



**National Resource Center for
Permanency and Family Connections**
Silberman School of Social Work at Hunter College



*A Service of the Children's Bureau
& A Member of the T/TA Network*

INFORMATION PACKET

***Kinship Care and the Fostering
Connections to Success and Increasing
Adoptions Act of 2008***

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Summary

Kinship care refers to the full time care and protection of children by relatives, extended family members, or any person that has a family-like relationship with a child. This practice has become an important part of the child welfare system in the U.S., particularly given the shortage of traditional foster homes available for placement and the benefits of kinship care (Hegar & Scannapieco, 2005). This information packet will focus on kinship care as it specifically relates to the Fostering Connections to Success and Increasing Adoptions Act of 2008.

According to the Child Welfare Information Gateway (2010), kinship care arrangements fall into three categories: informal, voluntary, or formal. Informal kinship care does not involve the child welfare or juvenile court system. Voluntary kinship care is a situation in which children live with relatives and the child welfare system is involved. Formal kinship care involves children being placed in the legal custody of the State and placed by the child welfare system with grandparents or other kin.

There are many benefits of placing children separated from parents with their relatives. Relatives are able to offer family support and frequent contact with birth parents and siblings. Therefore, kinship care placements have become the preferred option of child welfare agencies (Urban Institute, 2012). Under the Fostering Connections Act, there is much support for relatives caring for foster children, including: (1) federal reimbursement under Title IV-E for guardianship assistance payments, (2) requirements for states to provide relatives with notice of the placement of a related child in foster care, (3) codification of existing federal guidance permitting flexibility in foster care licensing for relatives, (4) requirements for states to make reasonable efforts to keep siblings together in foster care, and (5) grants to support maintaining family connections (Fosteringconnections.org, n.d.).

Facts & Statistics

According to The Adoption and Foster Care Analysis and Reporting System (AFCARS), the preliminary estimate for the number of children living in a relative foster family home as of September 30, 2010 was **103,943** (U.S. Department of Health and Human Services, 2011).

Factors that account for the increase in kinship care placements (NRCPFC, 2008)

- Smaller and declining availability of non-relative foster parents. In the 1980s, social workers started to look to kin as a placement resource.
- Increase in the number of children in foster care from the 1980s to early 2000s.
- Societal attitudes about the importance of kin as a resource for children have shifted with a greater emphasis on strengths of family members.
- Relatives who care for children in foster care now have access to financial support (Berrick, 1998).

Benefits of kinship care

Conway and Hutson (2007) have outlined the following benefits of kinship care:

- Children in kinship care experience greater stability, as indicated by fewer placements when compared to children in non-relative foster care:
 - Children who reunify with their birth parent(s) after kinship care are less likely to re-enter foster care than those who had been in non-relative foster placements or in group care facilities.
 - Fewer children in kinship care report having changed schools (63%) than do children in non-relative foster care (80%) or those in group care (93%).
 - Children in foster care consistently express the desire to be with siblings and children in foster care are more likely to live with their siblings if they are placed with kin.

- Children in kinship care report more positive perceptions of their placements and have fewer behavioral problems. They are:
 - More likely (93%) to report liking those with whom they live compared to children in non-relative foster care (79%) and group care (51%).
 - More likely to report wanting their current placement to be their permanent home (61% vs. 27% [non-relative foster care] and 2% [group care]).
 - Less likely to report having tried to leave or run away (6% v. 16% [non-relative foster care] and 35% [group care]).
 - More likely to report that they “always felt loved” (94% v. 82% [non-relative foster care]).
- Kinship care respects cultural traditions and may reduce racial disparities. In many cultures, the family is understood to include the extended family.

Policies & Legislation

The Fostering Connections Act of 2008 is significant to federal child welfare reform and promotes permanency and improved outcomes for children in foster care. The outline below from Fosteringconnections.org (n.d.) describes the key sections of the legislation supporting kinship care and family connections. Relevant resources from NRCPFC have been added to each section. For the full text of the Fostering Connections to Success and Increasing Adoptions Act of 2008, visit the NRCPFC website at:

http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/Att%20B%20-%20HR%206893.pdf.

Notice of placement to relatives (Section 103)

- States are required to provide relatives with notice of the placement of a related child in foster care “within 30 days after the removal of a child from the custody of the parent” to “exercise due diligence to identify and provide notice to all adult grandparents and other adult relatives of the child.”
- The state must also inform relatives of their options “to participate in the care and placement of the child” including requirements “to become a foster family home and the additional services and supports that are available for children placed in such a home.”
- Child welfare agencies under the Act are permitted to obtain state and federal child support data to help locate children’s parents and other relatives.

For State examples of Notice of Placement to Relatives letters, visit the NRCPFC website at: http://www.nrcpfc.org/fostering_connections/kinship_guardianship.html#rsnprre

Foster care licensing standards (Section 104)

- The Act codifies existing regulations that states may waive non-safety-related foster care licensing standards on a case-by-case basis for kin seeking to become foster parents, and may seek Title IV-E reimbursement for eligible children placed with these kin. The Act states that the “non-safety standards” are “as determined by the state” between the siblings.”

For State examples of Foster Care Licensing Standards (pertaining to kin caregivers), visit the NRCPPFC website at:

http://www.nrcpfc.org/fostering_connections/kinship_guardianship.html#fcls

Placement with siblings (Section 206)

- States are required to make “reasonable efforts...to place siblings removed from their home in the same foster care, kinship guardianship, or adoptive placement...and in the case of siblings removed from their home who are not jointly placed, to provide frequent visitation or other ongoing interaction between the siblings.”

For information on the siblings provisions of the Fostering Connections Act, visit the NRCPPFC website at: http://www.nrcpfc.org/fostering_connections/siblings.html

Family connection grants (Section 102)

- The Act authorizes grants to states, Tribes, and nonprofit organizations to implement programs designed to help children who are in or at risk of entering foster care to reconnect with family members.
- \$75 million over five years is authorized for the implementation of four specific program models: kinship navigator programs, intensive family finding, family group decision making, and residential family treatment. Three percent of the funds authorized are set aside for conducting a rigorous evaluation of the programs funded.

For information about Family Connections Grants Programs, visit the NRCPPFC website at: <http://www.nrcpfc.org/grantees.html>

Best Practices and Model Programs

Notice of placement to relatives: Minnesota

- Conducting a relative search includes gathering and documenting information, assessing the information, consulting and making a placement recommendation based on the best interests of the child. The agency must document the reasons the specific family was selected. Best practice includes (Minnesota Department of Human Services, n.d., p. 4):
 - Identification of maternal/paternal relatives as soon as the child enters foster care
 - Consideration of relatives as potential caregivers any time the child enters foster care
 - Consideration of relatives as caregivers when it is necessary for the child to move from the current foster home to a new foster home
 - Consideration of relatives when the agency is no longer considering reunification as the permanency plan for the child in cases such as transfer of permanent legal and physical custody, adoption, or long-term foster care, when appropriate.

General Recommendations for Licensing Standards (CLASP & American Bar Association on Children in the Law, 2010, p. 14-15)

- Build flexibility into licensing standards: nothing in federal law or guidance requires rigidity in licensing standards. There is guidance identifying a broader approach that is allowable under Title IV-E that a number of states utilize.
 - Specific licensing standards leave little room for considering, on a case-by-case basis, the needs and best interests of a child.
 - *A broadly defined licensing standard* may allow different procedures to attaining the standard. Results-oriented licensing standards can provide states with the flexibility to, on a case-by-case basis, license safe and appropriate foster family homes. This type of approach allows for consideration of the unique needs of the child and the circumstances of the particular foster family home.
 - Case example: A State may have a licensing standard that requires that drinking water in the foster home not present a health hazard to the child. If an inspector finds a prospective foster family home with tainted well water, because the standard is result-

oriented, the State could allow the foster family home to meet the standard by treating the well water or by using bottled water.

- Make appropriate use of variances defined as, “a mechanism that allows the State to meet a standard for licensure in a way other than is specified in the rule that governs licensure in that State.” This allows states to determine, on a case-by-case basis, whether a variance would maintain the safety of the child and satisfy the intent of the standard and act accordingly.
- Ensure staff receives regular training on licensing policies and waiver practices.
- Staff working with current and potential foster parents should receive regular training on licensing policies and waiver practices, ensuring that children are placed in the most appropriate homes possible.
- Use administrative funds to assist relatives in becoming licensed. States are encouraged to “use a variety of means to ensure that, when appropriate, relatives are able to meet licensing standards and provide a foster family home to a child.” For example, administrative dollars could be used to purchase items that may be needed for licensure such as a bed, crib, or smoke detector.

Family connection grants – Kinship Navigator Program, Ohio (Human Services Research Institute, 2012)

- This Enhanced Kinship Navigator Project aims to directly support kinship caregivers and their families through information and referral, case management, and other services such as support groups.
- The Kinship Navigator programs also seek to enhance the supports available to kinship families throughout their communities by educating, communicating, and collaborating with

local providers and the local population to develop effective partnerships and raise awareness of kinship care in the general population.

- The Enhanced Kinship Navigator Project Implementation Report reflects the following practice principles (p. 18):
 - Training and Community Orientation: regardless of the experience of individuals selected to serve as Kinship Navigators, these individuals should receive training on the role and responsibility of the Kinship Navigator.
 - Establish a Local Advisory Group “LAG” to engage community stakeholders in identifying services and supports in the community for kinship caregivers. Clarity regarding role and function of the LAG should be defined.
 - Services to Individual Kinship Caregivers: help individual caregivers access a variety of services and supports, which in turn enables caregivers to continue to care for children.
 - Outreach: efforts should be made in this area to not only to thoroughly spread information, but also to generate community support at both policy and service delivery levels.
 - Supporting individual families: the primary role of the Kinship Navigator is to support individual kinship caregivers and their families. The Fostering Connections grant enables counties to provide services to individual caregivers that would not have been possible otherwise.

Online Resources

National Resource Center for Permanency and Family Connections (NRCPPFC), a service of the Children's Bureau and member of the Training and Technical Assistance Network, has a comprehensive website dedicated to permanency planning options and outcomes. A wealth of resources is provided, including best practices of states and tribes. NRCPPFC offers a web-based toolkit specifically on kinship care and the Fostering Connections Act of 2008, as well as a section of their page on the kinship provision of the Act.

Kinship Care and the Fostering Connections to Success and Increasing Adoptions Act of 2008: A Web-based Toolkit: <http://www.nrcppfc.org/toolkit/kinship/>

Fostering Connections – Kinship/Guardianship Webpage:

http://www.nrcppfc.org/fostering_connections/kinship_guardianship.html

Child Welfare Information Gateway, a service of the Children's Bureau, has a new Kinship Care web section, which features resources on standards and protocols for managers, service providers, and families to support and promote permanency and positive outcomes. Highlights include: impact and evaluation; resources for managers of kinship programs; supporting kinship families; locating and working with kinship caregivers; and achieving and maintaining permanency in kinship care. <http://www.childwelfare.gov/outofhome/kinship/>

Fosteringconnections.org outlines the legislation and state specific statutes and policies covered in the Fostering Connections Act. Tools, analyses, and research information related to the Act are available, as well as a kinship toolkit containing additional resources on kinship care subtopics. <http://www.fosteringconnections.org/resources/topic?id=0004>

Center for Law and Social Policy (CLASP) looks at the effects of federal, state, and local policy. A section of their website offers information and guidance on how to navigate kinship care relating to the Fostering Connections Act. Information and recommendations on state licensing standards are also provided.

http://www.clasp.org/issues/topic?type=child_welfare&topic=0003

The Urban Institute covers trends, research, and statistical information on children in kinship care. The site centralizes several publications and articles that cover all aspects of kinship care as a topical area. <http://www.urban.org/index.cfm>

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