



Philadelphia Should Expand its Kinship Care Program to Better Support Vulnerable Children and Families

About this Report

Community Legal Services' (CLS) Family Advocacy Unit represents individual parents involved with the Department of Human Services who are seeking to keep their children at home or to have them returned safely home from foster care. We also advocate on the national, state and local level for improvements in child welfare practices, services to families, and the dependency court system. When a child is removed from his or her home, CLS advocates that the child be placed with family members, to ensure stability, comfort, and safety for the child, while the parent addresses whatever issue has put the family in crisis. This report provides recommendations for improving and expanding Philadelphia's kinship care program, in order to serve the best interests of Philadelphia's vulnerable children.

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We all know instinctively, and it is borne out in the research, that children do better with their families. Removal from home is a serious intervention into a child's life, one of the most serious that our society allows. It should only happen for the most important reasons, to ensure a child is safe while the parent addresses whatever issue has put the family in crisis, whether that is housing, mental health, addiction, or some other challenge. In these desperate situations, extended family can step in and offer that warmth, familiarity, tradition and comfort that helps stabilize children's lives and prevents unnecessary trauma to these vulnerable youth.

In order to increase stability for children and families, Philadelphia's Department of Human Services (DHS) should implement the following recommendations:

- Consider it an emergency placement any time a kinship caregiver comes forward or is identified as a placement resource.
- Empower caseworkers with tools they need to find family immediately.
- Support implementation of the ABA model licensing standards.
- Create a streamlined, simple process to request a waiver for a non-safety licensing requirement and encourage workers to request waivers.

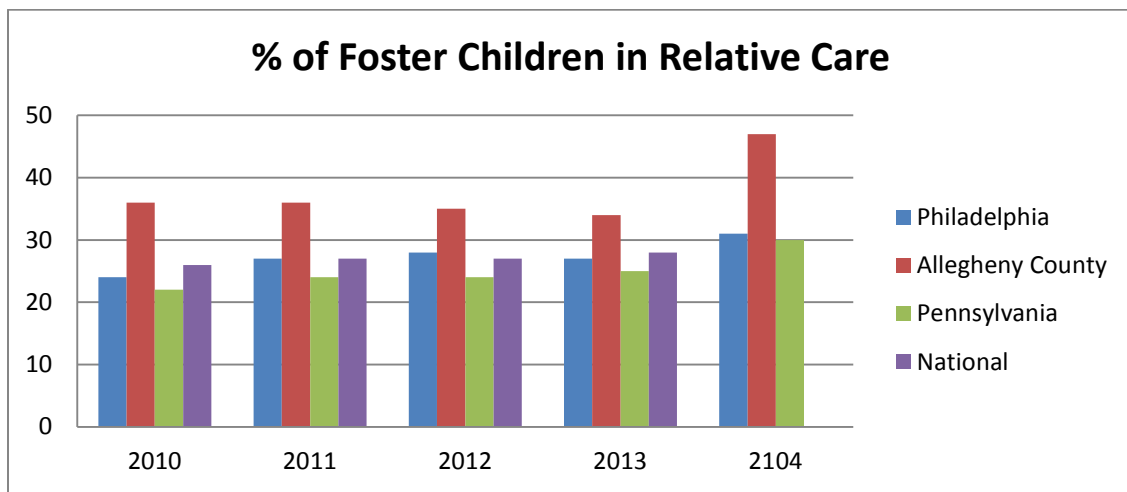
A kinship caregiver opens her home to a child who needs a place to stay temporarily when the court decides a parent is not currently able to care for the child. The caregiver receives a subsidy from the county (supported by federal Title IV-E funding), which helps cover the cost of food, supplies, transportation, and other material needs a child may have. The kinship caregiver also looks out for the child's well-being, the same way she would care for one of her own children: bringing them to medical appointments or therapy as needed, enrolling them in school and any after school or extracurricular activities, and meeting their emotional needs.

In Pennsylvania, the definition of who can be a kinship caregiver is very broad, including relatives age 21 or older who are related to the parent or stepparent of a child within the fifth degree of consanguinity; or any individual age 21 or older who is a godparent of the child recognized by an organized church, a member of the child's tribe or tribal organization, or most broadly, any individual with a significant positive relationship with the child or family.ⁱ

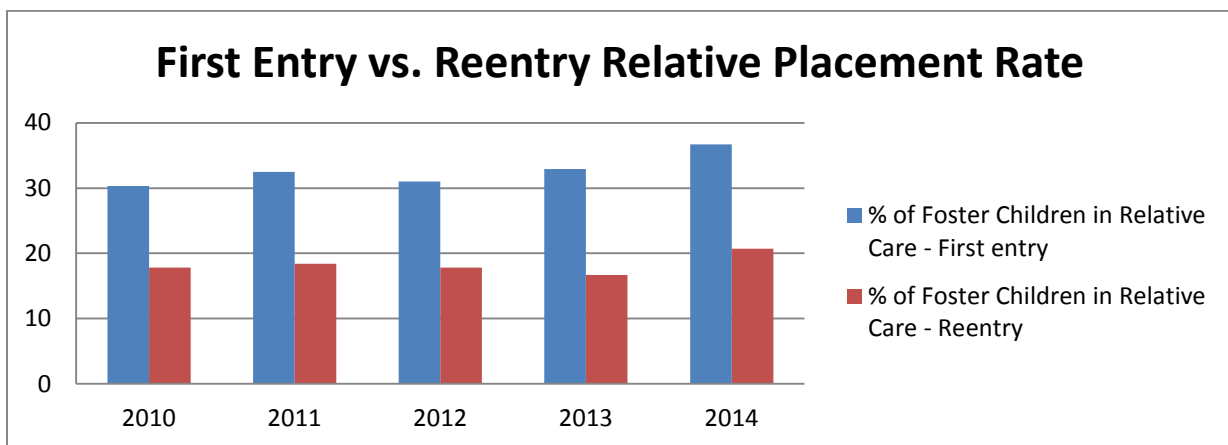
There is consensus nationally and in Pennsylvania that kinship care is the preferred placement option when a child needs to be placed out of a parent's care for safety reasons. The PA Kinship Care Act, Act 25 of 2003, requires that relatives be given first preference for placement options.ⁱⁱ Children in kinship care have more positive

perceptions of their placements, are less likely to be maltreated, and display fewer behavioral problems.ⁱⁱⁱ

As the graph below indicates, Philadelphia places children in relative caregiver homes more often than the state average, although the national rate^{iv} marginally outpaced Philadelphia^v in 2013, the most recent year that both national and local data is available. Allegheny County, where Pittsburgh is located, has consistently outperformed Philadelphia in rates of kinship care placements.^{vi} Philadelphia has demonstrated an incremental increase in kinship placements over the past five years, increasing from 24% in 2010 to 31% in 2014.^{vii} However, Philadelphia can do much better on this performance outcome and should be reaching at least 50% kinship placements.



One additional consideration is that Philadelphia does better with kinship placements on first time entries into care, as the graph below shows, reaching as high as 37% in 2014. This is in part because many re-entries in Philadelphia are older youth who are more often being placed in congregate care settings.^{viii}



Recommendations to Improve Kinship Placement Rates:

- If a Family Home Becomes Available at Any Time, It Should be Considered an Emergency Placement.** Pennsylvania regulations allow for the temporary or provisional approval of a home on an emergency basis. When a kinship caregiver is identified at initial removal, the child is able to move in with that person immediately. However, in Philadelphia, if a relative comes forward even shortly after the initial placement has already occurred, the child may have to wait in stranger foster care for months while the kinship relative completes the certification process. If a family home becomes available at any time, it should be considered an emergency to move that child without delay to the family home, and then complete all the necessary paperwork within a reasonable timeframe (the law requires certification within 60 days, but a judge's order can extend this deadline).^{ix}

Philadelphia DHS and foster care agencies should consider it an emergency placement any time a kinship caregiver comes forward. Language supporting this practice is already part of the OCYF bulletin 00-03-03 Kinship Care Policy, where it states that “a placement made pursuant to Chapter 3700.70(a) [referring to emergency placements] may occur when a kinship caregiver becomes known after a child has been placed in substitute care.”^x

- Ensure a Child's Family Members Are Located by Enhancing Family Finding Efforts.** Finding and reaching out to more relatives up front would help boost the numbers of children in relative care. Family Finding is a national model through which caseworkers urgently and diligently search out and uncover family connections for a child, especially those who would be willing to be a lifelong connection. Community Umbrella Agency (CUA) workers should have access to the same tools as DHS, including the Accurint database, in order to be able to search for and locate any possible relative resources. PA has strengthened state laws requiring that Family Finding be conducted at every stage of the case.^{xi} DHS should provide ongoing training and technical assistance to its workforce and contract agencies about Family Finding.

- Support State Implementation of ABA Model Licensing Standards.** A national model of foster home licensing would promote fair and flexible standards that work for a variety of families. The ABA, with the National Association for Regulatory Administration, the Annie E. Casey Foundation and Generations United, has developed a set of model licensing standards for all family foster homes, recognizing the need for safe, appropriate homes for foster children and the dramatically varied standards currently used across the country.^{xii} The standards are flexible, achievable, and culturally sensitive. The families of many children coming into kinship care may be relatively low income, and their homes may have less space than the typical middle class home.

- The Request Process for a Foster Home Licensing Waiver Should be Streamlined and Simple.** Using the waiver process will help prevent potential kinship caregivers from being excluded on the basis of a minor technicality. Historically, prospective kinship families could be denied because homes did not meet technical licensing standards, such as vehicle ownership, upper age limitations, or a square footage requirement for bedrooms. As part of the 2008 “Fostering Connections to Success” Act’s efforts to strengthen family connections and support increased use of kinship care, states were given the option to waive non-safety licensing standards on a case by case basis for relative caregiver homes.^{xiii}

In a 2011 federal report looking at non-safety licensing waivers in FY 2009, Pennsylvania reported obtaining a mere 47 waivers^{xiv} – when more than 31,500 children were in foster care in Pennsylvania in calendar year 2008.^{xv} The process for requesting a non-safety licensing waiver should be streamlined and easy to access. DHS should promote this option and educate its workforce and contract agencies about this possibility.

Additional State and Federal Recommendations

- The federal government should financially incentivize placement of children with kinship caregivers.** As it currently stands, there is a disincentive to placing children in a home with kin due to the need to complete the home certification process in a timely manner or risk losing federal funding, as compared to placing the child in an already certified home. The federal government should amend the Social Security Act to establish financial rewards for increasing the number/percentage of kinship homes certified.
- The federal government should encourage the use of non-safety licensing waivers by making the process streamlined and smooth.** Federal agencies should provide training and technical assistance to states to ensure that agency staff are aware of and feel empowered to use the waiver process. The federal government should also encourage states to adopt the Model Standards.

- ⁱ Pennsylvania Act 80 of 2012. Available at:
<http://www.legis.state.pa.us/WU01/LI/LI/US/HTM/2012/0/0080..HTM>
- ⁱⁱ Pennsylvania Act 25 of 2003. Available at:
<http://www.legis.state.pa.us/cfdocs/legis/li/uiconsCheck.cfm?yr=2003&sessInd=0&act=25>
- ⁱⁱⁱ Child Welfare Watch. Vol 15. Winter 2008. Against the Clock: The struggle to move kids into permanent homes. *What Happened to Kinship Care?* Available at:
<http://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/54138d23e4b0a43a9043ddfa/1410567459097/CWW-vol15.pdf>
- ^{iv} Kids Count Data Center. Children in Foster Care by Placement Type. Available at:
<http://datacenter.kidscount.org/data/tables/6247-children-in-foster-care-by-placement-type#detailed/1/any/false/36,868,867,133/2623,2620,2622,2625,2624,2626,2621/12995>
- ^v PA Porchlight Project. State of Child Welfare 2015 Report, Philadelphia County. Available at:
<http://www.porchlightproject.org/reports/socw15/data/2015%20SOCW%20Philadelphia.pdf>
- ^{vi} PA Porchlight Project. State of Child Welfare 2015 Report. Allegheny County. Available at:
<http://www.porchlightproject.org/reports/socw15/data/2015%20SOCW%20Allegheny.pdf>
- ^{vii} PA Porchlight Project. State of Child Welfare 2015 Report, Philadelphia County.
- ^{viii} PA Porchlight Project. State of Child Welfare 2015 Report, Philadelphia County.
- ^{ix} Pennsylvania Code. Title 55. Chapter 3700. Available at:
<http://www.pacode.com/secure/data/055/chapter3700/chap3700toc.html>
- ^x Pennsylvania Office of Children, Youth and Families (OCYF) Bulletin 00-03-03. Available at:
<http://swantoolkit.org/wp-content/uploads/OCYF-Bulletin-00-03-03-Kinship-Care-Bulletin.pdf>
- ^{xi} Pennsylvania Child Welfare Resource Center, Act 55: Family Finding and Kinship Care. Available at:
http://www.pacwrc.pitt.edu/curriculum/209_CncrrntPlnng1/TrnrRsrcs/TR01_Act55FmlyFndngKnshpCr.pdf
- ^{xii} Model Family Foster Home Licensing Standards. Available at:
<http://www.grandfamilies.org/Portals/0/Model%20Licensing%20Standards%20FINAL.pdf>
- ^{xiii} Children’s Bureau, Administration for Children and Families. Implementation of the Fostering Connections to Success and Increasing Adoptions Act of 2008 Working Document. Available at:
<http://www.acf.hhs.gov/programs/cb/resource/implementation-of-the-fostering-connections>
- ^{xiv} Report to Congress of States’ Use of Waivers of Non-Safety Licensing Standards For Relative Foster Family Homes. Available at: http://www.acf.hhs.gov/sites/default/files/cb/report_congress_statesuse.pdf
- ^{xv} PA Porchlight Project. State of Child Welfare 2010 Report. Available at:
<http://www.porchlightproject.org/reports/socw10/StateofChildWelfare10.pdf>