

Addressing the Challenges in Supporting Kinship Caregivers

Wednesday, February 26, 2014

Handout Materials



New York State
Office of Children and Family Services,
New York State
Office of Temporary and Disability Assistance
and
PDP Distance Learning Project

ADDRESSING THE CHALLENGES IN SUPPORTING KINSHIP CAREGIVERS

February 26, 2014

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Informal Care

- Kincaregiver does not have legal authority
- Parents can take child back anytime
- No child welfare support (unless involved in Preventive services)
- Caregiver can seek custody/guardianship through court
- May be eligible for Temporary Assistance
- Will not be eligible for an adoption subsidy or KinGap

Custody/Guardianship (Article 6)

- Requested by relative through a court petition
- Upon court approval Kincaregiver has long term custody or guardianship
- No on-going court or child welfare (CW) intervention
- May be eligible for Temporary Assistance
- Will not be eligible for adoption subsidy or KinGap
- Parent right to visit but cannot get child back without court order
- No foster care training required

Direct Placement (Article 10)

- Child removed by CPS and placed by Family Court
- Kincaregiver has temporary legal custody
- CW and court supervision
- May be eligible for Temporary Assistance
- Will not be eligible for adoption subsidy or KinGap
- Parent right to visit but cannot get child back without court order

Kinship Foster Care (Article 10)

- Child removed by CPS and placed by Family Court
- Kincaregiver must be approved or certified as a foster parent
- Foster parent training required
- CW caseworker provides supports and assistance
- Parent right to visit but cannot get child back without court order
- Eligible for foster care stipend and other benefits
- Eligible for adoption subsidy or KinGap

PERMANENCY

Adoption

- Parents rights terminated or parents surrendered or parents deceased
- Must be approved through home study, background check and training
- Permanent legal arrangement made through Family or Surrogate court
- Adoptive parent has all legal rights and responsibilities
- No on-going court or child welfare involvement
- May qualify for adoption subsidy and other benefits
- May no longer qualify for Temporary Assistance

PERMANENCY

KinGap

- Must first rule out adoption and return to parent
- KinGap payments available
- Must be in foster care with same kincaregiver for six months first
- Must complete certain requirements
- Must show permanent commitment to support child through age 18-21
- No child welfare or court involvement
- Parents maintain rights, can visit, and could petition to return child, unless child is freed

NEW YORK STATE'S PERMANENCY COMPARISON CHART

Adoption Assistance, Kinship Guardianship Assistance, and Foster Care

Relatives who adopt or assume guardianship under the kinship guardianship assistance program are making strong commitments to children. Adopting a child is a commitment that lasts for a lifetime. Although guardianship legally ends when the child reaches adulthood, guardians should enter into this commitment intending it to be a lifelong relationship as well. This tool is designed to help caseworkers and prospective relative guardians compare the options of adoption assistance, kinship guardianship assistance, and foster care.

NEW YORK STATE COMPARISON CHART			
	Adoption Assistance (Subsidy)	Kinship Guardianship Assistance	Foster Care
Legal Rights and Responsibilities of the Caregiver	<p>The adoptive parents are given all the rights and responsibilities that once belonged to the birth parents.</p> <p>When the adoptive parents are married, both spouses must adopt, unless they are legally separated or have been physically separated for three years. Adoptive parents may also be single parents or unmarried partners adopting together.</p> <p>Adoption is expected to be a permanent, lifelong, legal relationship.</p>	<p>The relative guardians are given legal responsibility for the child and assume the rights of care, control, and supervision of the child.</p> <p>When the guardians are married, either one or both spouses may be named as a guardian. Relative guardians may also be single parents. If guardians are unmarried partners, both must be related to the child for both partners to be eligible for kinship guardianship assistance payments.</p> <p>Though guardianship often results in a lifetime relationship, the letters of guardianship end when the child turns 18 or 21, depending on whether the child consents to continuation of the kinship guardianship arrangement until he/she reaches 21 years of age.</p> <p>Relative guardians who have been appointed as “permanent” guardians may consent to the child’s adoption by someone else. (Permanent guardianship may be granted by the court for a child who is freed for adoption or orphaned).</p>	<p>The foster parents share some parenting rights with DSS/ACS/ Voluntary Agency (VA); however, the Commissioner of DSS/ACS retains the care and custody or custody and guardianship of the child. Foster parents may not consent to medical care for the foster child and must obtain DSS/ACS permission for certain other activities such as out of state travel with the child.</p> <p>Foster parents can be married, single parents or unmarried partners.</p> <p>Though foster care can result in a lifetime relationship, the relationship usually ends or significantly diminishes when the child is no longer in the foster home. DSS/ACS can remove the child from the foster parents’ home with prior notice or without prior notice, if the health or safety of the child requires immediate removal.</p>

NEW YORK STATE COMPARISON CHART

	Adoption Assistance (Subsidy)	Kinship Guardianship Assistance	Foster Care
Birth Parents' Parental Rights	The birth parents' rights must be voluntarily relinquished (surrendered) or involuntarily terminated for the child to be adopted.	<p>The birth parents' rights may or may not be voluntarily relinquished (surrendered) or involuntarily terminated prior to a kinship guardianship arrangement.</p> <p>Birth parents whose rights have not been terminated have the right to request of the court that the letters of guardianship be vacated (ended) so that the child can be returned to their care. It is the burden on the birth parents to prove to the court that circumstances have changed significantly, that they are able to provide proper care for their child, and that the change is in the child's best interests. In this sense, legal guardianship is less permanent than adoption.</p>	The birth parents' rights may or may not be voluntarily relinquished (surrendered) or involuntarily terminated when a child is in foster care.
Right of Decision – Making and Consents	Parental rights are assumed by the adoptive parents and therefore, all decisions are made by the adoptive parents.	<p>Major decisions regarding education, medical treatment and consent for most other major life decisions for the child are made by the relative guardians.</p> <p>The birth parents may still be involved in the child's life and some decisions, though the degree of involvement may be impacted by whether or not the birth parents' parental rights have been terminated/surrendered and their relationship with the child.</p>	<p>The DSS/ACS commissioner consents to medical care, educational decisions, and other major life decisions for children in foster care.</p> <p>If the birth parents' parental rights have not been terminated or surrendered, the birth parents may be involved in some of the decision making.</p> <p>The foster parents can consent to routine activities such as joining a school club or dating, but should check with DSS/ACS regarding other consent issues.</p>

NEW YORK STATE COMPARISON CHART

	Adoption Assistance (Subsidy)	Kinship Guardianship Assistance	Foster Care
Relationships with the Birth Parents and Siblings or Half-Siblings	<p>Adoptive parents usually take the lead role in determining the relationship the child will have with the birth parents and sibling(s). In many cases connections with birth parents or sibling(s) are important to the child. Adoptive parents can determine whether they want to maintain these connections and how they will be maintained.</p> <p>Under some circumstances, such as a conditional surrender, visitation/contact with birthparents and sibling(s) will be guided by a post-adoption contact agreement that is incorporated into the written court order.</p>	<p>Many children exit foster care to guardianship so their relationships with birth parents and/or sibling(s) can be maintained. If the child has not been freed for adoption, in most cases birth parents have the right to visit the child, unless the letters of guardianship prohibit contact and/or visitation. The relative guardians are responsible for keeping the child safe while in the presence of the birth parents and consequently, will have input into how the visits are structured.</p> <p>If the relative guardians and the parents cannot work out visitation, the court may specify details of visitation and/or contact in the letters of guardianship. If an issue occurs after the letters of guardianship have been issued, the relative guardians could request that the court modify the contact/visiting plan in the letters of guardianship.</p>	<p>DSS/ACS and courts determine the child's relationship with birth parents and sibling(s). Parent visitation is to be expected, unless a court orders otherwise. If siblings are not placed together, sibling visitation is also to be expected, unless such contact would be contrary to the health, safety or welfare of one of the siblings. The foster parent may be asked to assist with visitation and cannot change visitation plans without the expressed consent of the caseworker.</p>
Child's Legal Name	<p>The adoptive parent(s) determine the child's legal name at the time of the adoption.</p>	<p>The child generally retains his/her own legal name; however, the child's name can be changed through a court process.</p>	<p>The child retains his/her own legal name. Foster parents cannot change the child's name.</p>

NEW YORK STATE COMPARISON CHART

	Adoption Assistance (Subsidy)	Kinship Guardianship Assistance	Foster Care
Consent of/ Consultation With the Child for Legal Status	<p>A child who is 14 years of age or older must consent to his/her own adoption, unless the court rules otherwise.</p>	<p>There must be age appropriate consultation with the child regarding the kinship guardianship arrangement.</p> <p>The caseworker and the court must consult with a child 14 years of age or older regarding the kinship guardianship arrangement.</p> <p>A youth 18 years of age or older must consent to the kinship guardianship arrangement.</p>	<p>Children under 18 do not consent to placement in foster care.</p> <p>A youth 18 years of age or older must consent to remaining in foster care.</p>
Availability of Financial Assistance	<p>Financial assistance is available for eligible children through an adoption subsidy at an amount comparable to the child's foster care rate.</p> <p>Additional payments will not be made by DSS/ACS for items such as school related expenses, activity fees, lessons, camp fees, day care, and transportation.</p> <p>Adoptive parents are financially responsible for the support of the child, whether or not they are receiving financial assistance through an adoption subsidy.</p>	<p>Financial assistance is available for eligible children through the Kinship Guardianship Assistance Program at an amount comparable to the child's foster boarding home rate.</p> <p>Additional payments will not be made by DSS/ACS for items such as school related expenses, activity fees, lessons, camp fees, day care and transportation.</p> <p>A guardian who does not qualify for kinship guardianship assistance payments may apply to the DSS or to the Human Resources Administration (in New York City) for a child-only grant through the Temporary Assistance (TA) program. The amount of the grant is generally less than the foster board rate and is reduced for each additional child.</p> <p>The guardian is financially responsible for the support of the child until guardianship ends, whether or not the guardian is receiving kinship guardianship assistance.</p>	<p>Foster parents receive a foster board rate which is intended to reimburse for the costs of caring for the foster child.</p> <p>Children in foster care may also receive assistance for other expenses, such as special clothing, lessons, gifts, babysitting, day camp, and overnight camp. Policies on reimbursement for such items vary from county to county.</p> <p>The LDSS/ACS is ultimately financially responsible for the support of the child while he/she is in foster care.</p>

NEW YORK STATE COMPARISON CHART

	Adoption Assistance (Subsidy)	Kinship Guardianship Assistance	Foster Care
Amount of Financial Assistance	<p>The adoption subsidy payment will not be more than the foster care board rate received while the child was in foster care (basic, special, or exceptional). The adoption subsidy payment ranges from between 75% to 100% of the foster care board rate, but it can never be less than 75% of the foster care board rate. The subsidy will increase with COLAs and the child's age, as in foster care.</p>	<p>The kinship guardianship assistance payment will not be more than the foster care board rate received while the child was in foster care (basic, special, or exceptional). The amount of the kinship guardianship assistance payment ranges from 75% to 100% of the foster care board rate, but it can never be less than 75% of the foster care board rate. The assistance payment will increase with COLAs and the child's age, as in foster care.</p> <p>The kinship guardianship assistance payment will not be less than the amount a family would have received if the child had been adopted with an adoption subsidy.</p>	<p>The annual foster care board rate is set according to the child's age and special needs (basic, special and exceptional). Each DSS/ACS sets their own foster care board rates, up to the maximum allowed by the OCFS. The foster care board rate payment will increase with COLAs and the child's age.</p>
Duration of Assistance/ Subsidy and Payment Termination	<p>The adoption subsidy will be provided until the child turns 21, as long as the adoptive parents remain legally responsible for the support of the child and provide any support for the child.</p> <p>Adoptive parents receiving adoption subsidies are required to notify DSS/ACS of any changes in circumstances that would affect their continued eligibility for adoption subsidy payments.</p> <p>Annually, adoptive parents will receive a notice requesting certification and documentation of the education status of a</p>	<p>The kinship guardianship assistance payment will be provided until the child is age 18 or 21, in some circumstances.</p> <p>For a child for whom a Kinship Guardianship Assistance Agreement became effective prior to the child's 16th birthday, kinship guardianship assistance payments will end when the youth turns 18.</p> <p>For a child for whom a Kinship Guardianship Assistance Agreement became effective when the child was age 16 or older, kinship guardianship assistance payments will end when the child turns 21 years, as long as the child is:</p> <ol style="list-style-type: none"> 1) enrolled in secondary education or a program leading to an equivalent credential; or 	<p>The foster care board rate will continue as long as the child remains a foster child in the foster parents' home.</p>

NEW YORK STATE COMPARISON CHART

	Adoption Assistance (Subsidy)	Kinship Guardianship Assistance	Foster Care
	<p>school-age child and certification and documentation of the education/employment/disability status of the youth age 18 or over.</p> <p>Regardless of the child's age, adoption subsidy payments will end if the adoptive parents are no longer legally responsible for the support of the child, or no longer providing any support for the child.</p>	<p>2) attending an institution that provides post-secondary or vocational education; or</p> <p>3) participating in a program or activity designed to promote, or remove barriers to employment; or</p> <p>4) employed for at least 80 hours per month; or</p> <p>5) has a medical condition that makes him or her incapable of engaging in any of these activities.</p> <p>Relative guardians receiving kinship guardianship assistance must notify DSS/ACS of any changes in circumstances that would affect continued eligibility for guardianship assistance payments.</p> <p>Relative guardians must comply with the requirements listed in the annual notice from DSS/ACS including certification and documentation of the education status of a school age child and certification and documentation of the education/employment/disability status of qualified children age 18 and over.</p> <p>Regardless of the child's age, kinship guardianship assistance payments will end if the relative guardians are no longer legally responsible for the support of the child, or no longer providing any support for the child. This includes where the status of a legal guardian is revoked, terminated, suspended, or surrendered. It also includes certain situations where the child re-enters foster care and the Family</p>	

NEW YORK STATE COMPARISON CHART

	Adoption Assistance (Subsidy)	Kinship Guardianship Assistance	Foster Care
		Court approves a permanency goal of other than return to the relative guardians.	
Medical Assistance (Medicaid) and Medical Coverage	<p>Virtually all children who are adopted with subsidy get Medical Assistance (Medicaid) for as long as the subsidy continues.</p> <p>State Adoption Medical Subsidy may provide medical benefits to those few children not qualified for Medical Assistance.</p> <p>Medical coverage will last for as long as the adoption subsidy, which is up to age 21 if the adoptive parents remain legally responsible for the child and provide support to the child.</p>	<p>Children in a kinship guardianship assistance arrangement are eligible for Medical Assistance (Medicaid) unless they are non-qualified immigrants.</p> <p>Children receiving Medical Assistance while in a kinship guardianship assistance arrangement are eligible for continuous Medical Assistance coverage for a period of up to 12 months after discontinuance of kinship guardianship assistance payments or until the end of the month in which the youth turns 19, whichever occurs first. If the child is age 19 or over, or if the continuous coverage period has ended, a separate eligibility determination must be completed.</p> <p>Child Health Plus or State KinGAP Medical Subsidy will provide medical benefits to non-qualified immigrant children. Medical coverage will last for as long as kinship guardianship assistance. At age 19, if kinship guardianship assistance payments are still being made, Child Health Plus coverage ends, but medical subsidy will be provided until the child reaches age 21 or until kinship guardianship assistance payments are discontinued whichever occurs earlier.</p>	<p>All children in foster care are automatically eligible for Medical Assistance (Medicaid) or DSS/ACS pays for their medical care.</p> <p>Children who are discharged from foster care at age 18 or older are eligible for continuous Medical Assistance coverage for a period of up to 12 months after final discharge or until the end of the month in which the youth turns age 21, whichever occurs first.</p>

NEW YORK STATE COMPARISON CHART

	Adoption Assistance (Subsidy)	Kinship Guardianship Assistance	Foster Care
Non-Recurring Expenses	Adoptive parents may receive a one-time payment for non-recurring expenses directly related to the adoption of a child with special needs, not to exceed \$2,000 per child.	Relative guardians may receive a one-time payment for non-recurring expenses directly related to receiving guardianship of the child, not to exceed \$2,000 per child.	N/A
Accessing Services	Adoptive parents are the primary advocates for accessing services (school, mental/physical health, etc.) for their adopted child. There are some post-adoption support services available through DSS/ACS, and in the community.	The relative guardians are the primary advocates for accessing services (school, mental/physical health, etc) for a child in their guardianship. The relative guardians can request services and assistance from the DSS/ACS, including preventive services if the child is at risk of returning to foster care. Some services are available in the community and can be found through the Kinship Navigator website at: http://www.nysnavigator.org	The DSS/ACS/VA are the primary advocate for accessing services (school, mental/physical health, etc) for a child in foster care. The DSS/ACS/VA will assess the child, make decisions about service needs, and refer the child to programs, as appropriate.
Bridges to Health (B2H): a program that provides services to youth currently or formerly in foster care who have certain special needs.	Any foster child who is being served by the Bridges to Health program (B2H) at the time of his/her adoption, may continue to be served by B2H and continue participation in the program until it is no longer consistent with the plan of care, or until age 21, whichever occurs earlier.	Any foster child who is being served by the Bridges to Health program (B2H) when he/she enters a kinship guardianship arrangement, may continue to be served by B2H and continue participation in the program until it is no longer consistent with the plan of care, or until age 21, whichever occurs earlier.	Any foster child who is being served by the Bridges to Health program (B2H) continues to be served and to participate in the B2H program, including upon discharge from foster care, until it is no longer consistent with the plan of care, or until age 21, whichever occurs earlier.
Independent Living Services and Education and Training Voucher (ETV)	Children adopted at age 16 or older remain eligible for some independent living services; such as vocational training, independent living skills training, and academic support services. An adopted youth who meets	Children who enter a kinship guardianship arrangement at age 16 or older, remain eligible for some independent living services; such as vocational training, independent living skills training, and academic support services. A youth in a kinship guardianship arrangement who meets the above age	Children in foster care age 14 or older are eligible for Independent Living Services offered by DSS/ACS, including independent living skills, academic support services, and assessment services and case planning. A foster child may apply for

NEW YORK STATE COMPARISON CHART

	Adoption Assistance (Subsidy)	Kinship Guardianship Assistance	Foster Care
	the above age requirement may apply for the Education and Training Voucher (ETV), which provides up to \$5,000 towards attending post-secondary education or a vocational training program.	requirement may apply for the Education and Training Voucher (ETV), which provides up to \$5,000 towards attending post-secondary education or a vocational training.	the Education and Training Voucher (ETV), which provides up to \$5,000 towards attending post-secondary education or a vocational training. In addition, the child may be eligible for after care services, including room and board services. At age 16 or older, most youth in foster care are eligible for independent living stipends, which are small monthly payments to assist the youth in the development of independent living skills.
Post-Secondary Education Financial Aid	The adoptive parents' income is considered when determining the Expected Family Contribution (EFC) unless the child was adopted at age 13 or older. If adopted at age 13 or older, the child is considered "independent" for the receipt of federal financial aid. When a child is classified as independent, the adoptive parent's income is not considered when the EFC is determined.	A child in a guardianship arrangement is considered "independent" for the receipt of federal financial aid. When a child is classified as independent, the guardians' income is not considered when the Expected Family Contribution (EFC) is determined.	A child in a foster care arrangement is considered "independent" for the receipt of federal financial aid. Neither the foster parents nor the birth parents' income is considered when the Expected Family Contribution (EFC) is determined.
Eligibility for Free School Meals	An adopted child would qualify for free school meals only if the adoptive parents meet the income eligibility guidelines.	A child in a kinship guardianship arrangement is categorically eligible for free school meals, without the necessity of an application.	A child in foster care is categorically eligible for free school meals, without the necessity of an application.
Food Stamps-	A child who is adopted	The treatment of kinship	The treatment of foster care

NEW YORK STATE COMPARISON CHART

	Adoption Assistance (Subsidy)	Kinship Guardianship Assistance	Foster Care
treatment of assistance (subsidy) payment and household inclusion of child	must be included in the food stamp household. Adoption subsidy payments in excess of allowable expenses are counted as income and are considered to be unearned income to the food stamp household. Income from adoption subsidy payments must be budgeted in determining the household's food stamp eligibility and benefit amount.	guardianship assistance payments depends on whether or not the child, for whom payments are received, is included in the food stamp household. If a child is included in the food stamp household, then the kinship assistance payments for that child are included as income when determining the eligibility for that household. If a child is not included in the food stamp household, kinship guardianship assistance payments are excluded.	payments depends on whether or not the child, for whom payments are received, is included in the food stamp household. If a child is included in the food stamp household, then the foster care payments for that child are included as income when determining the eligibility for that household. If a child is not included in the food stamp household, foster care payments are excluded.
Temporary Assistance (TA) for Needy Families- treatment of assistance (subsidy) payment and household inclusion of the child.	Whether to include a child in a temporary Assistance (TA) case for whom the adoptive parent receives an adoption subsidy depends on whether the family will benefit financially by including or excluding that child. When a child receiving an adoption subsidy is included in the TA case, the full adoption subsidy must be budgeted as unearned income.	Whether to include a child in a temporary Assistance (TA) case for whom the kinship guardian is receiving assistance payments depends on whether the family will benefit financially by including or excluding that child. When a child receiving kinship guardianship assistance payments is included in the TA case, the full assistance payments must be budgeted as unearned income.	A foster care child is not considered to be a member of the household of the foster parent(s) for the purposes of temporary assistance (TA). This means that the foster care child is not included in the TA case and the foster care income is exempt for TA.
Home Energy Assistance Program (HEAP)- treatment of assistance (subsidy) payment and household inclusion of the child.	When determining Home Energy Assistance Program (HEAP) eligibility, adopted children are included in the household count, but the adoption subsidy is considered excluded income.	When determining Home Energy Assistance Program (HEAP) eligibility, children in a kinship guardianship assistance arrangement are included in the household count, but kinship assistance payments are considered excluded income.	When determining Home Energy Assistance Program (HEAP) eligibility, the inclusion of the child in the household count depends on whether or not the child is related to the foster parent. If the child is related to the foster parent, he/she is included in the household count. If the child is not related to the foster parent he/she is not included in the

NEW YORK STATE COMPARISON CHART

	Adoption Assistance (Subsidy)	Kinship Guardianship Assistance	Foster Care
			house hold count. Foster care income is always considered excluded income, regardless of the child's relationship to the foster parent.
Tax Credit¹	<p>A federal tax credit may be available for the expenses involved in adopting a child.</p> <p>A tax professional would need to be consulted regarding the eligibility and specific amount.</p> <p>For additional information refer to the Internal Revenue Service website (www.IRS.gov) and search for adoption tax credit.</p>	<p>There is no tax credit available for the expenses involved in assuming guardianship of a child.</p> <p>The relative guardians should consult with a tax professional regarding the tax ramifications of entering into a kinship guardianship arrangement.</p>	N/A
Death of Adoptive Parents/ Relative Guardians	<p>If adoption subsidy payments are being received on behalf of a child and the adoptive parents die before the child reaches the age of 18, the adoption subsidy may continue to be paid to a person who has assumed guardianship or legal custody of the child until the child is 21 years of age.</p> <p>If adoption subsidy payments are being received on behalf of a child and the adoptive parents die after the child</p>	<p>A child for whom kinship guardianship assistance payments were received does not receive such assistance payments upon the death of the relative guardians.</p> <p>The person assuming caregiver responsibility for the child after a relative guardian's death, will not receive the kinship assistance payments, but may apply for a child-only grant through the TA program at the DSS or Human Resources Administration in New York City, if the child is below age 18. The amount of this grant generally will be less than the kinship guardianship assistance payment.</p>	N/A

¹ For information on other child related tax credits (CTC, EIC, etc.) that may be available to adoptive parents, relative guardians, or foster parents a tax professional should be consulted and/or the IRS website at www.IRS.gov

NEW YORK STATE COMPARISON CHART

	Adoption Assistance (Subsidy)	Kinship Guardianship Assistance	Foster Care
	is 18 years of age, the adoption subsidy may continue to be paid until the child reaches the age of 21 to either a person appointed guardian of the child, a representative payee or directly to the adopted child.		
Inheritance Rights and Survivor Benefits	<p>An adopted child has the same rights as the adoptive parents' birth children when the adoptive parents do not have a will. Otherwise, inheritance rights are established through a will as they are for birth children.</p> <p>An adopted child is also entitled to survivor benefits, such as pension or Social Security in the event of an adoptive parent's death.</p> <p>As a general rule, the right to inherit from and through the birth parents ended with the issuance of the order of adoption.</p> <p>An adopted child is entitled to continue to receive survivor benefits due to the death of his or her birth parents.</p>	<p>A child in a kinship guardianship arrangement has no rights of inheritance from the relative guardians, unless the child has been included in the relative guardians' will.</p> <p>The child continues to have the right to inherit from his/her birth parents regardless of whether or not that child has been freed for adoption.</p> <p>A child who is in a guardianship arrangement is entitled to continue to receive survivor benefits due to the death of his or her birth parents, including after the letters of guardianship are issued.</p>	<p>A child in a foster care placement has no rights of inheritance from the foster parents, unless the child has been included in the foster parents' will.</p> <p>The child continues to have the right to inherit from his/her birth parents regardless of whether or not that child has been freed for adoption.</p> <p>A child who is in a foster care placement is entitled to continue to receive survivor benefits due to the death of his or her birth parents, but DSS is able to use those benefits to offset the cost of care for that child.</p>
Returning a Child to the Foster Care System	An adoptive child may enter foster care from the adoptive parents' home for the same reasons and through the same legal means as a child who is removed from his/her birth parents. These reasons	A child in a kinship guardianship arrangement may enter foster care from the relative guardians' home for the same reasons and through the same legal means as a child who is removed from his/her birth parents. These reasons can include abuse, neglect, voluntary placement, PINS,	N/A

NEW YORK STATE COMPARISON CHART

	Adoption Assistance (Subsidy)	Kinship Guardianship Assistance	Foster Care
	can include abuse, neglect, voluntary placement, PINS, juvenile delinquency or surrender of the child.	or juvenile delinquency. In addition, the relative guardian can directly petition the court to have the guardianship revoked, terminated, suspended or surrendered.	



NYS Kinship Navigator

Statewide Information and Resources

877-454-6463 www.nysnavigator.org

Grandparents, Relatives and Family Friends Caring for Children:

- Do you need financial assistance?
- Do you know your legal rights?
- Are you worried about how to care for a child?
- Are you looking for respite?

We offer information, referrals, assistance and more.

Our Kinship Specialists want to help!

A Program of Catholic Family Center

87 N. Clinton Ave ~ Rochester, NY 14604

Phone: 877-454-6463

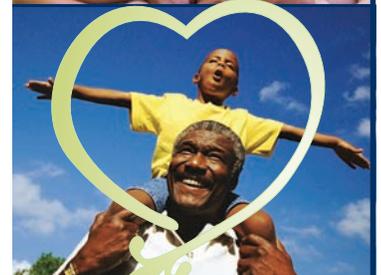
Fax: 585-454-6286

www.nysnavigator.org

The New York State Kinship Navigator is funded through the New York State Office of Children and Family Services to provide a statewide information and referral service for kinship caregivers and also funded through the Department of Health and Human Services, Administration for Children and Families, Children's Bureau, Grant #90CF0044/0. The contents of this publication do not necessarily reflect the views or policies of the funders.



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OCFS Funded Kinship Services

Services provided for caregivers and children, directly or through referral, include; financial, legal, medical, mental health, housing, parent education, support groups, respite activities, youth development, and educational advocacy. Kinship families are eligible whether they are in formal or informal relationships.

Upstate Albany/Schenectady/Rensselaer – Catholic Charities of Albany – 518-449-2001
Columbia/Greene/Schoharie – Catholic Charities of Columbia/Greene Co. – 518-828-8660
Dutchess – Cornell Cooperative Extension – 845-677-8223
Herkimer/Oneida - The Neighborhood Center-315-272-2760
Westchester – Family Service Society of Yonkers

Downstate Bronx – Children’s Village – 914-693-0600
Brooklyn (south) – Jewish Board of Family and Children Services – 212-632-4760
Nassau Co. – Hispanic Counseling Center – 516-538-2613
*NYC – The Family Center – 212-766-4522
*NYC – New York Council on Adoptable Children – 212-475-0222
Yonkers – Family Service Society of Yonkers- 914-963-5118

*Only serves TANF eligible families under the OCFS grant

If there is not a program in your area, call the NYS Kinship Navigator @ 1-877-454-6463 or 1-877-4KinInfo or visit www.nysnavigator.org - a statewide information and referral system for all Kinship related issues

- **Non-Parent Caregiver Grants** Social services districts (SSDs) are required by Social Services Law (SSL) § 392 to make available to relative caregivers, caring for children outside of the foster care system, information on financial assistance and services programs and how to apply for them. In order to meet this requirement the Office of Temporary and Disability Assistance (OTDA) requires that the information in Attachment A be made available to all non-parent caregivers (NPCs). <http://otda.ny.gov/policy/directives/2012/ADM/12-ADM-01.pdf>
- **OCFS Kinship Care and KinGap webpage** – www.ocfs.state.ny.us/kinship to access:
 - **Having a Voice and a Choice** – must be given to each relative who is notified of a child’s protective removal and need for placement if the relative is considering caring for the child, and to a relative who expresses interest in becoming the foster parent of a child already in foster care.
 - **Know Your Options: Relatives Caring for Children** – booklet for families explaining the legal options for relatives considering caring for relative children.
 - **Kinship Guardianship Assistance Program (KinGap)**-enables foster children to achieve permanent placements with relative foster parents by providing financial support, and in most cases, medical coverage upon discharge from foster care to relative guardian.

If you have a question, comment, or would like to attend a site visit with us, please contact:

OCFS Kinship Staff – Program Manager – Patricia Bryant, Patricia.Bryant@ocfs.state.ny.us or 518-473-5079



PROFESSIONAL DEVELOPMENT PROGRAM

ROCKEFELLER COLLEGE UNIVERSITY AT ALBANY State University of New York

Here are the websites referred to during the February 26th, 2014 “*Addressing the Challenges in Supporting Kinship Caregivers*” Training:

Having a Voice and a Choice:

<http://ocfs.ny.gov/main/publications/Pub5080.pdf>

- **Attachment A: Model Letter:** http://ocfs.ny.gov/kinship/support_docs.asp

Know Your Options: Relatives Caring for Children

<http://ocfs.ny.gov/main/publications/Pub5120.pdf>

Know Your Permanency Options: The Kinship Guardianship Assistance Program (KinGap)

<http://ocfs.ny.gov/main/publications/pub5108.pdf>

- **Page 12: Factors for Related Foster Parents to Consider When Reviewing Permanency Options**

A Permanency Option for Youth Living with a Related Foster Parent

<http://ocfs.ny.gov/main/publications/Pub5115.pdf>

Need to Know Series: A Permanency Option for Youth Living with a Related Foster Parent

<http://ocfs.ny.gov/main/publications/Pub5115.pdf>

- **Page 7: New York State’s Permanency Comparison Chart**

Kinship Guardianship Assistance Practice Guide

<http://ocfs.ny.gov/kinship/guides.asp>

- **Page 60: Appendix A: Kinship Guardianship Discussion Questions**
- **Page 65: Appendix B: Ecomap KinGap**

NYS Kinship Navigator Program (Toll Free: 1-877-454-6463)

<http://www.nysnavigator.org/>

- **Permission to Contact form – Please contact the Navigator Program directly**

NYS Adoption Subsidy Webpage

<http://ocfs.ny.gov/adopt/subsidy.asp>

NYS KinGAP Background and Process Webpage

http://ocfs.ny.gov/kinship/background_and_process.asp

NYS KinGAP Support Documents Webpage

http://ocfs.ny.gov/kinship/support_docs.asp

NYS OCFS Bureau of Training Schedule Webpage

OCFS Intranet -

<http://ocfs.state.nyenet/ohrd/teleconferences/schedule.asp>

OCFS Internet

<http://www.ocfs.state.ny.us/ohrd/schedule.asp>

New York State Office of Children and Family Services, Bureau of Training

Learning Gain

Alternate Level II Evaluation

Please rate your ability to explain or describe the following items, AFTER attending this training.
 (On a scale of 1 to 5, with 1=not at all confident and 5=very confident)

AFTER you attended this training:

How confident are you in your ability to:	Not at all confident	Not very confident	Somewhat confident	Confident	Very confident
Describe the options for kinship care, as well as the supports and implications of each.	1	2	3	4	5
Recognize the importance of clearly explaining all of the options and implications to potential kinship families.	1	2	3	4	5
Use the resources available to assist workers in helping kinship families make the best decision.	1	2	3	4	5

