

NEW YORK STATE

Kinship

NAVIGATOR

Information, Referral and Advocacy for Kinship Caregivers

**TESTIMONY FOR THE JOINT LEGISLATIVE HEARING ON
HUMAN SERVICES**

**IMPROVING SERVICES FOR INFORMAL KINSHIP
CAREGIVERS AND THE CHILDREN IN THEIR CARE**

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FEBRUARY 4, 2014

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Introduction to Kinship Issues

The NYS Kinship Navigator is an OCFS administered program, operated by Catholic Family Center of Rochester. Since 2006, the Navigator has provided assistance to informal kinship caregivers across New York State via its toll free help line and its website. The recommendations herein are based upon the Kinship Navigator's database (containing over 11,000 kinship caregivers), the advice of kinship service providers from across the state, four KinCare Summit reports, and the preliminary findings of the Navigator's three year federal Children's Bureau demonstration project and its evaluation.

Kinship care refers to non-parents - relatives, predominantly grandparents, and family friends - who care for children when parents are unable or unwilling to act as parents.

Kinship care is an important resource for New York State's vulnerable children. Given the evidence that children live with kin for similar reasons as to why they enter foster care (parental neglect and safety concerns) and given special needs of these children (disabilities, trauma, loss) and their caregivers (old age, poor health, poverty), New York needs to recognize the needs of these families and evolve its system of kinship services into a comprehensive model program that serves kinship children and their families across the entire state, and that addresses the persisting barriers to their success.

The U.S. Census and Center for Disease Control estimate that 3% of all children in the U.S. (2.3 million) are in non-parental care, indicating children living without parents. Nationwide, 87% of these children are living with kinship caregivers who do not receive foster care benefits. Over 60% of kinship families live under 200% of federal poverty guideline. In New York, more than 130,000 families are grandparent-headed households where grandparents are primary caregivers. Annie E. Casey conservatively estimates that more than 150,000 children are living with relatives, with less than 5% of these children in foster care. Higher estimates, based upon Census data and the fact that grandparents make up 59% of non-parent care, indicate up to 218,000 caregivers. See county table page 6, profile page 7, causes page 8 and CDC findings page 9. Nearly one-third of children in non-parental care have special health care needs, and many of these children also have higher mental health needs. Below are tables and references that profile kinship families.

Kinship families have long labored far from the spotlight, while protecting children at risk, healing children with trauma, and persisting through a thicket of legal, social, and family obstacles. Caregivers and advocates have called for action to support these families. New York has responded with assistance and services, despite state fiscal restraints. However, the recognition that all types of kinship families are an integral part of the State's child welfare system hasn't completely happened, and policies supportive of informal kinship families are often difficult to find within the plans of many State agencies.

There are very good reasons to support these families. They are the only large-scale resource for vulnerable children, they get better outcomes for young people, and they are less expensive than foster care. The reasons for their success are clear. Extended families are highly motivated to go

the distance and address any challenges that arise over a long period of time. Most of kinship care is done by grandparents, and a grandparent's love is the cure for many ills.

For the non-foster care kinship families, the primary source of financial assistance is a federal Non-Parent Caregiver TANF Grant. According to Annie E Casey, only 12% of eligible kinship families are receiving this assistance. There are other anomalies in the supports for kinship families, particularly related to access to foster care and to the courts. A review of causes of kinship care shows the dire situations faced by kinship children. Clearly, their circumstances parallel those of foster children, yet this community has only a fraction of the resources available, and often faces barriers to entering foster care.

What follows are five recommendations - with brief justifications for legislative action. For further information and in depth recommendations, please review the four KinCare Summit Reports and other reports, available on the Kinship Navigator website at policy/practice, www.nysnavigator.org.

KINSHIP CARE RECOMMENDATIONS

- Recommendation One: Increase and Stabilize Funding to Serve Kinship Families and Improve Child Outcomes**
- Recommendation Two: Declare September as Kinship Care Month**
- Recommendation Three: Fund a Study on Barriers Faced by Kinship Caregivers**
- Recommendation Four: Move Funding for the KinGAP Program from the Foster Care Block Grant to the Adoption Subsidies Cost Center**
- Recommendation Five: Insure that Kinship Caregivers Can Enroll Children in School**

NYS Kinship Care by County (Based upon U.S. Census Grandparents Households)

County	Population (ACS 2006-2010)	Population Under 18 (ACS 2006-2010)	Grandparent Householders Responsible for Grandchildren (ACS 2006-2010)	Non-Grandparent Caregivers	Estimated All Non-Parent Caregivers	Approved Kinship Foster Families (2012)	N Docket - (Direct) Custody	OTDA Non-Parent Grant Type 1 Cases	Kinship Families No Foster Care or ODTA Type 1 Grant	Percent of Kinship Families Not Receiving Assistance
NYS	19,303,733	4,307,867	131,108	87,405	218,513	5,183	1590	18,066	195,264	89.36%
Albany	304,102	60,516	1,036	691	1,727	13	31	337	1,377	79.73%
Allegany	49,030	10,590	299	199	498	11	6	66	421	84.55%
Broome	200,745	40,550	1,406	937	2,343	11	0	490	1,842	78.62%
Cattaraugus	80,494	18,836	589	393	982	9	12	124	849	86.45%
Cayuga	80,211	17,326	454	303	757	8	20	106	643	84.93%
Chautauqua	135,085	29,444	1,051	701	1,752	14	0	250	1,488	84.93%
Chemung	88,725	19,874	803	535	1,338	8	2	199	1,131	84.53%
Chenango	50,790	11,529	304	203	507		3	108	399	78.68%
Clinton	82,265	15,877	623	415	1,038	4	14	192	842	81.12%
Columbia	63,116	12,813	377	251	628	13	9	68	547	87.11%
Cortland	49,396	10,423	423	282	705	2	20	74	629	89.22%
Delaware	48,126	9,433	158	105	263	6	16	87	170	64.68%
Dutchess	296,910	65,914	1,819	1,213	3,032	28	21	264	2,740	90.37%
Erie	919,519	198,616	5,265	3,510	8,775	7	263	1,543	7,225	82.34%
Essex	39,405	7,605	135	90	225	1	0	39	185	82.22%
Franklin	51,731	10,760	278	185	463	9	12	47	407	87.91%
Fulton	55,556	12,333	571	381	952	1	0	69	882	92.64%
Genesee	59,970	13,253	358	239	597		5	40	557	93.30%
Greene	49,333	9,521	267	178	445	20	7	44	381	85.62%
Hamilton	4831	792	24	16	40		0	4	36	90.00%
Herkimer	64,429	14,303	522	348	870	7	34	119	744	85.52%
Jefferson	115,546	29,464	748	499	1,247	1	26	159	1,087	87.17%
Lewis	26,999	6,669	163	109	272		6	35	237	87.12%
Livingston	65,463	13,224	277	185	462	2	5	71	389	84.19%
Madison	73,228	15,964	479	319	798	7	0	78	713	89.35%
Monroe	742,931	168,645	4,740	3,160	7,900	1	52	1,231	6,668	84.41%
Montgomery	50,067	11,766	318	212	530	1	4	70	459	86.60%
Nassau	1,332,821	310,547	5,790	3,860	9,650	27	7	558	9,065	93.94%
Niagara	216,127	46,467	1,226	817	2,043	18	50	368	1,857	81.11%
Oneida	234,649	51,388	1,480	987	2,467	44	0	307	2,116	85.77%
Onondaga	465,436	107,050	2,895	1,930	4,825	10	1	786	4,029	83.50%
Ontario	107,211	24,122	290	193	483	5	1	165	313	64.83%
Orange	371,878	101,151	2,539	1,693	4,232	69	27	296	3,867	91.37%
Orleans	43,028	9,552	482	321	803	1	16	124	678	84.44%
Oswego	122,178	28,223	1,042	695	1,737	3	7	196	1,538	88.54%
Otsego	62,358	11,661	364	243	607		5	61	546	89.95%
Pulnam	99,639	23,614	251	167	418	2	5	25	391	93.55%
Rensselaer	159,156	33,900	836	557	1,393	9	14	172	1,212	87.01%
Rockland	308,749	86,758	1,468	979	2,447	9	13	157	2,281	93.22%
St. L	111,916	23,838	757	505	1,262	15	17	114	1,133	89.78%
Saratoga	218,631	49,629	1,000	667	1,667		4	143	1,524	91.42%
Schenectady	154,100	35,289	780	520	1,300	11	58	287	1,002	77.08%
Schoharie	32,796	6,526	442	295	737		3	40	697	94.57%
Schuyler	18330	3,886	62	41	103		0	40	63	61.29%
Seneca	35,285	7,516	272	181	453	2	0	33	418	92.28%
Steuben	98,868	23,135	975	650	1,625	3	27	114	1,508	92.80%
Suffolk	1,487,286	356,949	7,401	4,934	12,335	162	250	962	11,211	90.89%
Sullivan	77,634	17,623	502	335	837		0	154	683	81.59%
Tioga	51,261	11,995	383	255	638		9	139	499	78.22%
Tompkins	101,167	16,591	350	233	583	45	10	90	448	76.86%
Ulster	182,749	36,915	1,007	671	1,678	20	30	247	1,411	84.09%
Warren	65,746	13,544	440	293	733	4	1	60	669	91.27%
Washington	63,206	13,336	548	365	913		1	88	823	90.15%
Wayne	93,712	22,303	565	377	942	3	8	118	821	87.15%
Westchester	944,064	226,575	4,334	2,889	7,223	60	71	518	6,645	92.00%
Wyoming	42,215	8,696	182	121	303		4	40	263	86.81%
Yates	25,331	6,206	168	112	280	7	2	55	218	77.86%
New York City	8,128,223	1,756,836	68,790	45,860	114,650	4,468	381	5,695	104,487	91.14%
Bronx	1,375,469	365,875	16,268	10,845	27,113				27,113	
Kings	2,485,484	589,060	24,612	16,408	41,020				41,020	
New York	1,585,717	234,686	9,520	6,347	15,867				15,867	
Queens	2,214,877	458,480	15,611	10,407	26,018				26,018	
Richmond	466,676	108,736	2,779	1,853	4,632				4,632	

Profile of Kinship Care

Caregivers

- 2.7 million grandparents are primary caregivers for children living in their homes (U. S. Census 2014 Report on American Community Survey)
 - U. S. Census consistently shows about 140,000 New York grandparents who are primary caregivers
- The number of grandparent-headed households has doubled since 1970 (U. S. Census 2014 Report on American Community Survey)
- Grandparents make up approximately 60% of all non-parent caregivers of children (Interagency Forum)
- Stress of caregivers study found close to 40% of caregivers have clinically high levels of stress (Center for Human Services Research (CHSR))

Children

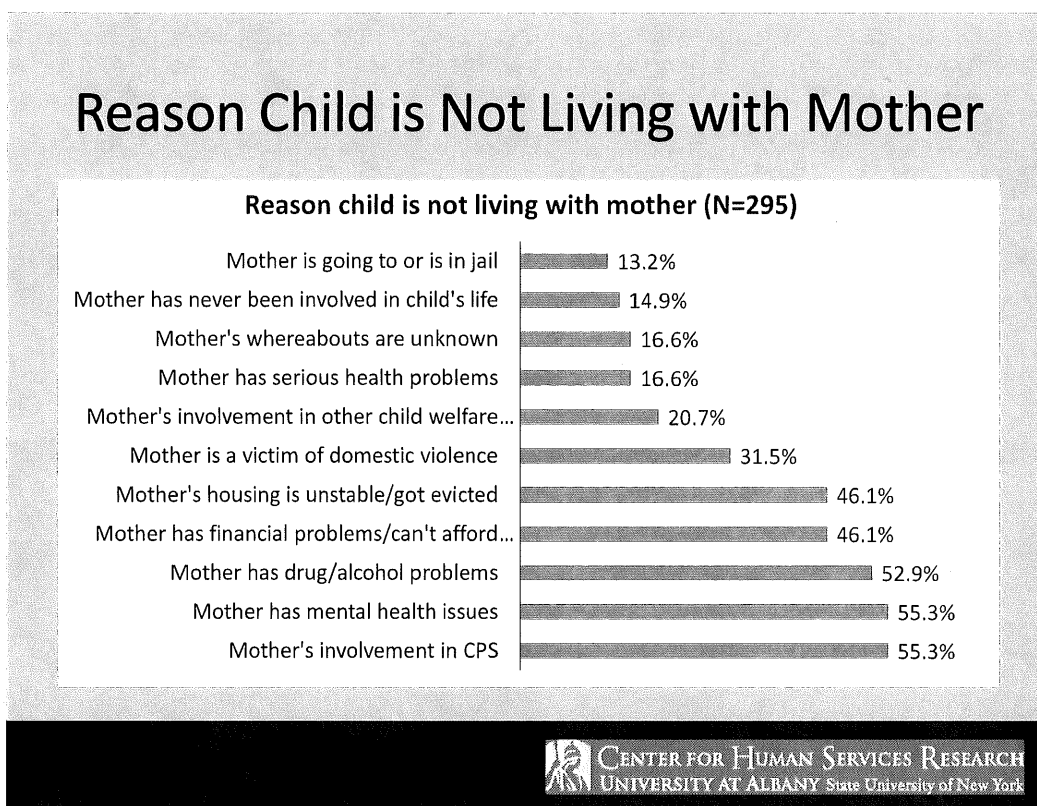
- One in ten of all children will live with a grandparent or other relative caregiver during their childhood (Annie E. Casey, 2013)
- One in five of all black children will live with a grandparent or other relative caregiver during their childhood (Annie E. Casey, 2013)
- According to NYS Navigator data, kinship families average 1.6 children per household
- Despite the challenges, kinship children do as well or better on many well-being measures in comparison to foster children (Rubin, 2008)

Financial Profile

- In a sample of income of 282 families from five upstate counties, 39% had income below \$19,000 (CHSR)
- About 15% of kinship children receive benefits. (Chapin Hall)

Causes of Kinship Care

Below is a chart describing the reasons why children residing in non-parental (kinship) care in 5 Kinship Navigator demonstration counties (Broome, Tioga, Dutchess, Orange, and Ulster) do not live with their mothers. This data was collected by the Center for Human Services Research which conducted focus groups in the five counties as part of the evaluation of the federal Children's Bureau Grant received by the Navigator in 2012. The percentages do not equal 100% because families may have listed multiple reasons why the child did not live with their mother. It is also important to note that information was also collected about reasons why the child does not live with their father, but data collected was insignificant because the majority of the documented cases were single parent homes (mostly mothers).



**Children in Non-Parental Care:
Findings from The 2011-2012 National Survey of Children’s Health,
Report on Assistant Secretary for Planning and Evaluation,
Office of Human Services Policy, HHS (Excerpts)**

“10% of children in non-parental care have depression or anxiety disorders, compared with 6% of children living with one biological parent and 3% of children living with both biological parents” (Bramlett & Radel, 2014, p. 6).

“Compared with children living with two biological parents, children in non-parental care were about 1.5 times as likely to be living in a household in which it was often difficult to afford basics, five times as likely to have ever lived with a mentally ill caregiver or parent, six times as likely to have witnessed neighborhood violence, 15 times as likely to have witnessed caregiver or parent violence, 11 times as likely to have lived with a caregiver or parent with an alcohol or drug problem, and 17 times as likely to have experienced caregiver or parent incarceration” (Bramlett & Radel, 2014, p. 8).

“While Temporary Aid for Needy Families (TANF) participation may seem relatively high for those living with neither parent – 23% of children in these households receive that benefit – considering that nearly all children living apart from their parents are eligible for TANF “child-only” payments (Ehrle & Geen, 2002), the proportion receiving benefits is actually quite low” (Bramlett & Radel, 2014, p. 11).

Children have significantly higher rates than two-parent or one-parent households:

- TANF receipt
- Child does not have excellent or very good dental health
- Child has special health care needs
- All child mental health conditions
- Child’s receipt of mental health care
- Reliance on public health insurance
- Repeated grades
- Poor school engagement
- Child has an IFSP/IEP (special education plan)
- Poor caregiver/child communication
- AFE: Caregiver death
- AFE: Witnessed caregiver violence
- AFE: Witnessed neighborhood violence
- AFE: Lived with someone with a mental illness
- AFE: Parent/guardian incarceration
- AFE: Lived with someone with an alcohol/drug problem

*AFE = Adverse Family Experiences (Bramlett & Radel, 2014, p. 10-11)

“The very high rates of adverse family experiences among children in non-parental care suggest that parental substance abuse, mental health problems, domestic violence and incarceration form a cluster of factors that pervade the lives of children who have been separated from their parents. The cumulative trauma that these circumstances represent could have long-term implications for the health and well-being of these children over the life course” (Bramlett & Radel, 2014, p. 12).

Recommendation One: Increase and Stabilize Funding to Serve Kinship Families and Improve Child Outcomes

NYS funds a statewide Kinship Navigator (the Navigator) and 13 local kinship services providers covering 17 counties administered by the Office of Children and Family Services (OCFS). NYC's Department for the Aging operates the Grandparent Resource Center.

The Governor's proposed budget provides \$338,750 for kinship programs and \$220,500 for the Kinship Navigator.

There is a need to serve more kinship families by increasing referrals to and from kinship services and by improving access to services provided by other public and private agencies. Responsibility for meeting these needs primarily falls to local kinship services in the seventeen counties with services and to the Kinship Navigator in counties without kinship services.

Unified System of Care for Kinship Families: New Direction for New York State

A unified system of care for kinship families addresses service gaps and establishes New York State as a model system in kinship care. Building on the Navigator's current statewide information and referral network and local kinship services and its federal demonstration project, this unified system envisions the Navigator operating a statewide information/referral center and an information/resource network center, and local service agencies providing case management and individualized supports in selected communities across the state. The specific objectives of the system are to:

- reach more kinship families in communities where there are no local kinship services,
- connect more caregivers to kinship services in counties where there are kinship services,
- connect kinship families to other existing service systems,
- strengthen collaborations with state and local agencies, and
- continue strategic planning and actions to move towards a comprehensive child welfare/kinship care system.

Recommended Actions

To implement the unified system of care for kinship families in FY2015-16, we request the following:

- Increase the statewide Kinship Navigator's funding for its Rochester information/referral center and its Albany resource/system network center to \$320,500 (from \$220,500; note that originally the Navigator was funded at \$250,000). The information/referral center focus includes its help line, web services, and client advocacy; the resource/system network center's focus is on identifying new resources, collaborations with public and private agencies, system coordination, and strategic development. Both centers implement recommended elements from the demonstration project.
- Increase OCFS funding for kinship programs to \$1,338,750 from last year's enacted total of \$889,750, by adding \$1,000,000 to Governor's proposed \$338,750. It is recommended that OCFS require that the grants be more evenly distributed across the entire state.

Recommendation Two: Declare September as Kinship Care Month

In the 2014 Session, both the Assembly and Senate passed resolutions that declared September as Kinship Care Month. On September 2, 2014, Governor Cuomo also issued a declaration of September as Kinship Care Month. Since then, Virginia and Vermont have issues similar resolutions. This year, the Child Welfare League of America and the National Kinship Alliance for Children will campaign to have other states across the nation to pass such resolutions. New York's resolution is being used as a model for the entire nation.

Showing support for our grandparents and other caregivers is good policy, it's also a recognition of the important part of our cultural and national traditions. George and Martha Washington raised two grandchildren, Eleanor Parke Custis and George Washington Parke Custis. they were the first and only children to live in the presidential homes in New York and Philadelphia. Maya Angelou, Sandra Day O'Conner, as well as President Barack Obama and numerous others throughout history spent time in the care of his grandparents.

Bringing attention to the existence of this population and to its needs, and expressing appreciation for their sacrifices should be a yearly event. New York should once again adopt resolutions declaring September as Kinship Care Month.

Recommendation Three: Fund a Study on Barriers Faced by Kinship Caregivers

Kinship families face barriers to success that compound the special challenges inherent to their difficult role as caregivers of vulnerable children. The barriers have been well documented in four KinCare Summit reports, as well as reports by the New York City KinCare Task Force, AARP, and the Kinship Navigator. These reports are available at policy/practice at www.nysnavigator.org.

These reports describe legislative actions, as well as agency actions, however, the voices of kinship families need a strong champion, and the Legislature itself should engage vigorously on this issue.

Appendix A is a short NYS Kinship Navigator survey of 12 kinship service providers covering 13 counties across the state. The survey addresses:

- A. Barriers in Applying for the Non-Parent Grant
- B. Barriers in Accessing Family Court
- C. Barriers to Becoming a Foster Parent
- D. Child Protective Services (CPS) Diverting Children from Foster Care
- E. Barriers to School Enrollment
- F. Other Barriers

The survey answers affirm the summit reports and other kinship publications and highlight the need for the Legislature itself to investigate these persisting issues. See the KinCare Summit reports for a more complete description of these barriers.

Last year, the Legislature funded \$200,000 for a grandparent housing study. While kinship advocates applaud the intention, the study misses an opportunity to address the larger issues faced by kinship families.

In Appendix B, there is an excerpt from the 2011 KinCare Summit Report which breaks down the cost of kinship programs and the non-parent grant compared to the cost of foster care. A Legislative analysis would more rigorously define the relative costs.

In Appendix C, the selected bibliography exemplifies the depth of research on kinship and the need to examine and apply the lessons learned.

It is time for these families to be heard by the Legislature. From Buffalo to Brooklyn, there are caregivers in every community who deserve to be heard. A study and hearings that focus on the needs of kinship families and that identifies barriers is a necessary step towards development of a comprehensive policy that supports kinship families.

Recommendation Four: Move Funding for the KinGAP program from the Foster Care Block Grant to the Adoption Subsidies Cost Center

In 2010, the Legislature took the lead in approving KinGap which allowed close relatives to agree to take legal guardianship of their young grandchildren, nieces, and nephews who were in foster care under some well-defined criteria regarding their relationship with the child and their fitness to be legal guardian (See Social Services Law Section 458-a-f). Kinship children could then leave foster care and their caregivers could receive a stipend similar to their foster care payments. For some families this option is preferable to adoption because it allows the caregiver to maintain their familial role (staying grandma instead of adopting and becoming mom), and it does not force the termination of parent's rights. It has worked well to provide some children with a permanent long term family committed to them.

When this was first approved in 2010, the short term expedient was to fund KinGap within the foster care block grant. The problem is that the Foster Care Block Grant is a fixed amount of money each county gets to cover foster care costs. However, KinGap costs are designed to continue for several years, which drains funds which the county needs to support each year's foster care costs. This funding mechanism inhibits counties from proceeding with some KinGap decisions, as shown by the low number reported each year by the Office of Children and Family Services in its report to the Governor.

The better course is to treat KinGAP in the same way the system treats adoption subsidy costs. The Legislature should move KinGap funding to the Adoption Subsidy costs center. That is fair to the state, to the counties, and mostly to these families who deserve our support.

Recommendation Five: Ensure that Kinship Caregivers Can Enroll Children in School

In 2008, the Legislature enacted amendments to Family Court Act Section 657 and Domestic Relations Law Section 74 that insured that legal custodians and guardians of informal kinship children could enroll them in school. Unfortunately, school districts are increasingly demanding legal custody or guardianship in order to accept students. This demand does not follow existing education case law, which requires only that the caregiver provide proof that they have assumed "care and control" and that the child will reside in the home permanently. This standard is routinely accepted in many school districts and is often proven by affidavits.

As shown in Appendix A, Question E - Barriers to School Enrollment, 7 of the 11 counties reporting agreed that children are now being denied school enrollment when their caregivers are not legal custodians or guardians. These counties typify circumstances across the state.

There are good reasons why caregivers may not have such orders: a parent may be uncooperative, unavailable, or mentally unstable. Caregivers cannot gain their consent, or cannot find them, or are wary of their response to a court petition, or a child may arrive in their homes so close to the beginning of the school year that a court order cannot be obtained in time.

For these reasons, the Legislature should undo the unintended consequences of its actions and add language to the statutes that clarifies the existing education case law regarding non-parents enrollment of children in school.

Appendix A

Kinship Navigator Survey - January 2014 - Kinship Program Personnel

Counties Participating: Albany, Dutchess, Broome, Orange, Schenectady/Rensselaer, Oneida/Herkimer, Bronx, Monroe, Cattaraugus, Columbia/Greene

A. Barriers in Applying for the Non-Parent Grant

Yes: 10/12

Counties: Albany, Dutchess, Broome, Orange, Schenectady/Rensselaer, Oneida/Herkimer, Bronx, Monroe

Examples:

- Many cases CPS does not tell a kinship caregiver about the NPC grant. NPC cases are taking longer to open because the local DSS is overwhelmed by new applicants for all of the services (Broome)
- Caseworkers not understanding eligibility, turning away caregivers (Dutchess)
- Need correct terminology, don't know if it even exists (Orange)
- Application is confusing, there is no "box" to check to indicate that is what you are applying for. Many still don't know they are eligible to receive. (Schenectady/Rensselaer)
- If the family has informal custody the local DSS has given us a hard time applying - but it depends on the worker (Oneida/Herkimer)
- Though there are designated DSS caseworkers for the NPC grant in Orange there are still times that caregivers have difficulty navigating the system. The application is confusing and difficult to complete. (Orange)
- Also, trying to provide contact information for the biological parent is challenging for some as the parents are not at permanent addresses. We had had caregivers decide against receiving this assistance as they do not want to "rock the boat" if they do not have legal custody of the child. (Orange)
- Caregivers are discouraged by the caseworker to use the "Good Cause" waiver or take a reduction in payment. Also, at the Newburgh office caregiver must still go to DSS to schedule a screening appointment. This is yet another day off work to complete the application process. At the Middletown office caregivers can call to make an appointment. (Orange)
- Your income is too much, no knowledge of the grant (Bronx)
- Fear of being on "welfare"; fear of DSS involvement; fear of going after the parents by DSS; fear of parents trying to remove children from de facto care or fear of custody petition being brought against caregivers. (Orange)
- Having kinship caregivers return back and forth with papers that they have already given them (Monroe)

No: 2/12

Counties: Cattaraugus, Columbia/Greene

B. Barriers in Accessing Family Court**Yes: 8/12**

Counties: Monroe, Sullivan, Orange, Schenectady, Broome, Dutchess, Albany

Examples:

- No lawyers to represent the kinship caregiver (Monroe)
- Difficulty in filling out petitions, lack of access to legal services and representation (Sullivan)
- Many times the caregiver is told by the Family Court Judge to come back to the next appearance with an attorney. The cost of hiring an attorney is a barrier for many of the caregivers. They do not qualify for LSHV as they are employed and do not meet the income eligibility requirement. Some family court judges are more understanding of kinship care than others even with continued interaction with RAPP. (Orange)
- Grandparents who have custody of children have attempted to file PINS due to truant/non-compliant behaviors and been told that they do not have the authority to do so (Schenectady)
- Emergency custody is no longer granted UNLESS there has been violence (Broome)
- Limited access to free/low cost legal representation for caregivers over 200% poverty income (Dutchess)
- People are dissuaded from going for Kinship, it is preferred that they just take custody (Albany)

No: 4/12

Counties: Cattaraugus, Bronx, Oneida/Herkimer

C. Barriers to Becoming a Foster Parent

Yes: 7/12

Counties: Orange/Sullivan, Bronx, Oneida/Herkimer, Albany/Schenectady

Examples:

- Many clients either have a member in the household with a minor criminal history or DSS/CPS history; some clients do not want to take the foster care classes, think they will be unable to jump through hoops for DSS. (Orange/Sullivan)
- Due to a prior (very old) ACS case (Bronx)
- One case comes to mind, a grandmother was called by the mother to come get the grandchildren as CPS was on the way to remove them from the home. The grandmother complied. DSS opinion was the mother had a safety plan for the children, they were never taken into CPS custody so the grandmother was not eligible to become a kinship foster parent. In retrospect the grandmother should have waited for the CPS worker and had the children placed with her. In Orange County around 31% of foster care families are kinship foster care. So, generally the LDSS Homefinders unit is doing a very good job informing caregivers about their choices (Orange)
- The families are told by CPS that they have to apply for custody of the child/children and then it is an Article 6. CPS does not explain that they can become/request foster parent status while in court. (Oneida/Herkimer)
- The families are told by CPS that they have to apply for custody of the child/children and then it is an Article 6. CPS does not explain that they can become/request foster parent status while in court (Albany/Schenectady)
- Need to know options up front, don't want child to be a ward of the state (Orange)
- People are not informed (Albany)

No: 5/12

Counties: Cattaraugus, Monroe, Broome, Columbia/Greene, Dutchess

Examples:

- Kinship foster care is not commonly offered to kinship caregivers. (Broome)
- Have not had Kinship family try to become foster parent (Columbia/Greene)

D. Child Protective Services (CPS) Diverting Children from Foster Care**Yes: 8/11**

Counties: Albany, Broome, Orange, Schenectady/Rensselaer, Oneida/Herkimer, Bronx

Examples:

- Many times CPS will leave children with kinship caregivers without a safety plan and tell the caregiver to apply for custody. CPS does not show up in court and custody is NOT granted leaving the kinship caregiver with no support. (Broome)
- May not understand what they will give up re: foster care benefits, etc. (Orange)
- We hear many anecdotal stories from caregivers where a CPS worker shows up at the home with the child/children and states that if the caregiver does not take the children immediately, they will enter into foster care. (Schenectady/Rensselaer)
- This has happened on many occasions (Oneida/Herkimer)
- The CPS worker could have handled the situation differently. More often the biological parent is making false claims to CPS about the kinship home which causes an investigation by CPS. For some families this is an ongoing issue and a real disruption with the kinship home (Orange)
- Due to parent mental health or drug issue (Bronx)
- This happens often and usually it is done very well in Orange County. It is very rare in my experience that the placement is inappropriate for the child. (Orange)
- Kinship Foster care is either not discussed as an option or people are encouraged to take custody (Albany)

No: 3/11

Counties: Dutchess, Columbia/Greene, Cattaraugus

E. Barriers to School Enrollment

Yes: 7/11

Counties: Monroe, Orange, Oneida/Herkimer, Albany, Broome

Examples:

- I helped a Kinship caregiver enroll her grandchild for Pre-K and she was denied because she did not have legal guardianship or custody. (Monroe)
- There are 2-3 well known/notorious school districts that are forcing grandparents to petition for guardianship as well as giving legal advice from the school district's front office from non-lawyers. (Orange)
- Many of the Orange County schools tell caregivers they must have legal custody of the relative child. One family was told they could not enroll the children in public school so they enrolled them in private school at a considerable cost. Once they met with me and I gave them the Legal fact sheet from the Navigator plus an additional legal connection (Project SPEAK) the children were enrolled in public school. Another grandmother that rescued her granddaughter from homelessness was refused entry into another school. She informed the school about the McKinney-Vento Act and the child was successfully enrolled. Many times I provide the caregiver with the correct language when approaching the school which helps the caregiver navigate the school system (Orange)
- Schools will not enroll without formal court custody papers in place many times. (Oneida/Herkimer)
- Caregiver's school tax exemption was jeopardized when she took custody of her granddaughter. (Matter was successfully resolved) (Albany)
- Don't have specific paperwork re: guardianship that schools request (Orange)
- A number of the local school districts will not enroll children in school without a custody designation of some sort. (Broome)

No: 4/11

Counties: Cattaraugus, Bronx, Columbia/Greene, Dutchess

Examples:

- Schools are generally willing to help (Cattaraugus)

F. Other Barriers**Yes: 7**

Counties: Cattaraugus, Bronx, Orange, Oneida/Herkimer, Broome, Albany

Examples:

- *Lack of transportation* in rural counties/no public transportation (Cattaraugus)
- Caregivers struggle with having pertinent documents for kinship child(ren) (Bronx)
- *Regarding Childcare Subsidy*: Orange County there is no funds available for caregivers receiving the NPC grant. This is becoming a huge issue over the last couple of years. Caregivers are depleting savings or quitting jobs because they cannot afford the cost of childcare. Some have opted for Kinship Foster care as there is funding for childcare under the Child Welfare side. (Orange)
- *Limited access to household goods*: times our families are given the children without having appropriate beds, etc...these are hard to access. (Oneida/Herkimer)
- *Funding limitations impacting effective programming*: too much time spent funding program rather than providing education and services (Orange)
- *Regarding a particular family court judge*: one judge refuses to give custody to kinship caregivers if the child's parents will not show up in court. This created additional hardships for the kinship families as they struggle to find parents who often don't want to be found. (Broome)

**Appendix B: Cost Analysis - Kinship Program and Foster Care
(Excerpt from 2014 KinCare Summit Report)**

Average Cost of (Formal) Kinship Foster Care

Annual overall costs of foster care = **\$1,376,000,000** (OCFS foster care budget).

Number of children in all foster care placements = **24,541**.

Average cost of all foster care placements (institutional, special and exception needs, foster parents, etc, + administrative costs) = **\$56,060** per year.

Average cost of one child placed in regular foster care (basic foster parent payment + administrative cost) = **\$21,535** per year.

Average Cost of Informal Kinship Care

Annual cost of one child in an OCFS kinship program (\$140,000 per program, over 300 children served per year per program) = **\$466**.

Annual average cost of public assistance per child (OTDA payment + administrative costs) = **\$6,024**.

Total cost per child of informal kinship care = **\$6,490**.

Average Difference in Cost

Difference between average cost of children in all formal foster care placements (\$54,060) **and** the cost for children in informal kinship care (\$6,490 - including a public assistance grant) = **\$49,570**.

Difference for a child placed in regular foster care with a foster parent = **\$14,595**.

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