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Submission in Response to Senator Gordon Smith's July 26, 2007 Call For Papers to Examine the Needs of Grandparent and Other Relative Caregivers

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What is Kinship Care?

More than 2.5 million children are being raised by grandparents and other relatives because their parents are unable—for a variety of reasons—to care for them.¹ These families are quite heterogeneous—comprised of a variety of members and forming for a range of reasons – yet they often face similar challenges and have similar needs. In this paper, the term “kinship care” or “kinship families” will be used to refer to *all* families where a child is being raised by a grandparent or other relative and “kinship caregiver” will be used to refer to the relative caregiver.² Families in which the kinship arrangement results from the involvement of the child welfare system following a child protective services investigation in which there was a finding or indication of maltreatment are often referred to as “formal” kinship care. However, many kinship families not involved with the child welfare system are uncomfortable being referred to as “informal” —as if their relationship means less. For the purposes of this paper, those kinship families that are not involved with the child welfare system are referred to as “outside” of the system while families that have on-going contact with the child welfare agency are described as being “inside” or “within” the child welfare system. Some kinship caregivers within the child welfare system are caring for children who have not been legally removed from the custody of their parents (they are not in foster care) but for whom the child welfare agency remains involved through on-going supervision and provision of services. Other kinship caregivers involved with the child welfare system are caring for children who are in the legal custody of the state— that is, they are in foster care. Accordingly, these caregivers will be referred to as “kinship/relative foster parents.” Those foster parents who are not related to the child they are caring for will be referred to as “non-relative foster parents.” To summarize, for the purposes of this paper, the following terminology is used:

¹ U.S. Department of Commerce, Bureau of the Census, *2000 Census American Fact Finder Advanced Query*. Calculations by Children's Defense Fund of the number of children living in relative-headed households without either parent present.

² It should be noted that “kinship care” is sometimes used to describe only subsets of the larger population of families in which a child is being raised by a relative – for example, only those families resulting from child welfare system involvement or only those in which the grandparent is the caregiver.

Kinship or kinship care families - All families in which a child is being raised by a relative without either parent present

Inside/within - Those kinship care families who are involved with the child welfare system though not necessarily as part of the foster care system.

Kinship/relative foster parents - Kinship caregivers who are caring for a child in foster care.

Non-relative foster parents - Foster parents who are not related to the children they are caring for.

Outside - Those kinship care families who are not involved with the child welfare system.

Kinship care—whether inside or outside of the child welfare system—can help children to, among other things, maintain family—and oftentimes community—connections. A growing body of research points to a number of benefits associated with placing children with kinship foster parents rather than non-relative foster parents.³ Additionally, kinship care is consistent with national policy preferences espoused in both the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and the Adoption and Safe Families Act of 1997.⁴ Still, some wonder whether kinship care is a good thing—and how we know this.

What the Research Shows

Children living with kinship foster parents are safe.

In selecting a foster placement there is, arguably, nothing more important than ensuring the child's safety. The rates of abuse or neglect of children in foster care are extremely low—.44 percent⁵—of course, no abuse or neglect of children removed for their safety is acceptable. Research shows that the rates for children living with kinship foster parents are as low as—or, according to some studies, lower than—the rates for children living

³ See: Conway, T. & Hutson, R. Q. *Is Kinship Care Good for Kids?* (Washington, D.C.: Center for Law and Social Policy, 2007). Available at: http://www.clasp.org/publications/is_kinship_care_good.pdf

⁴ The Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104-193) requires states to consider giving preference to relatives over non-related caregivers when determining a placement for a child, assuming that relative meets all relevant state child protection standards. The Adoption and Safe Families Act (P.L. 105-89) clearly establishes legal guardianship as an acceptable and appropriate permanency plan.

⁵ Child Welfare Outcomes 2003: Annual Report. (Washington, D.C.: U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau, 2004). Available at: <http://www.acf.hhs.gov/programs/cb/pubs/cwo03/cwo03.pdf>

with non-relative foster parents. So, **children living with kinship foster parents are as safe or safer than children living with non-relative foster parents.**⁶

Children placed with kinship foster parents experience greater stability.

Children in foster care often experience a great deal of instability. On average they will experience one or two placements per year⁷ with approximately 18 percent of children who are in care for less than a year and 40 percent of those in care between one and two years experiencing two or more placements⁸ – these moves mean not only a new “family” but, oftentimes, also a new school, a new neighborhood, a new doctor and the need to make new friends. Such instability can compromise a child’s ability to form strong attachments,⁹ contribute to a number of behavioral problems¹⁰ and, among other things, compromise a child’s educational attainment.¹¹ Minimizing placement disruption is an essential component of reducing the likelihood of negative outcomes for children in foster care; a point that is clearly recognized in the Child and Family Services Review (CFSR).¹² **Children placed with kinship foster parents experience fewer placement changes than children placed with non-relative foster parents do.**¹³ Not surprisingly, children who live with kinship foster parents are less likely to report having changed schools than those children who are placed with non-relative foster parents or in group care settings.¹⁴

⁶ Zuravin, S.J., et al. “Child Maltreatment in family foster care: Foster home correlates.” In *Child welfare research review*. Vol. 2 J.D. Berrick, R.P. Barth. And N. Gilbert, eds. New York: Columbia University Press, 1997, pp. 189-200. *A Child Welfare Research Agenda for the State of Illinois*. 1999. Urbana, IL: The Children and Family Research Center, University of Illinois at Urbana-Champaign.

⁷ Educational Outcomes for Children and Youth in Foster and Out-of-Home Care. (Washington, D.C.: National Working Group on Foster Care and Education, 2006). Available at: <http://www.casey.org/NR/rdonlyres/A8991CAB-AFC1-4CF0-8121-7E4C31A2553F/1069/DataSheetForWeb12096.pdf>

⁸ Child Welfare Outcomes 2003

⁹ Jones Harden, B. (2004). *Safety and stability for foster children: a developmental perspective*. Children, Families, and Foster Care. Vol. 14, No. 1, pps. 31 – 47; citing: Dozier, M., Levine, S., Stovall, K., and Eldreth, D. Atypical diurnal rhythms of cortisol production: Understanding foster children's neuroendocrine regulation. Unpublished manuscript, 2001 -

http://www.futureofchildren.org/information2827/information_show.htm?doc_id=210279)

¹⁰ Newton, R., Litrownik, A., and Landsverk, J. Children and youth in foster care: Disentangling the relationship between problem behaviors and number of placements. *Child Abuse and Neglect* (2000) 24(10):1363–74

¹¹ Educational Outcomes for Children and Youth in Foster and Out-of-Home Care. (Washington, D.C.: National Working Group on Foster Care and Education, 2006). Available at: <http://www.casey.org/NR/rdonlyres/A8991CAB-AFC1-4CF0-8121-7E4C31A2553F/1069/DataSheetForWeb12096.pdf>

¹² Outcome P1: Children have permanency and stability in their living situations; and, Outcome P2: The continuity of family relationships and connections is preserved for children.

¹³ Testa, M. 2001. *Kinship care and permanency*. Journal of Social Service Research, Vol. 28 (1) pp. 25 – 43.; Chamberlain, P., et al. 2006. *Who disrupts from placement in foster and kinship care?* Child Abuse & Neglect, Vol. 30, pp. 409 – 424.

¹⁴ National Survey of Child and Adolescent Well-Being (NSCAW) CPS Sample Component Wave 1 Data Analysis Report, April 2005. (Washington, D.C.: U.S. Department of Health & Human Services, Administration for Children & Families, 2005).

Stability can be conceptualized and experienced in a variety of ways. Beyond placement constancy, children can also derive a sense of stability from being placed with their siblings. Placing siblings together when they must be removed from their home is often beneficial. There will be no one better able to understand and empathize with their situation than a brother or sister who experienced much the same. **Children in foster care are more likely to live with their siblings if they are placed with kin.**¹⁵

The transience that children in foster care experience isn't just within the system, from placement to placement; some children also, unfortunately, cycle in and out of the system, returning to foster care even after being reunified with their parent. Nationally, an average of just under 11 percent of children who enter foster care do so within 12 months of a previous foster care episode.¹⁶ The repeated maltreatment and removal from one's home can be extremely traumatic for a child and every effort should be made to prevent revictimization. Research indicates that **children who re-unify with their birth parent(s) after living with kinship foster parents are less likely to re-enter foster care than those who had been in non-relative foster placements or in group care facilities.**¹⁷

Children living with kinship foster parents report more positive perceptions of their placement and have fewer behavioral problems.

Children who have experienced maltreatment are more likely to have a number of behavioral problems and emotional challenges. Post-traumatic stress disorder, anxiety and depression have all been reported among child victims. Studies also indicate that, children who have experienced maltreatment are at greater risk of poor peer relationships, violence and other problem behaviors.¹⁸ Not surprisingly, the bulk of children in care, by virtue of having been maltreated¹⁹ have worse outcomes and greater incidences of behavioral and emotional problems than do their peers in the general population.

Although children who have been abused and neglected are at-risk for poorer outcomes, placement with a loving and known caregiver, such as a grandparent or other relative may help mitigate the risk of harm. **Children living with kinship foster parents score better on a range of physical, cognitive and skill-based domains than do children**

¹⁵ Shlonsky, A., Webster, D., & Needell, B. 2003. *The ties that bind: A cross-sectional analysis of siblings in foster care*. Journal of Social Service Research, Vol. 29 (3) pp. 27 – 52.; Wulczyn, F. & Zimmerman, E. 2005. *Sibling placements in longitudinal perspective*. Children and Youth Services Review, Vol. 27, pp. 741-763.

¹⁶ Child Welfare Outcomes, 2003. Measure 4.2: Percentage of children entering foster care who were re-entering within 12 months of a prior foster care episode (N = 52 States)

¹⁷ Courtney, M. & Needell, B. "Outcomes of kinship care: Lessons from California." In *Child welfare research review*. Vol. 2. J.D. Berrick, R.P. Barth and N. Gilbert, eds. New York: Columbia University Press, 1997, pp. 130 – 149.

¹⁸ For a summary of the consequences of child abuse and neglect, see: A Coordinated Response to Child Abuse and Neglect: the Foundation for Practice. [CD-ROM Version] (Washington, D.C.: Department of Health and Human Services, Office on Child Abuse and Neglect, 2003). Available at: <http://www.childwelfare.gov/pubs/usermanuals/foundation/foundationf.cfm>

¹⁹ It should be noted that a small percentage of children in out-of-home care for reasons other than maltreatment such as juvenile delinquency and voluntary relinquishment of parental rights, for example.

who are in non-relative foster care or group care.²⁰ That children with kinship foster parents do better in these domains is likely explained, at least in part, by the fact that **they also have more positive perceptions of their placements.** Children living with kinship foster parents are more likely to report liking who they live with, wanting their current placement to be their permanent home,²¹ and that they “always felt loved.”²² They are less likely to report having tried to leave or run away.²³ Furthermore, both **teachers and caregivers tend to rate children living with kinship foster parents as having fewer behavioral problems** than do their peers in other out-of-home placement settings.²⁴

At this point research cannot establish a causal link between placement with relatives and better outcomes.²⁵ However, because evidence demonstrates that children with kinship foster parents are at least as safe and have greater stability and feel more comfortable in their homes than do children with non-relative foster parents, placing children with relatives is often the best course of action.²⁶

Recommendations for Additional Research

A growing body of quality research on kinship care lends empirical support to what cultural traditions and personal experiences have long suggested—that kinship care is beneficial for children. Although the research demonstrates that children placed with kinship foster parents do better than children placed with non-relative foster parents, the vast majority of children (millions) being raised by relatives are outside of the formal child welfare system and there is little information about the well-being of these children.

There are a number of studies and datasets that collect information on families within the child welfare system such as the National Survey of Child and Adolescent Well-being (NSCAW) and the Adoption and Foster Care Analysis and Reporting System (AFCARS) but, because they are not involved with any particular system, children being raised by relatives outside the system are rarely represented in these datasets. One can assume that the benefits of living with relatives applies to both those inside and outside the child welfare system, but it would be useful to have empirical data to demonstrate that such assumptions are accurate.

Many relatives raising children outside of the child welfare system have questioned why, when they stepped in before abuse or neglect occurred to care for a relative’s child, they shouldn’t be eligible for financial assistance and other services, just as their counterparts raising children within the child welfare system are. Should relative caregivers be forced

²⁰ NSCAW 2005

²¹ NSCAW 2005

²² Wilson, L. Satisfaction of 1,100 Children in Out-of-Home Care, Primarily Family Foster Care, in Illinois’ Child Welfare System. Tallahassee, FL: Wilson Resources, 1996.

²³ NSCAW 2005

²⁴ NSCAW 2005

²⁵ It may be that children with fewer problems are more likely to end up in relative placements while children with more problems end up with unrelated foster parents.

²⁶ All placement decisions need to be made on an individualized basis to determine what is best for each individual child.

to wait until maltreatment has occurred in order to get assistance in meeting the child's needs? Such a requirement is untenable. A few states have attempted to address this paradox by offering subsidies and other supports to relative caregivers both inside and *outside* of the child welfare system. However, such programs are limited in scale and the potential for expanding them is questionable. That said, if kinship care outside of the child welfare system is, in fact, correlated with the same outcomes as kinship care within the system, then it behooves policymakers to invest in supporting a broader contingent of children being raised by relative caregivers.

Additional research is needed. The research would, ideally, be longitudinal and would answer at least the following questions:

What circumstances precipitate kinship care arrangements outside of the child welfare system?

What are the demographic characteristics of children being raised by relatives outside of the child welfare system?²⁷

What are the demographic characteristics of kinship caregivers caring for children outside of the child welfare system?²⁸

What percentage of children living with relatives outside of the child welfare system are subjects of a child abuse/neglect investigation? How many of those cases are substantiated? How many enter foster care?

How stable are kinship care arrangements outside of the child welfare system?

What are the educational, behavioral, health, emotional and socioeconomic outcomes for children living with relatives outside of the child welfare system?

For each of these items it will be vital to consider how the outcomes for children living with relatives outside the child welfare system compare to those of children in kinship foster care and non-relative foster care.

As was previously noted, it may be difficult to gather data on kinship care families outside of the child welfare system as they are not tied to any one system in particular. However modification of existing studies could elicit the data needed to answer these questions. For example, the NSCAW is a national study of children who are at risk of abuse or neglect or are in the child welfare system.²⁹ It collects longitudinal data; a distinct advantage in interpreting causality and sequencing of events. However, at present, the NSCAW sample consists only of those children who come in contact with the child welfare system and the majority of children living with relatives have not had

²⁷ Some demographic data is already collected on kinship families (for example, see the Urban Institute's National Survey of American Families)

²⁸ Ibid

²⁹ P.L. 104 – 193 § 503; 42 USC § 628b

such contact. Obtaining data on kinship families outside the child welfare system may be possible with amendments to the sampling methodology. For example, the Urban Institute's National Survey of American Families (NSAF), while not longitudinal, has a sample representative of all families in the United States. Consultation with national child-welfare research experts would be vital.

Another option worth considering for obtaining the much needed and lacking data on children being raised by relatives outside the child welfare system is a federal demonstration project with a strong evaluation component. Allowing states, political subdivisions of states and tribes to provide subsidies to relative caregivers who step in *before* the child experiences maltreatment and become legal guardians of the child—if coupled with a rigorous evaluation, would help furnish a more robust body of research. Evaluations of the Illinois Title IV-E subsidized guardianship waiver, in particular, provided crucial information on the value of placing children with relatives when they have to be removed from their homes.³⁰

Challenges and State Efforts to Address Them

Research shows that relatives can help improve outcomes for children and a number of states have a statutory preference for placing children with kin when appropriate.³¹ However, in spite of this preference, if a person is unaware that a relative's child is in need of care, he or she cannot step forward to care for that child. Geography, familial misunderstandings or a lack of communication may lead to a situation in which a grandfather is unaware that his granddaughter is in need of a foster placement though, were he aware, he would gladly step forward to care for her. Acknowledging this, a few states have enacted notification laws, requiring that adult relatives be notified when a child is removed from his or her parent's custody.

Notification laws

While, in practice, many states make some attempt to locate and notify adult relatives of children being removed from their parent's custody, these attempts are often only cursory—when confronted with overwhelming caseloads, a caseworker may choose to place a child with an immediately available non-relative foster family rather than expend her limited time and energy notifying relatives. In addition to depriving the child of the stability and continuity that placement with a relative could provide, bypassing the notification of relatives can prove quite tragic should someone later seek to adopt the child. All too often, a diligent search for relatives occurs only at the time parental rights are terminated and adoption is underway. At this point the child may have bonded with non-relative foster parents so that placement with relatives would require another painful separation. In addition, relatives sometimes do not learn of a child's placement until after an adoption is finalized. To help avoid these outcomes a couple of states have enacted

³⁰ For more information on these evaluations, see the Children and Family Research Center at: <http://cfrcwww.social.uiuc.edu/EVALuation.htm>

³¹ American Bar Association, Center on Children and the Law, Kinship Care Legal Research Center. Accessed September 10, 2007 at: <http://www.abanet.org/child/kinshipcare.shtml>

laws requiring that adult relatives be notified within when a child is removed from his or her parent's custody.³²

Medical and educational consent laws

Beyond the challenges associated with notification and placement, relative caregivers may face obstacles in raising the children in their care due to a lack of legal custody. The consent of a legal guardian is required for a host of common childhood activities—from enrolling in school, to getting an annual check-up at the doctor's office, to going on a class field trip to the zoo. If the child is living with a kinship foster parent then anything requiring the consent of a legal guardian must be signed by the state (most often the child's caseworker, sometimes a judge). The situation is more complicated if the child is living with the relative outside of the child welfare system; generally the child's parents are still the legal guardians and, therefore, are the ones that must enroll the children in school, consent to medical procedures and authorize extracurricular activities. A number of states have recognized this: 29 states (including the District of Columbia) have medical consent laws and 21 states have educational consent laws that provide mechanisms to empower relative caregivers to give needed consent.³³

Navigator programs

Even when relative caregivers have authority to consent to medical care and educational activities, they can have difficulty accessing services for the children in their care. Lack of information about these systems is one of the challenges most often cited by relative caregivers. For example, there are a number of services and supports that kinship families may be eligible for, however, caregivers are often unfamiliar with these programs. In addition, workers in these programs often have a poor understanding of how the programs can be accessed by kinship care families. Several states have developed kinship care navigator programs to assist relative caregivers in navigating the often complex array of social service systems that impact the lives of the children they are caring for. These programs, via a variety of means, (including, in some cases, a toll-free hotline and/or Web site), offer relative caregivers comprehensive information that can aid them in accessing services to best meet the needs of the children in their care. Ohio, New Jersey, Connecticut, New York and Washington are the only states that have comprehensive, statewide kinship navigator systems.³⁴ Additionally, this year both Indiana and Minnesota have considered kinship navigator legislation.³⁵ It should also be noted that some kinship caregiver groups offer navigator-like services.

³² See for example: New York Consolidated Laws, Family Court, § 1017 retrieved September 10, 2006 at: <http://public.leginfo.state.ny.us/menugetf.cgi> and Maryland Code Annotated, Courts and Judicial Proceedings, § 3-815 (2007) retrieved on September 10, 2007 at:

<http://michie.lexisnexis.com/maryland/lpext.dll?f=templates&fn=main-h.htm&cp>

³³ American Bar Association, Center on Children and the Law, Kinship Care Legal Research Center. Accessed September 10, 2007 at: <http://www.abanet.org/child/kinshipcare.shtml>

³⁴ *ibid*

³⁵ Williams-Mbengue, N. Helping Grandparent Caregivers: Kinship Navigator Programs. (Denver, CO: National Conference of State Legislatures, 2007).

Few kinship caregivers anticipated that they would need to raise the children in their care and few planned for the associated expenses. Thus, relative caregivers often need financial assistance and supports in order to address the needs of the children they are raising. See Tough Question #2 for details on existing supports and associated challenges.

Confronting the Myths and Tough Questions

In spite of considerable anecdotal evidence and a growing body of research to support the practice of placing children with relatives when appropriate, myths remain. These myths warrant attention and a balanced response.

Myth #1: Kinship care is a new approach.

This statement is simply inaccurate. In a number of cultures—including many communities of color—the family and home are understood to include the extended family, and in some cases the community. Kinship care is a valued feature that, in most cases, has endured for centuries. In American Indian and Alaskan Native communities, for example, child-rearing is often thought to be the responsibility of the entire family as well as the larger tribal community. Kinship care and involvement of the extended family are notable features and strengths of many Latino families as well, with close geographic proximity and commitment to family being stressed. Similarly, many African American communities embrace the African proverb, “it takes a whole village to raise a child.”³⁶

Tough question #1: If kinship care has been around forever then why do relative caregivers need support now?

There has been increasingly greater attention given—in the media, by Congress and by advocacy groups—to the needs of children being raised by relative caregivers. This may seem a bit counterintuitive in light of the lengthy history and cultural value of kinship care detailed above. One might ask, “if kinship care is common practice in a number of cultures and if states and communities have been trying to find ways to help support these caregivers for a number of years then why is there a need for greater support?” Simply put, the context in which relative caregivers are raising children and the needs of the children have changed dramatically.

Many can remember a time when it was not uncommon for children to be sent outside to play with the other children in the neighborhood, giving the caregiver—be it a parent or otherwise—much needed respite. Responsibility for “keeping an eye on” the children was often shared and the potential threats seemed less imminent and somewhat more manageable. In most neighborhoods today—low-, middle- and high-income alike—this sense of community and the safety that it fosters no longer exists. Furthermore, the “bad guys” of today are ever more capable of getting to children in their homes via means that

³⁶ Casey Family Programs. *Commitment to Kin: Elements of a support and service system for kinship care*. 2004

older relatives in particular may be less familiar with, such as cell phones, e-mail and social networking websites.

Additionally, the events that necessitate the formation of a kinship care arrangement have changed considerably over the years. Years ago a grandma in Alabama might have stepped in as the primary caregiver so that Mom could move up north to find a job and send money back home until she could secure housing and some measure of financial security that would enable her to have the children join her.³⁷ This arrangement is, to a certain extent, mirrored by that of a number of today's military families. In families where the parent is (or parents are) deployed, relatives often step in to care for the children until (and assuming) the parents return. However, military families account for a relatively small number of today's kinship families; instead the predominant precursors of kinship care include parental substance abuse, mental health issues and incarceration. In addition to confronting the emotional and behavioral challenges associated not only with a child being separated from his or her parents, relative caregivers are increasingly having to manage those challenges associated with exposure to a parent's drug use, mental health struggles or criminal behavior.

Tough question #2: Regardless of whether the needs have changed, aren't there supports that are already available? What about welfare?

It is true that services and supports exist that could assist some relative caregivers in caring for the children they are raising, including Temporary Assistance for Needy Families (TANF), foster care maintenance payments, adoption assistance payments, social security benefits, tax credits and exemptions, health insurance programs, nutrition assistance and, in some states, guardianship subsidies. This list may seem abundant however, there are a number of general challenges, as well as some that are specific to the particular programs, that prevent these services and supports from adequately addressing the needs of children being raised by relatives, including the following:

Lack of information - Caregivers are often unfamiliar with the multiple programs that offer assistance and may not know where they can access information (see details on kinship navigator programs above).

Distrust/fear of child welfare and other systems - Relatives may fear that if they seek services that it will be assumed that they are unable to appropriately care for the child and, consequently, the child will be taken from their care.

TANF child-only grants - While virtually all children being raised by relatives are eligible for the TANF child-only grant,³⁸ few relative caregivers access any form

³⁷ Stack, C. 1996. *Call to Home: African Americans Reclaim the Rural South*. New York, NY: Basic Books.

³⁸ Eligibility for the TANF child-only grant is based on the child's income rather than the family's (as with the TANF family grant); unless a child has a trust fund or is otherwise independently wealthy, most are eligible.

of public assistance.³⁹ Furthermore, the TANF child-only grant amounts, on average, to under 60 percent of the anticipated cost of raising a child.⁴⁰

TANF family grants - TANF family grants are based on the income of the family and, unlike the child-only grants, impose work requirements and time limits. Relative caregivers, particularly grandparents, may be retired and therefore unable to comply with the work requirements and limiting the time support is available is contrary to the goal of permanency for children.

Foster care maintenance payments - Foster care payments are available to help support only those children who are involved with the child welfare system and, therefore, children being cared for by relatives who stepped in before abuse or neglect took place are generally not eligible for this assistance. Furthermore, even if a child is placed with a relative caregiver by the child welfare system, that relative caregiver must be licensed as a foster parent in order to receive federally funded payments. This is important because some states deny foster care payments to caregivers who are not licensed and instead tell them to apply for the TANF child-only grant which is typically much less than the foster care payment. Of the over half-million children living in foster care, approximately one-quarter are placed with relatives though there is insufficient data on how many of these are receiving foster care payments and how many are receiving TANF payments.

Adoption assistance payments - Adoption assistance payments are available only to those relatives who adopt eligible children from foster care. As with foster care payments, involvement with the child welfare system is necessary; children adopted from kinship placements outside of the child welfare system are generally ineligible for adoption assistance payments. It should also be noted that adoption isn't a suitable option for some families for a variety of reasons—for example, an older child may not wish to cut parental ties with his mentally disabled parent yet recognizes that she cannot care for him. In such situations, legal guardianship gives a loving relative the ability to make decisions and provide care to the child without permanently severing the legal relationship of the mother and child.

Subsidized guardianship- Many states have recognized that placing children with relatives permanently via legal guardianship is an appropriate option when reunification with parents and adoption are not. Thirty-nine states and DC have also recognized the importance of supporting these families and have implemented subsidized guardianship programs.⁴¹ These programs vary

³⁹ In 1999, over 70 percent of children in kinship care were not receiving a foster care maintenance or TANF child-only payment. Ehrle, J. & Geen, R. *Children Cared for by Relatives: What Services Do They Need?* (Washington, D.C.: The Urban Institute, 2002). Available at: http://www.urban.org/UploadedPDF/310511_B47.pdf

⁴⁰ See Conway, T. & Hutson, R. Q. *Is Kinship Care Good for Kids?* (Washington, D.C.: Center for Law and Social Policy, 2007). Available at: http://www.clasp.org/publications/is_kinship_care_good.pdf

⁴¹ The Kinship Caregiver Support Act (S. 661/H.R. 2188) Offers Help to Children Raised by Relatives. (Washington, D.C.: Children's Defense Fund, 2007). Available at: http://cdf.convio.net/site/DocServer/KCSA_2007_1_pager_updated2.pdf?docID=4741

considerably but typically require that the child was in foster care for a period of time and that reunification and adoption be ruled out. In addition, these programs typically require little court or agency oversight and allow the children to grow up without the intrusiveness that the child welfare system can bring. Unfortunately, few states have been able to support many children living with relatives with these programs because of a lack of funding.⁴²

Other - Other forms of assistance including Social Security Benefits, tax credits and exemptions, health insurance programs and nutrition assistance programs may provide meager assistance to some kinship care families but fall far short of adequate.⁴³

Myth #2: The apple doesn't fall far from the tree.

This myth is usually voiced as, “if they couldn’t raise their own children how can they raise their grandchildren?” The truth is, as every parent knows, some things are simply beyond a parent’s control; substance use disorders and mental health problems, for example, strike children of even the most conscientious parents. There is also the assumption that a parent who maltreats his children learned that behavior from his own parents and, therefore, placing a child with the relative of the parent that was responsible for the maltreatment is unsafe. Research suggests that this is not the case. While every placement must be considered on a case by case basis in order to ensure the child’s safety, research shows that children living with relatives are no more likely—and are perhaps less likely—than children living with non-kin foster parents to experience abuse or neglect after being removed from their homes. A 1997 study found that non-kin foster parents were twice as likely as licensed kinship foster parents to have a confirmed report of maltreatment. Furthermore, Illinois found that children in kinship foster care are at lower risk for maltreatment than are children in either specialized or non-relative foster care.⁴⁴

Myth #3: Kinship caregivers shouldn't receive assistance to care for their children; it's their "moral responsibility" to do so.

Few would agree more than the relative caregivers themselves that caring for kin is a moral obligation. Grandparents and other relatives step in when they see their relative children in need precisely because they feel responsible—perhaps as a result of morals, a sense of duty or the way that they conceptualize family. Unfortunately, a sense of responsibility and love are not always enough. In most cases relative caregivers didn’t plan on raising a relative’s child and, certainly, they hadn’t budgeted for it. Relative caregivers often have limited and/or, particularly in the case of grandparents, fixed

⁴² Illinois and California are the exceptions.

⁴³ For more information on supports available to kinship caregivers, see:

http://www.childrensdefense.org/site/PageServer?pagename=research_publications_kinship_care

⁴⁴ Zuravin, S.J., et al. “Child Maltreatment in family foster care: Foster home correlates.” In *Child welfare research review*. Vol. 2 J.D. Berrick, R.P. Barth. And N. Gilbert, eds. New York: Columbia University Press, 1997, pp. 189-200; and, *A Child Welfare Research Agenda for the State of Illinois*. 1999. Urbana, IL: The Children and Family Research Center, University of Illinois at Urbana-Champaign.

incomes and meeting the needs of a child can prove financially challenging. Based on estimates from the United States Department of Agriculture, it costs *at least* \$7,000 per year to raise a child—a prohibitive figure for many families.⁴⁵ While the vast majority of children living with relative caregivers are eligible for the Temporary Assistance for Needy Families (TANF) child-only grant, a full 70 percent of relative caregivers access neither TANF nor foster care payments.⁴⁶ Furthermore, the TANF child-only grant amounts to, on average, just over \$4,000 per year⁴⁷ so, even when caregivers access this assistance, approximately 43 percent of the anticipated cost of raising a child must be derived from other sources—perhaps savings that were intended for retirement or medical bills.

Tough question #3: If they can't afford it, why should a relative get Federal money to raise a child?

Few relative caregivers would ever describe raising their relative's child as providing a public service but, in fact, that is exactly what they are doing. Relatives who step in prior to the involvement of the child welfare system can prevent not only impending or ongoing maltreatment of the child but also a range of expenses associated with child welfare system involvement, saving taxpayers and the child welfare system considerably. Furthermore, there is evidence to suggest that, when a child must be taken into state custody, a kinship foster care placement can provide a number of benefits compared to placement with a non-relative foster parent (see *What the Research Shows* above). Obtaining a permanent home for children in foster care is a crucial job of the child welfare system. Legal guardianship by kinship caregivers provides permanent homes for children for whom reunification and adoption are not appropriate. Subsidized guardianship can support children in legal guardianships—just as adoption subsidies help children in adoptive families—and increase permanency for more children.⁴⁸ Federal dollars are already used to provide assistance to foster and adoptive parents to aid them in providing for the children they are raising; it only makes sense that relative caregivers receive similar support.

⁴⁵ This calculation is based on the cost of raising the younger of two children in a single-parent, two-child household with a before-tax income of less than \$41,700. Lino, Mark. 2005. *Expenditures on Children by Families, 2004*. U.S. Department of Agriculture, Center for Nutrition Policy and Promotion. Miscellaneous Publication No. 1528-2004. Retrieved 12/7/06 from <http://www.cnpp.usda.gov/Publications/CRC/crc2004.pdf>

⁴⁶ Ehrle, J. & Geen, R. *Children Cared for by Relatives: What Services Do They Need?* (Washington, D.C.: The Urban Institute, 2002). Available at: http://www.urban.org/UploadedPDF/310511_B47.pdf

⁴⁷ Table 42, *Temporary Assistance for Needy Families- Active Cases, TANF Families with no adult recipients receiving cash assistance October 2003 – September 2004*. Administration for Children and Families, Office of Family Assistance. Retrieved 12/6/06 from <http://www.acf.hhs.gov/programs/ofa/character/FY2004/tab42.htm>.

⁴⁸ Testa, M., Cohen, L., & Smith, G. 2003. *Illinois Subsidized Guardianship Waiver Demonstration Final Evaluation Report*. Urbana, IL: Children and Family Research Center, School of Social Work, University of Illinois at Urbana-Champaign. Available at: <http://cfrcwww.social.uiuc.edu/pubs/pdf.files/sgfinalreport.pdf>

Conclusion

Despite the myths and concerns about kinship care, the research indicates that living with relative caregivers is good for children. Living with relative foster parents provides children safety, stability and is associated with better outcomes than those experienced by children placed with non-relative foster parents. Additional research on the outcomes for children living with relative caregivers outside the child welfare system could help bolster the case for kinship care. In addition, national policy needs to provide greater support and services to children who are being raised by relatives to maximize the positive outcomes achieved by these children.

- ❖ Additional research should be longitudinal and address at least the following questions:
 - What circumstances precipitate kinship care arrangements outside of the child welfare system?
 - What are the demographic characteristics of children being raised by relatives outside of the child welfare system?⁴⁹
 - What are the demographic characteristics of kinship caregivers caring for children outside of the child welfare system?⁵⁰
 - What percentage of children living with relatives outside of the child welfare system are subjects of a child abuse/neglect investigation? How many of those cases are substantiated? How many enter foster care?
 - How stable are kinship care arrangements outside of the child welfare system?
 - What are the educational, behavioral, health, emotional and socioeconomic outcomes for children living with relatives outside of the child welfare system?

CLASP encourages Congress to invest in research and demonstration projects that will help address these questions.

Many of the needed federal policy changes are found in the Kinship Caregiver Support Act (KCSA) (S. 661 and H.R.2188). This bill provides a range of supports and services children in kinship care—some to all children and some to children who are involved with the child welfare system.

⁴⁹ Some demographic data is already collected on kinship families (for example, see the Urban Institute's National Survey of American Families)

⁵⁰ Ibid

- ❖ Among other things, the KCSA would help address the challenges identified in this paper by:
 - Establishing a **Navigator Program** which will fund grants to help link relative caregivers, both inside and outside of the formal child welfare system, to a broad range of services and supports that will help them meet the needs of the children in their care. The program will also help agencies more effectively and efficiently serve kinship care families. State or local agencies, agencies serving large metropolitan areas, and Indian tribal organizations or a consortium of tribal organizations may apply for competitive grants.
 - Requiring state child welfare agencies to provide **notice within 60 days of the removal of a child from the custody of the child's parents, to all grandparents and other adult relatives of the child**, subject to exceptions due to family or domestic violence. This provision helps facilitate the early involvement of grandparents and other relatives who may be able to care for the child or otherwise be involved in the child's life.
 - Establishing a **Kinship Guardianship Assistance Program** that gives states the option to use federal funds for subsidized guardianship payments to certain relative caregivers on behalf of the children they are raising in foster care. State agencies must take steps to rule out return home or adoption for the child and take other steps to ensure that this placement is the best permanency alternative for the child. Varying political entities (e.g., large metropolitan areas, tribes, counties) would be permitted to seek demonstration projects that allow them to provide subsidized guardianships if their state does not elect this option.

CLASP encourages Congress to adopt the provisions of the Kinship Caregiver Support Act to provide needed support to children who are being raised by grandparents and other relatives.

CLASP commends Senators Smith and Kohl and the Special Committee on Aging for considering the plight of kinship care families. We appreciate the opportunity to highlight the successes of and challenges facing kinship care families, to describe key efforts being made across the country to address these challenges and to identify additional solutions the federal government can consider in order to support these families and enhance positive outcomes for the children in them.