

STATE OF GRANDFAMILIES 2020

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



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Facing A Pandemic: Grandfamilies Living Together During COVID- 19 and Thriving Beyond

GENERATIONS UNITED
NATIONAL CENTER ON GRANDFAMILIES
JAIA LENT, ANA BELTRAN & SARAH SMALLS
MARCH 17, 2021

Generations United

Since 1998, Generations United's National Center on Grandfamilies:

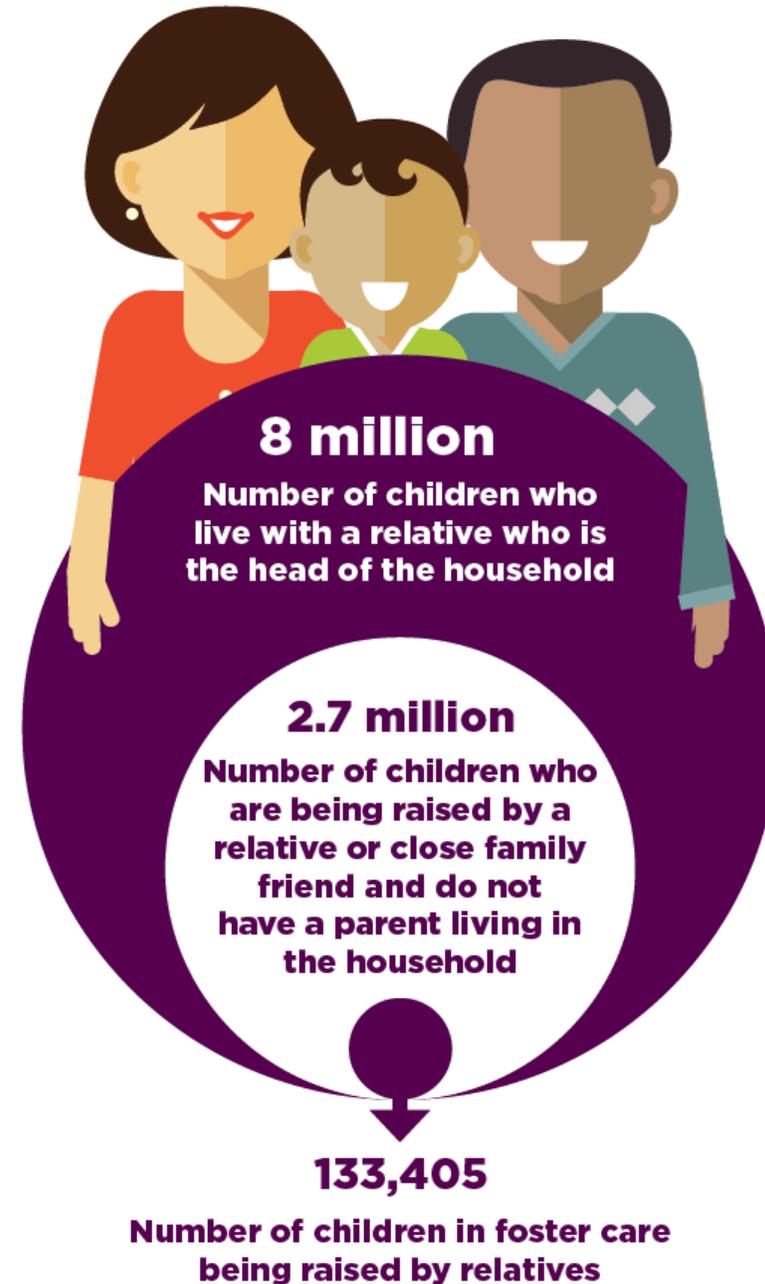
- ▶ Guided by GRAND Voices – a network of caregiver advocates representing 45 states and 11 tribes
- ▶ Leads an advisory group of organizations, caregivers and youth that sets the national agenda
- ▶ Conducts federal advocacy on behalf of grandfamilies and supports families in advocating for themselves
- ▶ Provides technical assistance to states and other providers
- ▶ Raises awareness through media outreach, weekly communications and events
- ▶ Provides information and resources at www.gu.org and www.grandfamilies.org

GRAND Voices

- ▶ GRAND Voices aims to have kinship caregiver voices front and center
- ▶ A select group of kinship caregiver advocates from 45 states and 11 tribes
- ▶ Missing states are Arkansas, Delaware, Hawaii, North Dakota, and South Dakota – if you have suggestions, please let us know
- ▶ Generations United regularly works to connect GRAND Voices with engagement opportunities in their state or at the national level



Increasing Numbers of Children in Grandfamilies/ Kinship Families



Percentage of Children in Foster Care Being Raised by Relatives



Data is not publicly available on the percentage of these children who are with licensed relatives. Most aren't with licensed relatives.

*In 2017, 108,426 children did not receive a foster care maintenance payment.
www.fostercarecapacity.com/stories/who-cares-2019-executive-summary*

Parental Causal Factors Creating Grandfamilies

Substance use

Incarceration

Deportation
or detainment

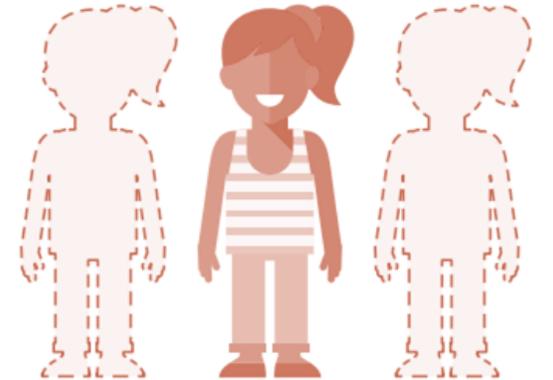
Military
deployment

Disabilities

Death

COVID-19

More than **1/3**
of all children
placed in foster care
because of parental
substance use are
placed with
relatives.*

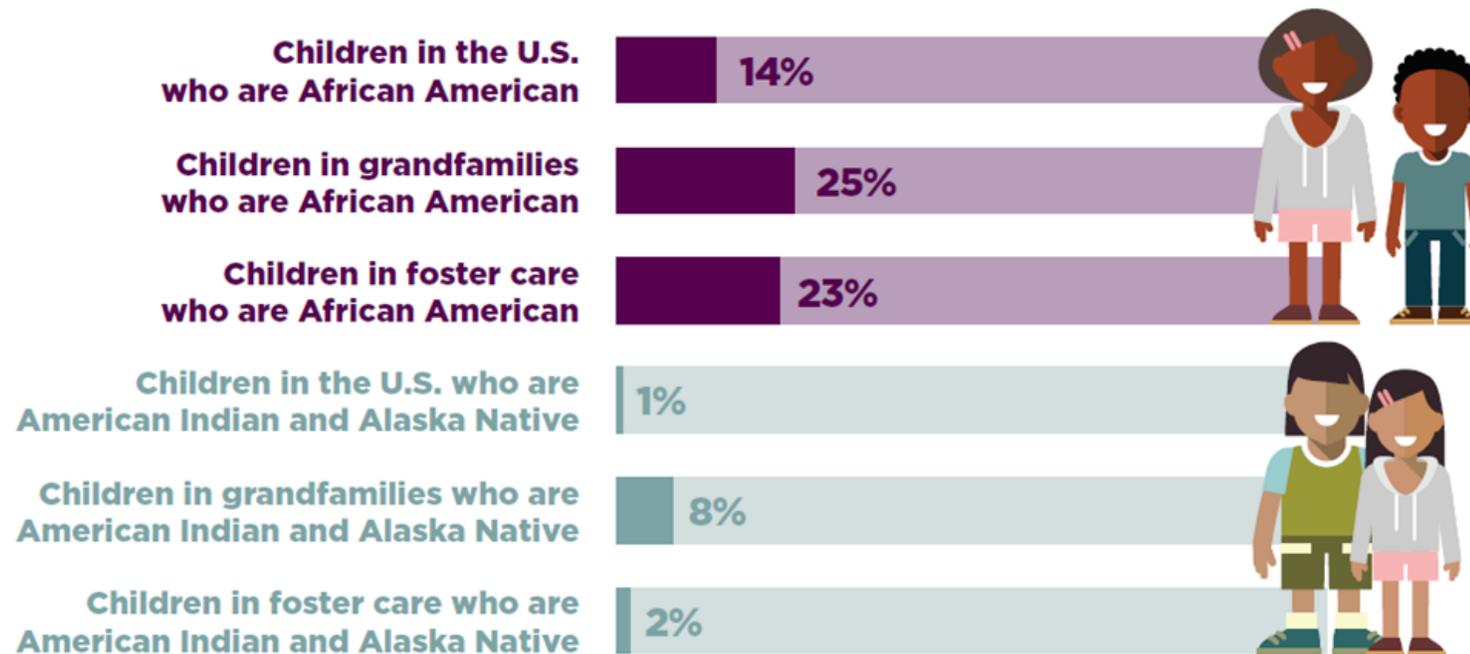


Children Thrive in Grandfamilies



See Children Thrive in Grandfamilies fact sheet, available at www.grandfamilies.org and www.gu.org

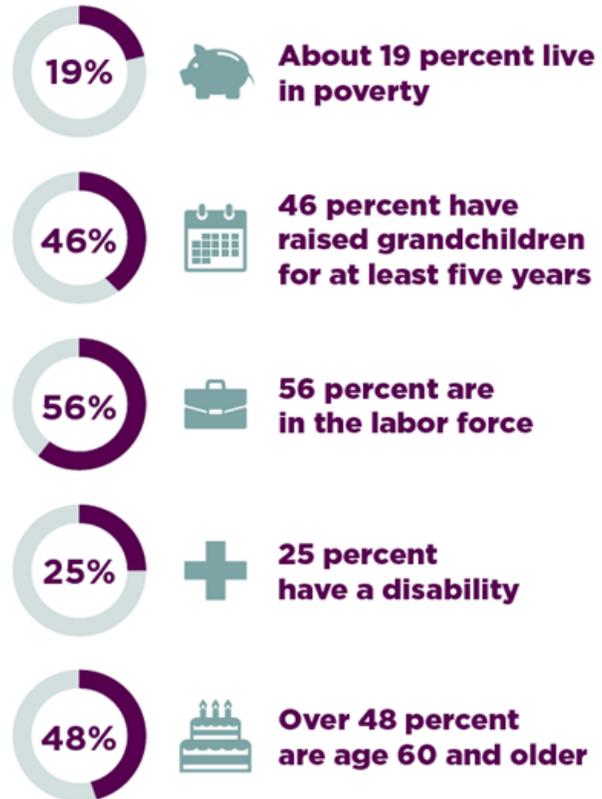
Racial Overrepresentation in Grandfamilies



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

Grandparents Responsible for Grandchildren



COVID-19 Disparate Impact on Communities of Color



2.5X  1.5X

Black people are dying from COVID-19 at 2.5 times the rate of white people, and Native and Latinx people are dying at about 1.5 times the rate



2018 UPDATE

RAISING THE CHILDREN OF THE OPIOID EPIDEMIC:

SOLUTIONS AND SUPPORT FOR GRANDFAMILIES



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Challenges Faced by Kinship Families

Inside and Outside Child Welfare

Limited Financial Assistance

Establishing a Legal Relationship

Consent to Health Care, Education, and Other Services for Children

Affordable Housing

Children: Trauma and Often Have Special Needs

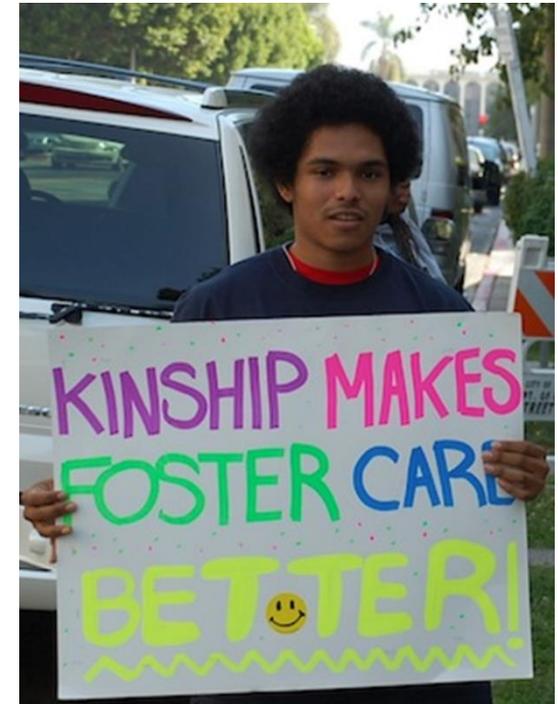
Caregivers: Social Isolation, Grief

Differences Among Caregivers

Non-Kinship Caregivers	Kinship Caregivers
Decision to be come a caregiver is planned and voluntary	Decision to become a caregiver is unplanned and in crisis
Preparation for caregiving roles and support already in place before child is placed in home	Limited preparation for caregiving
Requirements to become foster or adoptive parent are anticipated	Unanticipated requirements to becoming foster or adoptive parent
Limited knowledge of family dynamics	Knowledge of family dynamics
Creates new family relationships	Redefines existing family relationships
No guilt over birth parent issues	Guilt over birth parent issues
Feelings that they are helping the child	May be ambivalent taking over parental role for child
Feelings that they are displaying loyalty and commitment to child by assuming legal relationship	Perception that they are betraying birth parent by assuming legal relationship
May be more motivated to legalize relationship	Split loyalties and ambivalence about legalizing relationship

Challenges for Kin in Child Welfare

- ▶ Child welfare agencies have an array of practices when it comes to relying on kin to provide foster care, which can be inequitable:
 - “Divert” the children to relatives with or without supports
 - Do not offer the option to become licensed foster parents or discourage it
 - Keep the children in their legal custody, and may only “approve” relatives and not fully license them
 - May fully license relatives and provide a pathway to supported permanency through adoption assistance and guardianship assistance



Poll Question

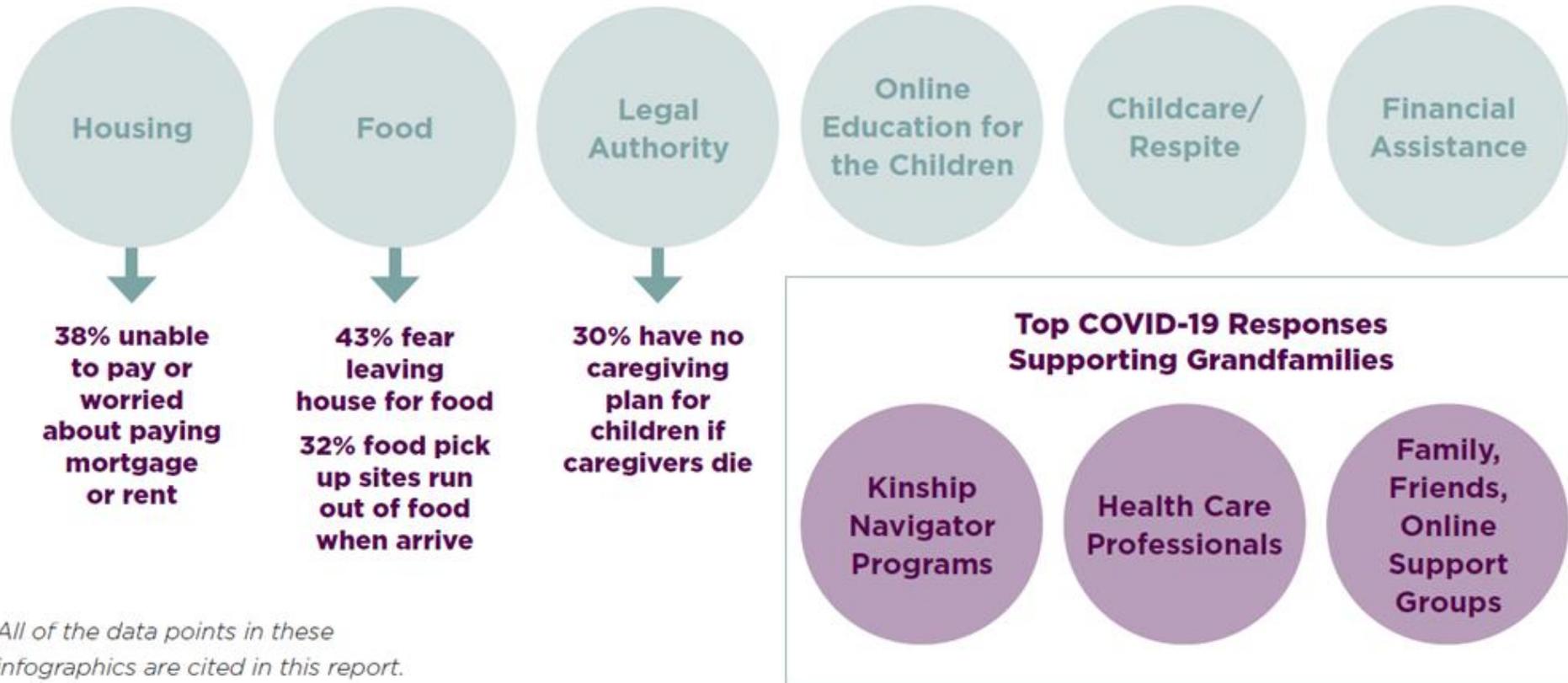
What challenges related to the COVID-19 pandemic are kinship families facing in your community?

Please check all that apply.

- ▶ Access to food and supplies
- ▶ Legal assistance, including secondary planning for the children if the caregiver dies
- ▶ Schooling and working from home/internet access issues
- ▶ Health issues
- ▶ Lost jobs/declining savings
- ▶ Parental and other family visitation
- ▶ Becoming licensed as a foster parent

COVID-19 Challenges Facing Grandfamilies

A survey of 600 caregivers showed:



All of the data points in these infographics are cited in this report.

GRAND Voice Mrs. Sarah Smalls



Select Local Practice Recommendations

Use

Authentically engage kinship caregivers, birth parents, foster parents, and young people.

Coordinate

Coordinate COVID response efforts across systems to ensure that grandfamilies can obtain services and support.

Establish

Establish robust kinship navigator programs that link caregivers and the children they raise, whether inside or outside the foster care system, with services and supports.

Engage

Use inclusive language and images in outreach materials.

Authentically Engage Those with Lived Experience

- ▶ Federal government in August 2019 ([ACYF-CB-IM-19-03](#)) emphasizes the importance of “integrating family and youth voices into all aspects of child welfare system design and operation”
- ▶ Federal guidance reiterates the importance of their voices in April 2020 [ACYF-CB-IM-20-06](#)
- ▶ Reach out and invite to the table authentically and from the inception – e.g., as part of Advisory Boards
- ▶ We can help connect you with GRAND Voices
- ▶ Engage the broader group of those you have served through town halls and/or satisfaction surveys

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Supporting Grandfamilies through the COVID-19 Crisis

April 2020

Nearly 1 in 10 children live in households headed by a grandparent or other relative. These families are commonly known as grandfamilies or kinship families. Before the current COVID-19 crisis, opioid abuse has been forcing many children to be raised in grandfamilies. This has left caregivers and communities to simultaneously navigate two crises. However, these compounding challenges are often overlooked in communities, but local leaders can help. The following highlights actions local decision makers can take to support grandfamilies during these crises.

Grandfamilies in your Community

Grandfamilies, while most often headed by a grandparent, can also be an aunt, uncle, older sibling or close family friend that steps in when a parent is unable to care for the child(ren). The reasons vary including parental death, illness, substance use, mental illness, military deployment, incarceration, divorce, deportation, job loss, or out of state employment.

Regardless of the situation, children fare better in the care of their relatives compared to non-relative care. They have more stability, are more likely to maintain connections with siblings, preserve their cultural heritage and community bonds. Grandfamilies keep millions of children with family and out of an overburdened foster care system and saves taxpayers more than \$4 billion each year. Overburdened child welfare system would be completely overwhelmed.



1 in 10

children live in households headed by a grandparent or other relative

Grandfamilies are Vulnerable

Prior to the COVID-19 crisis, grandfamilies faced barriers to housing, health care, food, and financial assistance. The current crisis has heightened the fragility of these households. Grandfamily caregivers, because of their age and/or underlying health conditions, are at high risk for contracting coronavirus and suffering severe health consequences or death. They are unable to visit stores or other community resources without risk of exposure to COVID-19. They're struggling to get food, medical supplies, and computers, internet connectivity, and special education services so children can learn at home, along with the lack of respite and child care that school time had provided to caregivers. Many who were working are losing full or part time jobs. And older caregivers often use their retirement savings to pay for the children's needs. Now those savings are plummeting. Also, if grandfamily caregivers do become sick, it leaves the children with few options other than foster care.

Local leaders can develop a comprehensive approach to help mitigate these risks by connecting grandfamilies to:

- food and supplies;
- accurate information from people they trust;
- help with supporting the children's educational and special needs at home;
- financial assistance;
- technology support for telehealth, distance learning, and to reduce isolation;
- respite care and assistance making alternative care plans for children.

Leave Behind for Local Decisionmakers

Poll Question

Does your organization/agency partner with the state or local kinship navigator program?

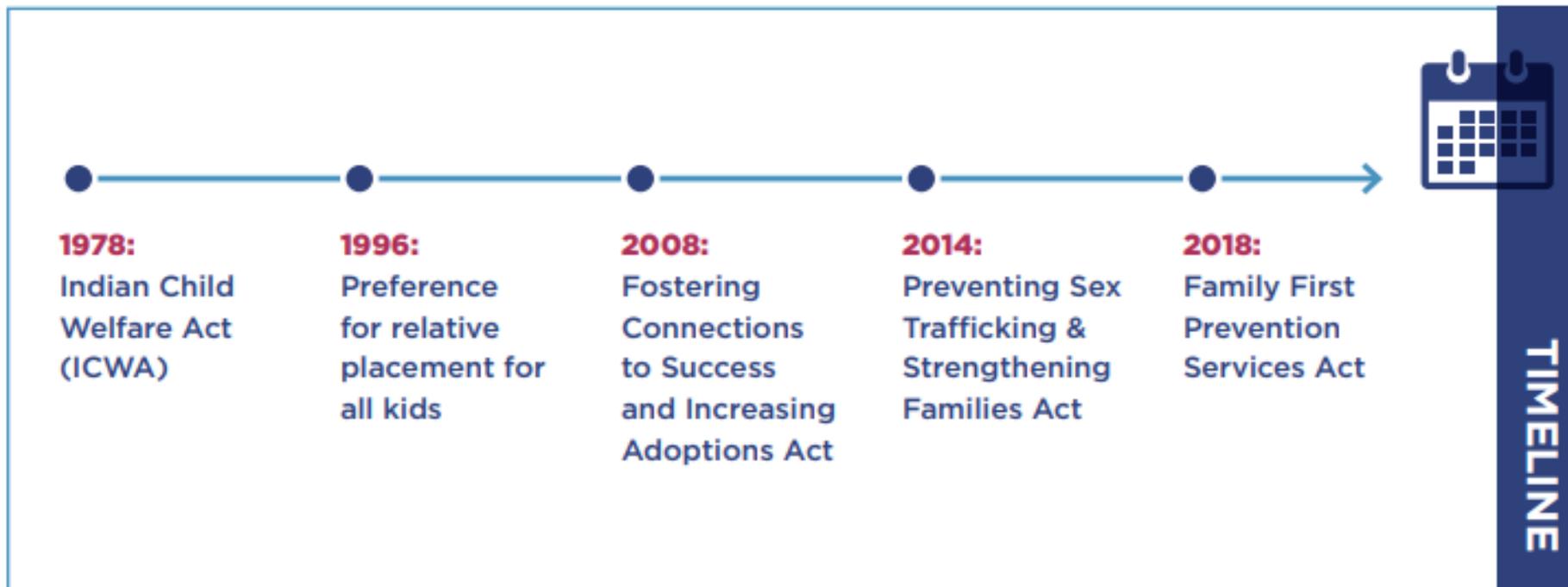
- ▶ Yes
- ▶ No
- ▶ There is no kinship navigator program in my community
- ▶ I don't know if there's a kinship navigator program in my community

Kinship Navigator Programs

- ▶ Kinship Navigator Programs are critical to linking caregivers and children to services and supports
- ▶ Reach out and ensure they know about your work for the families
- ▶ For more information, see [Generations United's practical tips and resources for kinship navigator programs](#)



Decades of Federal Law Improvements



Select Federal Policy Recommendations

Fund and establish

Fund and establish an independent, nonprofit-based National Grandfamilies Technical Assistance Center.

Invest

Invest in additional federal support for kinship navigator programs.

Provide

Provide all children in the legal custody of the foster care system with the same support and services.

Increase

Increase funding for Temporary Assistance for Needy Families (TANF) and encourage states, tribes, and localities to increase the monthly child only grant amount.

National Technical Assistance Center Funded!

- ▶ \$10 million to create the first ever **National Technical Assistance Center on Grandfamilies and Kinship Families!** Enacted as part of the American Rescue Plan Act
- ▶ Center will provide holistic technical assistance, training and tools to the array of state and tribal agencies that serve kinship families and their non-profit partners
- ▶ The Administrative for Community Living (ACL) will oversee the Center and outsource it
- ▶ The Center is not designed to help the families directly – it will support agencies and create tools that can be used directly with the families, like trainings, charts comparing legal options, etc.

**Kinship Navigator
Programs (KN):
*three
federal funding
opportunities***

**2020 KN
\$20 million total**

Covers activities
between 10/1/2020
and 9/30/2021

**Pandemic KN Relief
100% reimbursement
of all KN costs**

Covers activities
between 4/1/2020 and
9/30/2021

**2021 KN
\$20 million total**

Will cover activities
between 10/1/2021
and 9/30/2022

Permissible expenses essentially same under all three kinship navigator funding opportunities

- ▶ Evaluation costs
- ▶ Program costs, including:
 - ▶ Information and referral expenses
 - ▶ Direct goods and services to kin, including technology and food
 - ▶ Legal services for kin

Note that the [Supporting Foster Youth and Families through the Pandemic Act](#) (printed pages 717 and 718) also calls out specific COVID responses, including testing and treatment and legal help for creating alternative care plans.

For instructions on accessing the flexible funds, see guidance from the Children's Bureau ACYF-CB-PI-21 at www.grandfamilies.org/Resources/Kinship-Navigator-Programs

Equitable Support within Child Welfare

- ▶ Working to ensure there is equitable support for children in the legal custody of child welfare regardless of who raises them
- ▶ Ensure caregivers are able to access the same services and supports as non-kin foster parents
- ▶ Licensing reforms start with common sense family foster home licensing standards – see [FAQ](#) on [NARA Family Foster Home Licensing Standards](#) and [National Model](#)



Photo courtesy of NICWA

Increase Funding for Temporary Assistance for Needy Families (TANF)

- ▶ Typically, only source of ongoing monthly support to help meet needs of the children
- ▶ Two types of grants – family grants and child-only grants
- ▶ Almost all kinship families are eligible for TANF child-only grants
- ▶ Often this support is a best kept secret

FACT SHEET

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Grand Resources:

A Fact Sheet for Grandparent and Relative Caregivers to Help Access Support through the Temporary Assistance for Needy Families (TANF) Program

Introduction

Temporary Assistance for Needy Families (TANF) is often the only financial support available for grandfamilies like yours—families in which children are being raised by extended family members, like grandparents, and close family friends.

TANF may provide you and your grandfamily with support in several ways:

- Monthly cash to help meet the needs of your grandfamily or to meet the needs of just the children you're raising
- Short-term help to meet a need like buying a crib or paying a utility bill
- A pathway to access other important supports, like the Supplemental Nutrition Assistance Program (SNAP) food stamps and Medicaid

TANF is a federal program, so it's available in all 50 states, the District of Columbia, Puerto Rico, the Virgin Islands and Guam. However, it varies dramatically from state to state. States have a lot of flexibility to decide who is eligible and how much support to provide. States can even call TANF by different names. For these reasons, this fact sheet answers questions from caregivers like you in general terms that apply no matter where you live. This fact sheet also has a chart that has contact information so you can get information about the specific TANF program in your state.

Questions and Answers That Apply No Matter Where You Live

(1) I hear there are two types of TANF grants. What are they?

The two types of TANF grants are known as "child-only" and "family" grants. They may be called different things where you live.

Child-only grants

Child-only grants were designed to consider only the needs and income of the child. A child's income might include child



Photo by Pixda 18.

support payments or a public benefit like Supplemental Security Income (SSI). Because most children have limited income, most relative caregivers can receive a child-only grant on behalf of the children in their care.

Child-only grants are usually smaller than family grants. Although they may not be enough to meet all the needs of the children you're raising, they can be a big help. The average grant is about \$8 per day for one child. This is the national average, so some states pay more and some pay less. All states, however, pay only slightly more for any additional children in the grandfamily! In other words, the children you raise would not each get \$8 (on average) per day to meet their needs; only the first child would get the full amount.

Family grants

The second type of TANF grant you may be eligible for is a "family grant." If you meet your state's income guidelines, you can receive a grant that addresses your needs, as well as those of the children you're raising. These grants are limited under federal law to no more than 60 months and you typically have to meet requirements to work or look for work.

States can make exceptions to these work requirements and time limits. Many states make these exceptions and/or allow time extensions for caregivers who are over age 60, are needed in the home to care for an incapacitated/disabled household

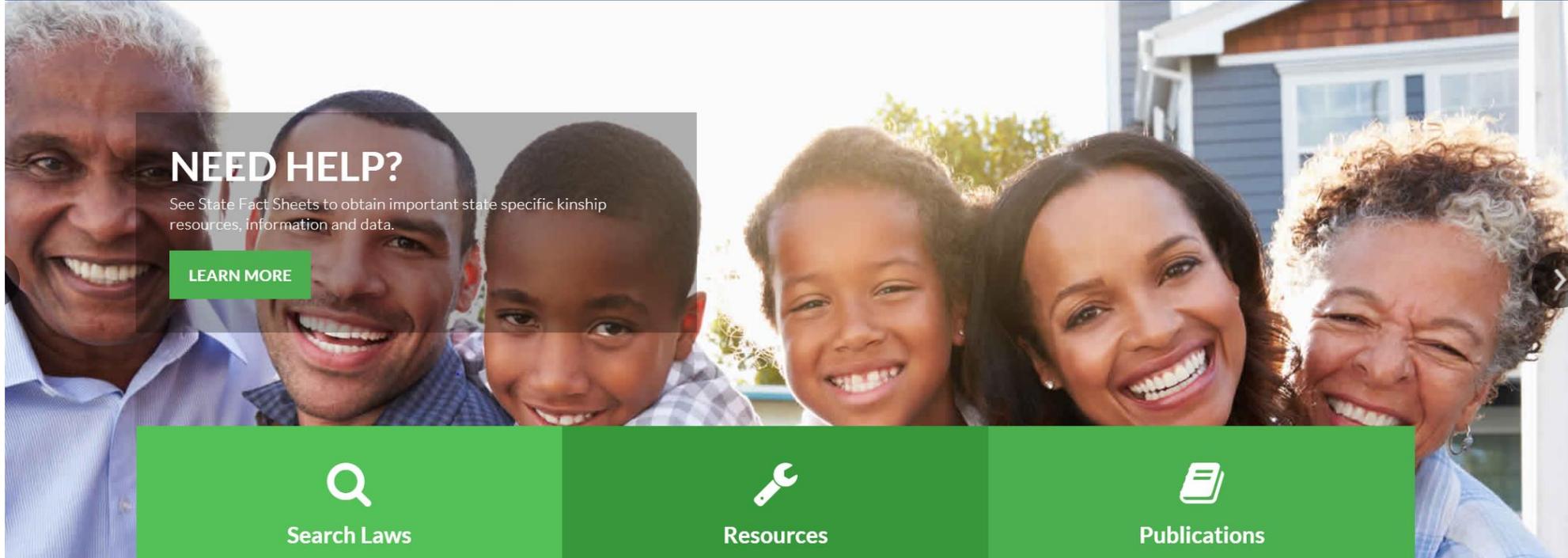
National Comparison of Financial Supports Shows Inequities

Outside the Foster Care System or Unlicensed Kinship Foster Care	Licensed Kinship Foster Care	Kinship Guardianship and Adoption Assistance
<i>Temporary Assistance for Needy Families child-only grants</i>	<i>Foster Care Maintenance Payments</i>	<i>Guardianship or Adoption Assistance</i>
<p>One child</p> <p>National average \$249/month Typically must apply separately for Medicaid</p>	<p>One child</p> <p>National average of minimum foster care maintenance payments is \$511/month Automatic Medicaid</p>	<p>One child</p> <p>Up to the foster care rate. Based on the minimum payment, \$511/month Automatic Medicaid</p>
<p>Two children</p> <p>National average \$344/month Typically must apply separately for Medicaid</p>	<p>Two children</p> <p>National average of minimum foster care maintenance payments is \$1022/month Automatic Medicaid</p>	<p>Two children</p> <p>Up to the foster care rate. Based on the minimum payment, \$1022/month Automatic Medicaid</p>
<p>Three children</p> <p>National average \$423/month Typically must apply separately for Medicaid</p>	<p>Three children</p> <p>National average of minimum foster care maintenance payments is \$1533/month Automatic Medicaid</p>	<p>Three children</p> <p>Up to the foster care rate. Based on the minimum payment, \$1533/month Automatic Medicaid</p>

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

Additional Resources





NEED HELP?

See State Fact Sheets to obtain important state specific kinship resources, information and data.

LEARN MORE



Search Laws

A searchable database of laws and legislation affecting grandfamilies both inside and outside the foster care system for all 50 states and the District of Columbia.

Read More



Resources

Free and online legal resources in support of grandfamilies within and outside the child welfare system.

Read More



Publications

View our publications that support grandfamilies including: Model Family Foster Home Licensing Standards, Using the Guardianship Assistance Program (GAP), and Relative Foster Care Licensing Waivers in States.

Read More

A collaboration of the
ABA Center on Children and the Law,
Generations United and Casey Family Programs

GRANDFACTS

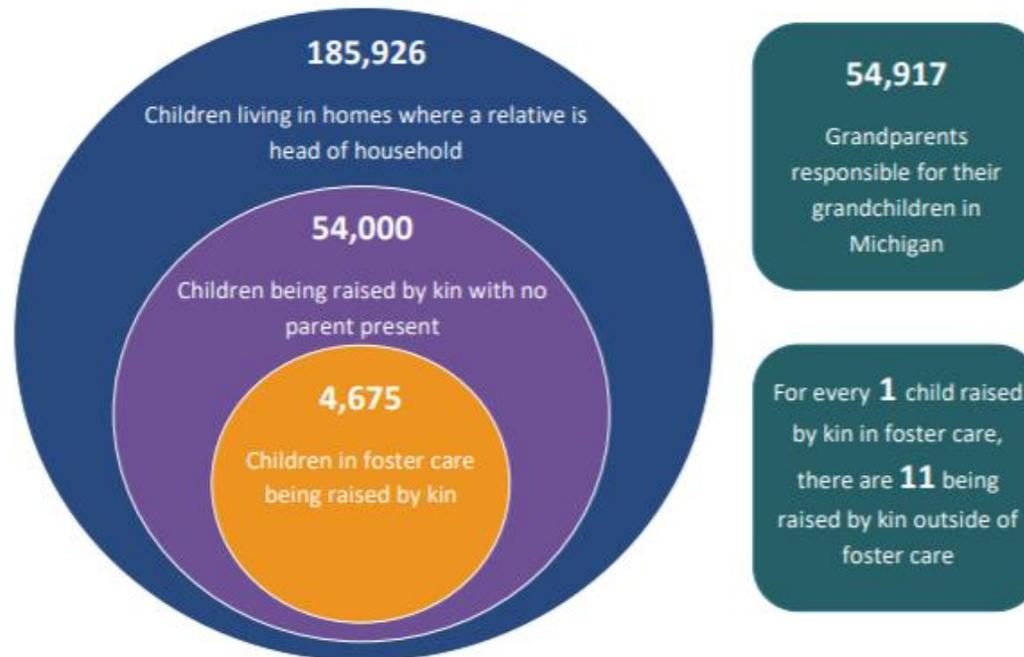
STATE FACT SHEETS FOR GRANDFAMILIES



The GrandFacts state fact sheets for grandfamilies include state-specific data and programs as well as information about public benefits, educational assistance, legal relationship options and state laws. Visit www.grandfamilies.org to find this and all GrandFacts state fact sheets.

Michigan

Grandfamilies Data



GrandFacts State Fact Sheets for Grandfamilies

grandfactsheets.org

Tips, practical information and resources to help grandfamilies inside and outside the child welfare system impacted by opioids or other substance use

Topics include:

- Practicing Self-Care
- Addressing Childhood Trauma
- Preventing Harmful Drug Use by Children
- Engaging with Birth Parents
- Talking with a Child about their Birth Parent

Available at:

www.grandfamilies.org and
www.gu.org



COVID-19 Resources for Grandfamilies

www.gu.org/covid-19/

COVID-19 Fact Sheet for Grandfamilies and Multigenerational Families

Our country and the world are facing a pandemic unlike any of us have seen before. People over the age of 60 and those with compromised immune systems are among the highest-risk populations COVID-19 is impacting. While grandparents are being advised to isolate themselves physically from grandchildren, it is nearly impossible for older caregivers to distance themselves from the children they are raising. You are on the front line for your family every day. Today's challenges are making it much tougher to care for them. It's important to stay calm and do everything you can to stay healthy, informed and connected. Here are a few suggestions.

Finding Factual, Up to Date Information

Center for Disease Control (CDC): The Centers for Disease Control and Prevention has up to date, accurate information and recommendations about COVID-19.

- **General Information:** <https://www.cdc.gov/coronavirus/2019-ncov/index.html>
- **Frequently Asked Questions COVID-19 and Children:** <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/children-faq.html>
- **Older Adults and Medical Conditions:** <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/high-risk-complications.html>
- **CDC Guidance for Workplace, School, and Home:** <https://www.cdc.gov/coronavirus/2019-ncov/downloads/workplace-school-and-home-guidance.pdf>

World Health Organization (WHO): Useful information can be accessed at <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

County Health Department: Contact your state's <https://www.naccho.org/membership/lhd-directory> to learn more about your state's response and recommendations.

Kinship Navigators and Other Grandfamilies Support Programs: For information specifically to help grandfamilies, contact your local kinship navigator or other grandfamilies support programs. Visit www.grandfamilies.org for a list of local programs in your state.

Area Agency on Aging: For information to help older caregivers contact your area agency on aging. You can find them through the eldercare locator at 1-800-677-1116 or visit eldercare.acl.gov

Hoja informativa de COVID-19 para familias lideradas por abuelos y otros parientes ("grandfamilies") y familias multigeneracionales

Nuestro país y el mundo se enfrentan a una pandemia como nunca antes la habíamos visto. Las personas mayores de 60 años y aquellas con sistemas inmunes comprometidos se encuentran entre las poblaciones de mayor riesgo a las que COVID-19 está impactando. Si bien se aconseja a los abuelos que se aislen físicamente de los nietos, es casi imposible para los cuidadores mayores distanciarse de los niños que están criando. Usted está en primera línea para su familia todos los días. Los desafíos de hoy hacen que sea mucho más difícil cuidarlos. Es importante mantener la calma y hacer todo lo posible para mantenerse saludable, informado y conectado. Aquí le presentamos algunas sugerencias.

Encontrar información actualizada y objetiva

Centro para el Control de Enfermedades (CDC): El Centro para el Control y la Prevención de Enfermedades tiene información actualizada y precisa, y recomendaciones sobre COVID-19.

- **Información general:** <https://www.cdc.gov/coronavirus/2019-ncov/index.html>
- **Preguntas frecuentes sobre COVID-19 y los niños:** <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/children-faq.html>
- **Adultos mayores y condiciones médicas:** <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/high-risk-complications.html>

Organización Mundial de la Salud (OMS): Se puede acceder a información útil en: <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

Departamento de salud del condado: Comuníquese con su departamento de salud local para obtener más información sobre las respuestas y recomendaciones de su estado.

Navegadores de parentesco ("kinship navigators") y otros programas de apoyo a las familias lideradas por abuelos y otros parientes: Para obtener información específica para ayudar a las familias lideradas por abuelos y otros parientes, comuníquese con su navegador de parentesco local u otros programas de apoyo a las grandes familias. Visite www.grandfamilies.org (inglés) para obtener una lista de los programas locales en su estado.

Agencia local sobre el envejecimiento: Para obtener información para ayudar a los cuidadores mayores, comuníquese con la agencia local sobre el envejecimiento. Puede encontrarlos a través del localizador de cuidado de mayores llamando al 1-800-677-1116.

Comparing Adoption and Guardianship Options

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/Search-Laws.



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.

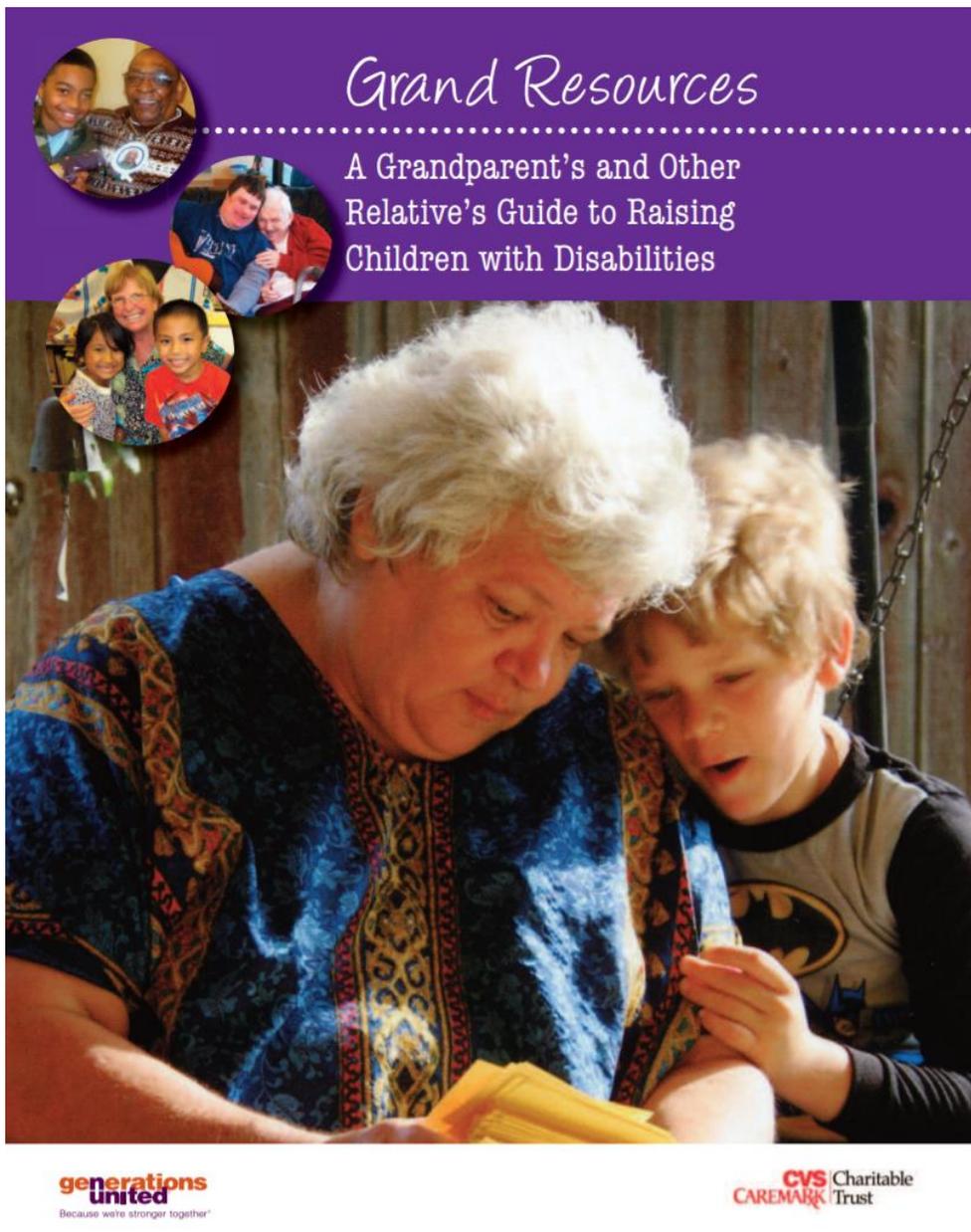
	ADOPTION	GUARDIANSHIP
Rights and Responsibilities		
What are my legal rights and responsibilities for the child?	You will become the parent in the eyes of the law forever. You have all rights and responsibilities for the child.	You will have most of the rights and responsibilities that come with caring for a child until the child reaches adulthood or the guardianship is ended.
What are the birth parents' rights and responsibilities for the child?	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.
Do I have authority to access services for the child?	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.

- ▶ **National chart** – Adoption and Guardianship for Children in Kinship Foster Care
- ▶ **State specific charts** – for NM, NY, PA, VA, and WA
- ▶ **Brief** – Adoption and Guardianship for Children in Kinship Foster Care

Thanks to Dave Thomas Foundation for Adoption for supporting the creation of these resources

All available at:

www.grandfamilies.org/Resources/Care-Custody



Grand Resources
A Grandparent's and Other
Relative's Guide to Raising
Children with Disabilities

The cover features a purple header with the title and subtitle. Below the text are three circular inset photos: the top one shows a man and a woman smiling; the middle one shows a man and a woman with a child; the bottom one shows a woman and two children. The main image is a photograph of an elderly woman with white hair, wearing a blue patterned top, sitting and reading a book to a young boy with blonde hair wearing a Batman t-shirt. They are both looking down at the book.

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CVS Charitable
CAREMARK Trust

Additional Resource for Caregivers

(click on image
for direct link)

Educational and Health Care Consent Laws

(click on image for direct link)

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POLICY BRIEF

State Educational and Health Care Consent Laws:
Ensure that children in grandfamilies can access fundamental services

38

Ana Beltran, Special Advisor, Generations United's National Center on Grandfamilies

Children across the United States are being denied access to education and health care solely because they are being raised by someone other than their parents. About 2.7 million children in the United States are being raised by kinship caregivers – grandparents, other extended family members, and close family friends.¹ These children are raised by kin because their parents may be addicted to substances, deployed in the military, incarcerated, in another state for a job or have severe psychological, cognitive or physical challenges that render them incapable of raising children.

Of these millions of children, many of these children are being raised by kinship caregivers with no legal relationship -- such as legal custody or guardianship.² Furthermore, only about 104,000 are living with kin in foster care. Although this number represents almost one-fourth of all children in foster care, it is less than one-twenty-sixth of children being raised by kinship caregivers.

Without the support of the foster care system or a legal relationship that is formalized by the courts, kin caregivers face enormous challenges enrolling children in school, advocating for educational services or consenting to health care.

To ensure that children in kinship families or "grandfamilies"³ can obtain health care and a tuition-free public education, many states have consent laws that allow kinship caregivers to access these services for the children they raise without the need for legal custody or guardianship. The May 2012, Annie E. Casey Foundation Kids Count essay, *Stepping Up for Kids*, recommends that states without these laws enact them to support kinship families. In this brief, we provide state policymakers and advocates with the tools to enact their own educational and health

care consent laws and to perhaps amend existing laws to make them more responsive.

This brief summarizes:

- I. Educational and health care access challenges and responses
- II. Essential elements of responsive consent laws, using language and examples from states with existing laws
- III. Certain elements to avoid in responsive consent laws
- IV. Reasons some states may lack consent laws
- V. Tools and strategies to enact consent laws

I. Educational and Health Care Access Challenges and Responses

Reasons kin caregivers do not have legal custody or guardianship

Being able to consent to health care or complete school enrollment forms can be impossible without a legal relationship, but many relative caregivers do not want or cannot afford a legal relationship with the children in their care. These kinship care-

Children Fare Well in Kinship Care

Research confirms that kinship care is the best option for children who cannot live with their parents. Kinship care helps children sustain extended family connections, community bonds, and cultural identity. It creates a sense of stability and belonging, especially important during times of crises.¹ In addition to the benefits to children, kinship caregivers also report benefiting from providing this care, and birth parents may value that their children remain connected to their family and friends.

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New Checklist for Agencies

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for direct link)



Checklist

Family First Prevention Services Act: Implementing the Provisions that Support Kinship Families

The Family First Prevention Services Act (Family First Act) makes historic reforms to the child welfare system to better support children, families, and kinship caregivers, and promote a [kin-first culture](#). Many of the reforms have significant implications for connecting children to kinship caregivers and further promoting permanency through kin guardianships. In keeping with previous laws, including the Fostering Connections to Success and Increasing Adoptions Act of 2008, the Family First Act emphasizes the vital importance of kinship caregivers to child well-being.

Roughly 2.7 million children in the United States are in kinship care—meaning they are being raised by grandparents, other relatives, or “fictive” kin or close family friends like godparents. Throughout this document, unless otherwise stated, use “kin” or “kinship caregivers” includes fictive kin.

[Research, data, and practice](#) clearly show that family connections are critical to healthy child development and a sense of belonging. Children in care who are placed with kin or maintain connections with kin face fewer placement disruptions and experience lower levels of trauma. By utilizing provisions of the Family First Act, child welfare agencies can consistently engage kin to prevent entry or reentry into foster care, promote kinship placements when a child must be removed from parents, help children in care maintain connection with kin, and meet the unique needs of kinship families.

This checklist is designed to help child welfare agency leadership and staff, Family First project managers, and kinship caregivers and their community service providers take advantage of those opportunities. The tool provides concrete steps throughout to authentically engage and consult kinship caregivers, youth, birth parents, and other community stakeholders on reform

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efforts. It begins with general kinship readiness tasks that are necessary to incorporate when implementing the following five key areas in the Family First Act that impact kinship caregivers:

- Kinship Navigator Programs
- National Model Family Foster Home Licensing Standards
- Title IV-E Prevention Programs
- Engaging Family for Children and Youth Placed in Qualified Residential Treatment Programs
- Improvements to the Interstate Placement for Foster Care, Guardianship, and Adoption

This checklist will address the federal requirements and which steps are necessary for their effective implementation in your jurisdiction.

Related Resources:

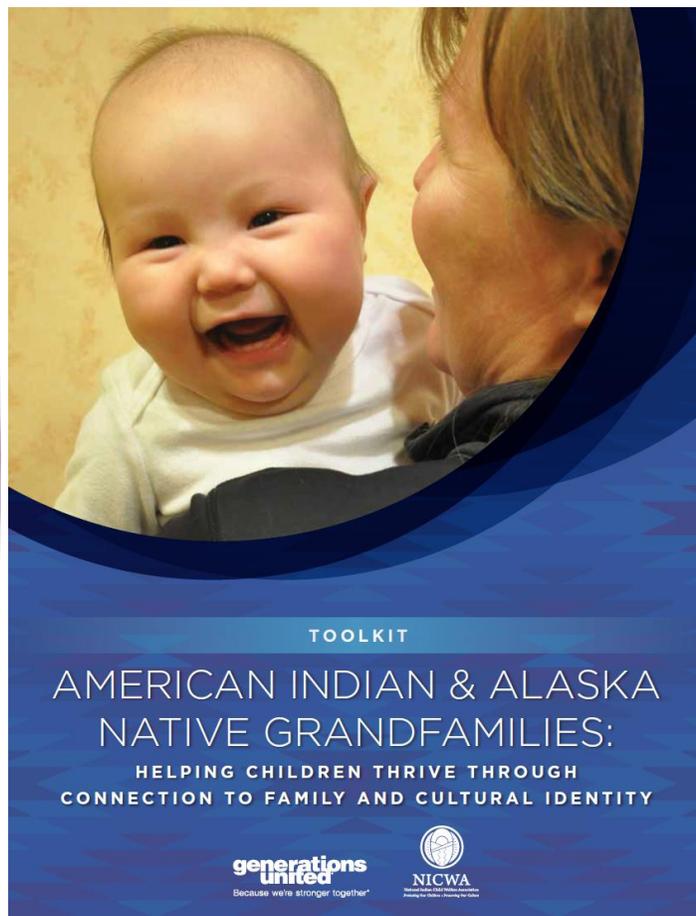
For more information on how to use the Family First Act to support kinship families, see two other briefs in this series:

- [New Opportunities for Kinship Families: Action Steps to Implement the Family First Prevention Services Act in Your Community](#)
- [Leveraging the Family First Prevention Services Act to Improve Use of Title IV-E GAP](#)

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Upcoming Webinars

May and July 2021 Days TBD



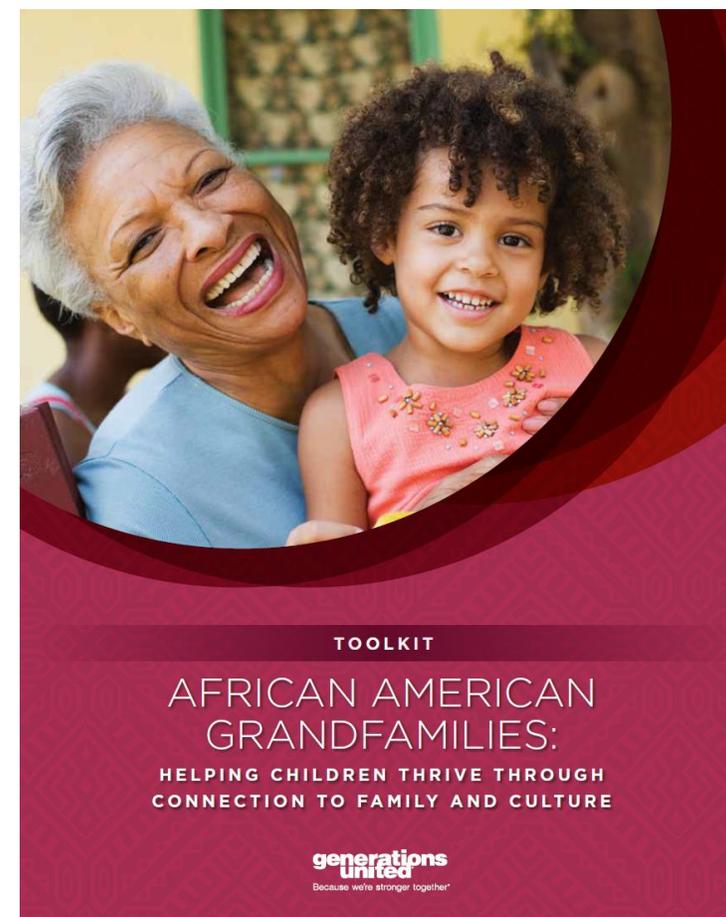
The cover features a circular photograph of a smiling baby being held by an older woman. The background is a dark blue gradient with a subtle geometric pattern.

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