



## The Kinship Caregiver Support Act (S. 661/H.R. 2188) Offers Help to Children Raised by Relatives

- *Nearly 6 million children – or one in 12 – were living with grandparents or other relatives, according to the 2000 Census. More than 2.5 million of these children were living there without either parent present.*
  - *More than one in five children living in relative headed households (nearly 1.3 million children) lives in poverty.*
  - *Over the last decade, child welfare agencies have become increasingly reliant on relatives as the first option when a foster care placement is needed for a child who has been abused or neglected.*
- The Kinship Caregiver Support Act is intended to assist the millions of children who are being raised by their grandparents and other relatives because their parents are not able to care for them. Senators Hillary Rodham Clinton (D-NY), Olympia Snowe (R-ME), and Thad Cochran (R-MS) introduced S. 661 in the U.S. Senate in February 2007. Representatives Danny Davis (D-IL) and Timothy Johnson (R-IL) introduced H.R. 2188 in the U.S. House of Representatives in May 2007.
  - The Kinship Caregiver Support Act includes important provisions to help different groups of kinship care families. The Act:
    1. Establishes a **Kinship 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 they need for their children and themselves. It also will help agencies more effectively and efficiently serve kinship care families. State agencies, agencies serving large metropolitan areas, and Indian tribal organizations or consortia of Indian tribal organizations may apply for the competitive grants.
    2. Establishes a **Kinship Guardianship Assistance Program**, which will help ensure permanent homes for some children living with relatives. It gives states the option to use federal funds for subsidized guardianship payments to relative caregivers on behalf of children they cared for in foster homes and are committed to caring for permanently outside of the formal child welfare system. In both S. 661 and H.R. 2188 children eligible for federal foster care payments are eligible for the program. H.R. 2188 also reaches more broadly to cover children in foster care with relatives who meet state safety standards but do not qualify for IV-E only because they are not formally licensed. In both bills, before making subsidized guardianship payments, state agencies must rule out return home or adoption for the children and ensure that placement with a legal guardian

is the best permanency option for the child. Both bills also provide for entities other than a state (S. 661 makes clear that this includes a large metropolitan area and H.R. 2188 makes clear that this includes political subdivisions of the state and Indian tribal organizations or consortia of tribal organizations) to provide guardianship assistance payments in the event the state does not opt to provide such assistance. Currently 39 states and the District of Columbia have subsidized guardianship programs and the new federal support will help these programs reach more children. Both the Senate and House bills make youths exiting from foster care to legal guardianship eligible for federally-supported education and training vouchers. The House bill makes them eligible if they exit from foster care at age 14 or older. In the Senate bill the age is 16 or older. The House bill also clarifies that these same children are eligible for independent living services at age 14 and older.

3. Requires 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 allows grandparents and other relatives to get involved in the child's care early on. This will help connect children earlier with relatives who may be able to care for them.
4. Allows states to **establish separate licensing standards for relative foster parents** and non-relative foster parents, provided both standards protect children and include criminal record checks. This provision recognizes that certain licensing standards for non-relative foster parents, such as requiring a separate bedroom for each child, may not be appropriate for foster parents who are related to the child. Such a change may make some relative foster parents eligible for a higher payment and also allow states to receive federal support for more children living with relatives.
5. H.R. 2188 includes two additional provisions, not in S. 661, which would help to ensure that grandparents and other relatives raising children get the help they need. It clarifies that the reference to family support in the Promoting Safe and Stable Families Program includes services to assist kinship caregivers or guardians in locating and accessing needed services. It also includes a requirement that staff preparing case plans for children in foster care and families considering guardianship are made aware of the full range of permanency options and supports for children and guardians.

*For further information on the Kinship Caregiver Support Act and other activities impacting grandparents and others relatives raising children, please contact the Child Welfare and Mental Health Division at the Children's Defense Fund at 202-662-3568 or check the Division's website at <http://www.childrensdefense.org>. Thank you.*