but for your grandchild as well. And so then when COVID-19 comes along.....that raises the stakes of that game far, far higher and of course the stress that goes along with that.”

Joe O’Leary, Grandfather Raising Grandchild

# Grandfamilies Challenge: Housing

Grandfamily caregivers often begin caring for children without warning or preparation, and they face unique problems with respect to housing:




- Many relative caregivers live on fixed incomes and/or in small apartments and houses that are not suitable for children
- The presence of children may violate private lease agreements
- If relative caregivers do not have legal custody of the children, they are often unable to convince the housing authorities to recognize their need for larger apartments
- **Solutions:** Specialized Grandfamilies Housing, Educating Housing Professionals, Increased Affordable Housing Supply

# Grandfamilies Challenge: Education

Many school policies are geared towards “nuclear” families and can pose obstacles for grandfamilies, especially those outside the child welfare system and with no legal ties:

- Children may be denied school enrollment because their relative caregivers do not have guardianship or legal custody
- Contrary to federal law, grandparents and other relatives acting as parents may have difficulty being included as participants in the Individual Education Plan (IEP) process for children with disabilities
- **Solutions:** Inclusive Communications/Outreach, Onsite Support Groups, Quality Kinship Navigator Programs, Educational Consent Laws.





“I realized this was the first time my granddaughter had started and finished the school year in the same school and she was in the third grade.”

-Grandmother Raising Grandchild

# Grandfamilies Challenge: Child Welfare



Child welfare agencies have an array of practices when relying on relatives to provide foster care - these practices can be inequitable. Some agencies:

- “Divert” children to relatives, which may/may not come with supports
- Do not offer or discourage the option to become licensed foster parents
- Keep the children in the legal custody of the state and only “approve” relatives rather than fully licensing them
- Fully license relatives and provide a pathway to supported permanency through adoption assistance and guardianship assistance
- Engage in several of these practices
- **Solutions:** <https://www.grandfamilies.org/Resources/wikiHow-for-Creating-a-Kin-First-Culture>

# Grandfamilies Challenge: Finances

Financial challenges are often a major struggle for caregivers who did not plan or expect to raise a child:

- Temporary Assistance for Needy Families (TANF) child-only grants are typically the only support available to meet the needs of children raised by relative caregivers who are not licensed foster parents. However, TANF can be difficult to access
- Because many relatives caring for children in foster care are unlicensed, they typically do not have access to foster care maintenance payments to meet the needs of the children
- **Solutions:** Model TANF and Family Foster Care Licensing Policies, Quality Kinship Navigator Programs.



<p><b>ONE CHILD</b></p>	<p><b>Outside the foster care system or in unlicensed kinship foster care:</b></p> <ul style="list-style-type: none"> <li>National average from TANF child-only grants: <b>\$249/month</b></li> <li>Typically must apply separately for Medicaid</li> </ul>	<p><b>Licensed kinship foster care:</b></p> <ul style="list-style-type: none"> <li>National average of minimum foster care maintenance payments: <b>\$511/month</b></li> <li>Automatic Medicaid</li> </ul>	<p><b>Kinship guardianship and adoption assistance:</b></p> <ul style="list-style-type: none"> <li>Up to the foster care rate, based on the minimum payment: <b>\$511/month</b></li> <li>Automatic Medicaid</li> </ul>
<p><b>TWO CHILDREN</b></p>	<p><b>Outside the foster care system or in unlicensed kinship foster care:</b></p> <ul style="list-style-type: none"> <li>National average from TANF child-only grants: <b>\$344/month</b></li> <li>Typically must apply separately for Medicaid</li> </ul>	<p><b>Licensed kinship foster care:</b></p> <ul style="list-style-type: none"> <li>National average of minimum foster care maintenance payments: <b>\$1,022/month</b></li> <li>Automatic Medicaid</li> </ul>	<p><b>Kinship guardianship and adoption assistance:</b></p> <ul style="list-style-type: none"> <li>Up to the foster care rate, based on the minimum payment: <b>\$1,022/month</b></li> <li>Automatic Medicaid</li> </ul>
<p><b>THREE CHILDREN</b></p>	<p><b>Outside the foster care system or in unlicensed kinship foster care:</b></p> <ul style="list-style-type: none"> <li>National average from TANF child-only grants: <b>\$423/month</b></li> <li>Typically must apply separately for Medicaid</li> </ul>	<p><b>Licensed kinship foster care:</b></p> <ul style="list-style-type: none"> <li>National average of minimum foster care maintenance payments: <b>\$1,533/month</b></li> <li>Automatic Medicaid</li> </ul>	<p><b>Kinship guardianship and adoption assistance:</b></p> <ul style="list-style-type: none"> <li>Up to the foster care rate, based on the minimum payment: <b>\$1,533/month</b></li> <li>Automatic Medicaid</li> </ul>

\*National averages are from 2011 GAO report at <https://www.gao.gov/assets/590/585649.pdf>

# Select Program and Policy Responses



## Kinship Navigator Programs

- The federal Family First Prevention Services Act authorizes ongoing federal reimbursement
- 2018-2022 funds to states, tribes, and territories to develop, enhance, or evaluate these programs

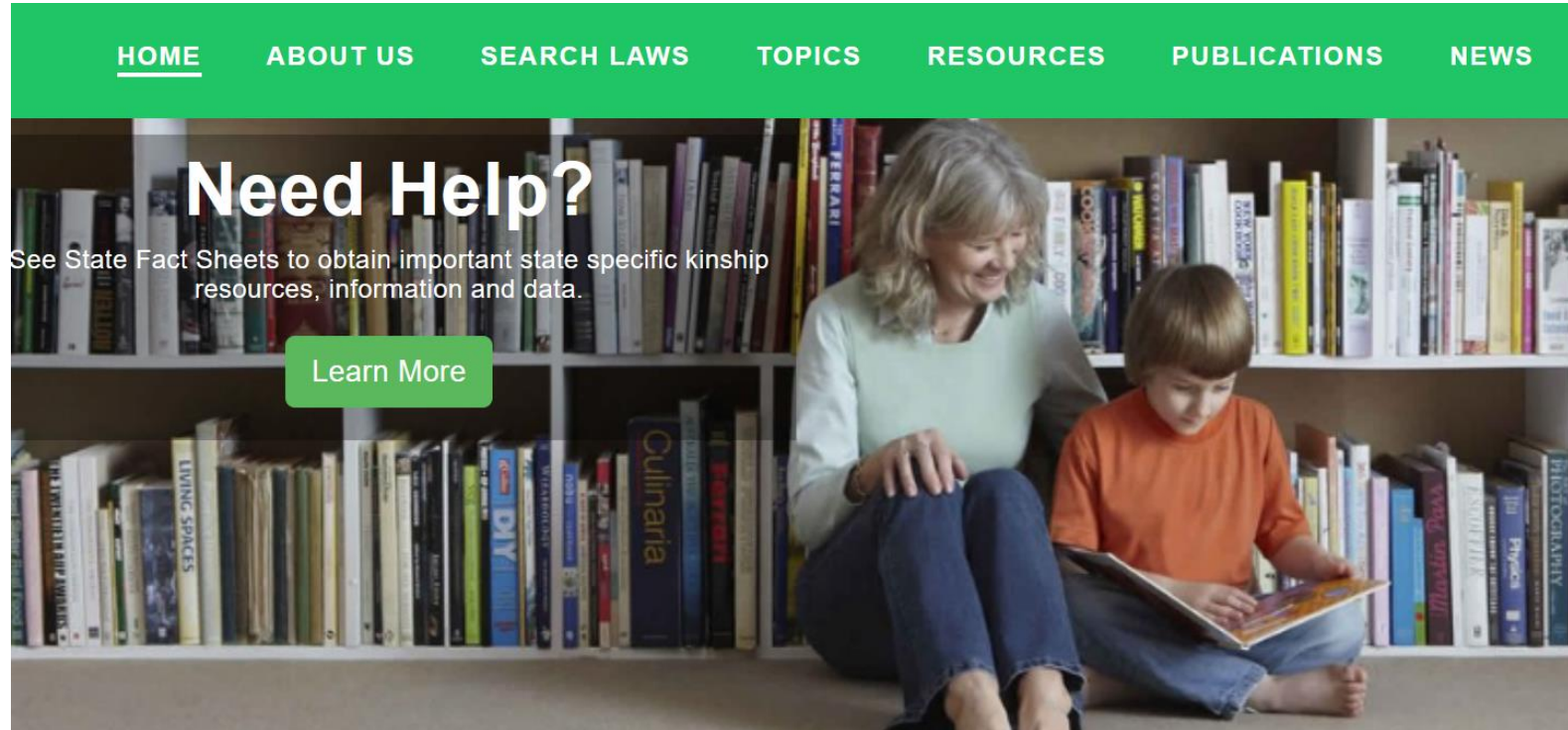
The **National Family Caregiver Support Program** federally funds Area Agencies on Aging (AAAs) to provide 5 categories of supportive services to grandparents and other relatives age 55+ who are raising children

**Peer Supports** Effective, Leverages Community Resources, Addresses Trust Barriers- “This support group saved by life”

# Selected National Resources



# Grandfamilies.org



- A collaboration of the ABA Center on Children and the Law, Generations United, and Casey Family Programs
- Includes State Fact Sheets – in English and Spanish – for all 50 states and the District of Columbia
- Fact Sheets for tribes, Puerto Rico, and the U.S. Virgin Islands are in the works and will be available on the Network’s website

STATE OF GRANDFAMILIES 2016

# RAISING THE CHILDREN OF THE OPIOID EPIDEMIC:

SOLUTIONS AND SUPPORT FOR GRANDFAMILIES



STATE OF GRANDFAMILIES 2021

# REINFORCING A STRONG FOUNDATION: EQUITABLE SUPPORTS FOR BASIC NEEDS OF GRANDFAMILIES



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STATE OF GRANDFAMILIES 2020

# FACING A PANDEMIC: GRANDFAMILIES LIVING TOGETHER DURING COVID-19 AND THRIVING BEYOND



**generations  
united**  
Because we're stronger together®

**GRANDFAMILIES & KINSHIP  
SUPPORT NETWORK**  
A National Technical Assistance Center

# Adoption and Guardianship for Children in Kinship Foster Care: Comparison Charts

National and select state comparison charts

Each chart includes information on:

- Rights and Responsibilities
- Financial and Legal Assistance
- Public Benefits
- Health Insurance
- Federal and State Tax Credits
- Caregiver Successor Planning and Death Benefits for Children
- College and Independent Living

Available at <http://www.grandfamilies.org>

Let us know if you would like one

## CHART Adoption and Guardianship for Children in Kinship Foster Care: National Comparison Chart

This chart is designed to help kinship foster parents compare adoption and guardianship as two options that you and the children in your care can pursue to exit foster care and create permanent families. It provides a broad, national overview of these legal pathways. Adoption and guardianship laws are developed and implemented at the state, tribal and local levels, so the details of these legal relationships differ in important ways. You should review those differences when deciding which option to pursue. You can get initial information about your specific state's laws at [www.grandfamilies.org/SearchLaws](http://www.grandfamilies.org/SearchLaws).



While this chart is directed at kinship foster parents, it is also intended as a tool to help child welfare and other case workers assist kinship foster parents. Birth parents and older children may also find it helpful to review as part of their decision-making.

Generations United welcomes jurisdictions to either share the chart as is or tailor it to your own specific laws and policies. A related brief on *Adoption and Guardianship for Children in Kinship Foster Care* is available at [www.grandfamilies.org](http://www.grandfamilies.org).

	ADOPTION	GUARDIANSHIP
<b>Rights and Responsibilities</b>		
<i>What are my legal rights and responsibilities for the child?</i>	You will become the parent in the eyes of the law forever. You have all rights and responsibilities for the child.	You will have most of the rights and responsibilities that come with caring for a child until the child reaches adulthood or the guardianship is ended.
<i>What are the birth parents' rights and responsibilities for the child?</i>	The birth parents' rights are terminated.	Birth parents keep the rights to visit the child and to consent to adoption and/or name change.  Birth parents keep the obligation to financially support the child and pay child support.
<i>Do I have authority to access services for the child?</i>	As an adoptive parent, access to services for the child is the same as for any birth parent.	Guardians access to services for the child is typically the same as for any birth parent.

# Racial Equity Toolkits for Serving Grandfamilies



**American Indian & Alaska  
Native Grandfamilies:  
Helping Children Thrive  
Through Connection to  
Family and Cultural Identity**



**African American  
Grandfamilies: Helping  
Children Thrive Through  
Connection to Family and  
Culture**



**Latino Grandfamilies:  
Helping Children Thrive  
Through Connection to  
Culture and Family**

<https://www.gu.org/racial-equity-toolkits-featuring-grandfamilies/>



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**“My biggest fear is my health— if I will be around to raise them until they’re grown. My joy is that I get a chance to be with my grandchildren 24/7. They bring a lot of life to me.”**

**- Cassandra Gentry**



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