

# KIN-FIRST CULTURE

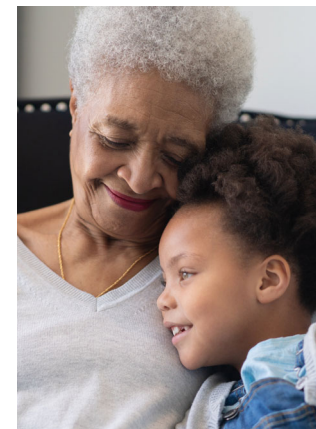
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[www.dcyf.wa.gov](http://www.dcyf.wa.gov)



Kinship = relatives + suitable persons



# KINSHIP = RELATIVES + SUITABLE PERSONS

Kinship care is a term used in the United States for the raising of children by grandparents, other extended family members, and adults with whom they have a close family-like relationship such as godparents and close family friends because biological parents are unable to do so for whatever reason.



# REASONS CHILDREN MAY LIVE IN KINSHIP CARE:



- Child abuse and/or neglect
- Parental domestic violence
- Family homelessness
- Parent or child medical and/or mental health
- Death of a parent
- Substance misuse
- Incarceration of parent
- Parental deportation
- Parental deployment



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# TYPES OF KINSHIP



## Independent/Informal Kinship Care

Children that live with a relative without any child welfare system involvement.

The kinship caregivers may have taken the child into their home to avoid any formal interventions from the child welfare system.

These caregivers may or may not have pursued legal custody arrangements through the courts; these can include adoption, guardianship and non-parental custody.

## Formal Kinship Care – DCYF involved

The goal of child welfare interventions is to reunite children and youth with their families when it is safe to do so.

Kinship families caring for children with an open case or dependency with Tribal Court or the Department of Children, Youth, and Families (DCYF).

Formal kinship families may choose whether or not to become licensed, but they must have an approved home study.



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# KINSHIP STATS

	2018	2019	2020
<b>Total population &lt;18*</b>			
National	73,385,501	73,088,675	72,822,113
<b>Washington</b>	<b>1,657,823</b>	<b>1,661,024</b>	<b>1,665,794</b>
<b>Living with neither parent*</b>			
National	3,792,000	4,020,000	3,736,00
<b>Washington</b>	<b>75,000</b>	<b>77,000</b>	<b>78,000</b>
<b>Living with grandparent*</b>			
National	2,787,000	2,791,000	2,531,000
<b>Washington</b>	<b>44,000</b>	<b>41,000</b>	<b>42,000</b>
<b>Children in Wa in out-of-home care **</b>	<b>9,185</b>	<b>9,160</b>	<b>8165</b>
Kinship	3,980	3,954	4,403
Non-Kinship	5,205	5,206	3,762





# WHY



# UNIQUE BENEFITS OF KINSHIP CARE



Minimize the trauma associated with removal while increasing connections to family and overall child well-being.

Improve placement stability.

Higher levels of school stability.

Lower rates of tobacco, alcohol, and drug use than youth living in foster care.

Increased rate of placement with siblings.

Lower suicide attempts.

Greater preservation of culture and community connection.

Higher levels of permanency.

Healthy Youth Survey – Fact Sheets - [dshs.wa.gov](https://dshs.wa.gov)  
Children Thrive in Grand families fact sheet 111. [grandfamilies.org](https://grandfamilies.org)



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## BARRIERS TO A KIN-FIRST CULTURE

Kin identification is slow, limited, and starts too late

Kin placement is harder and slower than non-kin placement

For some groups, there are too many barriers to kin placement

Licensing enables stability, but is a high bar

Staff experience change fatigue with the influx of new policies



Background and Culture

Trauma Informed Care

Timely Permanency

Overcoming Barriers

Placement Stability

Community

# Promoting Kin-First Culture



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# How Washington state is moving into a kin-first Culture: KINSHIP Initiative

- SB [5151](#) DCYF bill concerning foster care and child care licensing (2021)
- HB [1227](#) Keeping Families Together Act (2021)
- HB [1747](#) Relatives as a priority and RGAP expansion (2022)
- SB 5124 Supporting kin (2023)



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# SB 5151 – KINSHIP (CHILD SPECIFIC) LICENSE

DCYF began issuing child-specific licenses on Aug. 1, 2022, to relatives or suitable persons to provide foster care services to a specified child and that child's siblings or relatives in DCYF's care and authority.



The new WAC (110-148-1326) allows DCYF's Licensing Division to:

License more kinship caregivers

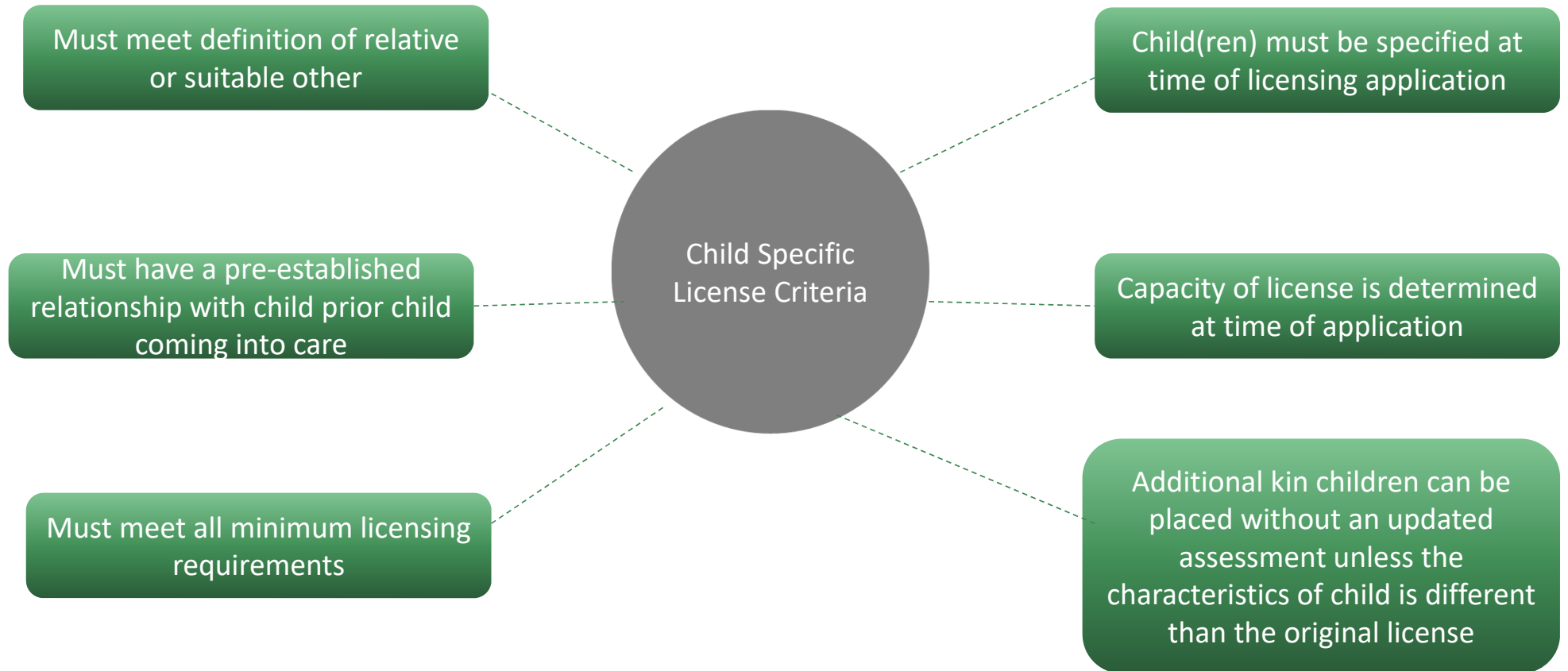
Enable children to receive the needed financial support

Keep more children and youth with their own families, culture, and community

Reduce barriers



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# HB 1227 (2021) -KEEPING FAMILIES TOGETHER ACT

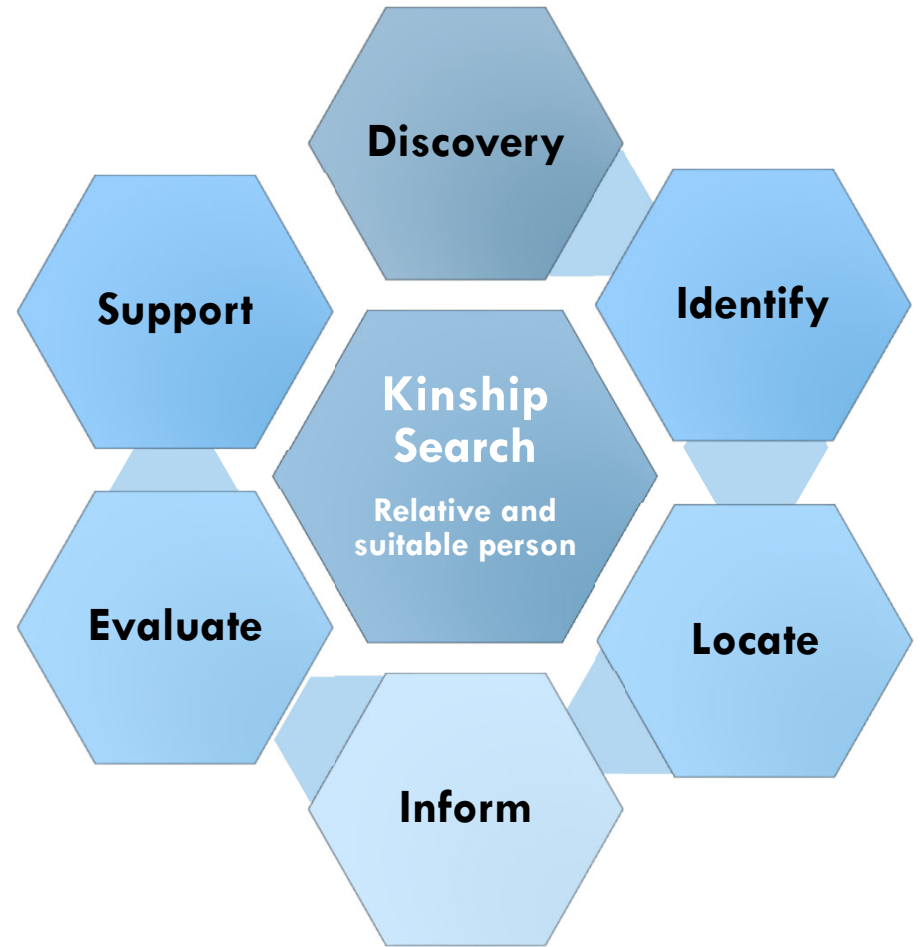
## Five takeaways

- Relatives and suitable persons are the priority for placement.
- Parental and child preference for placement
- New legal standards for not placing a child with kin
- New legal standard for moving a child from kin to foster care
- Initial Licensure for kinship care placements



# HB 1227 (2021) KEEPING FAMILIES TOGETHER ACT

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# HB 1227 (2021) -KEEPING FAMILIES TOGETHER ACT

## Evaluating for Suitability – Critical Conversations with Kin/Potential placement

- What is their relationship to the child?
- What is the caregiver's reason for wanting to take the child(ren) into their home?
- What is the caregiver's willingness to facilitate visits with parents/siblings?
- Can the caregiver meet the ongoing needs of the child (i.e. behavioral, cultural, developmentally) ?
- What do they think their greatest strength is as a kinship caregiver?
- **What is the kinship caregiver's greatest worry about taking the child into their home? Do they have any immediate needs that should be addressed to help them care for the child?**
- **Is there a support plan that could be put into place to address their concerns?**



# Parental Preference

The Department must weigh the best interest of the child in making a placement decision and placement with a relative or suitable other is entitled to preference.

## RCW 13.34.260

- If the **parent objects to one particular relative or suitable other placement**, the Department should continue to evaluate other potential relative or suitable other placements. See *In re K.W.*, 199 Wn.2d 131, 504 P.2d 207 (2022)(stating the inquiry into relative placement options is ongoing).

## RCW 13.34.260

- If a **parent prefers a foster care placement and does not want relative placement**, DCYF should accept that preference unless it believes it's in the child's best interest to be placed with relatives despite the parent's preference, while continuing to follow its relative search policies, and placement with a relative should still be considered. RCW 13.34.260.

# AT SHELTER CARE .....

DCYF is required to demonstrate to the court that there is 'no relative or suitable person capable of ensuring the basic safety of the child.'



# ARTICULATING EFFORTS TO PLACE WITH KINSHIP

Describe the efforts in searching for kinship or suitable persons.

Have you identified another kinship or suitable person?

If the child/youth has special needs, can the new placement meet those needs?

Why is it in the child's best interest not to be with a kinship or suitable person?

If not another family member or suitable person, why is it in the child's best interest to be placed in a foster home?

# POTENTIAL QUESTIONS BY THE COURT

What efforts have been made to place the child with a relative (Kin)? (The court shall ask the parents whether the department discussed with them the placement of the child with a relative (Kin) or other suitable person described in RCW 13.34.130(1)(b))?

Is the placement proposed by the department the least disruptive and most family-like setting that meets the needs of the child?

Is it in the best interest of the child to remain enrolled in the school, developmental program, or childcare the child was in prior to placement and what efforts have been made to maintain the child in the school, program, or childcare if it would be in the best interest of the child to remain in the same school, program, or childcare?

# POTENTIAL QUESTION BY THE COURT

If a relative/suitable (kinship) other is willing to care for the child, is able to meet the special needs of the child, is willing to facilitate parent and sibling visitation, and if they supports parent-child reunification.

If kinship is available and we are not recommending placement, the court will inquire why placement in licensed foster care is necessary to prevent imminent physical harm and why no relative or suitable other is capable of ensuring the basic safety of the child or why efforts to reunite the parent will be hindered.

If placement is with kinship caregiver inquire if they are interested in the Initial Foster Care License.



## ADDITIONALLY THE COURT MIGHT...

Ask the caseworker and any other person present at the hearing for the child whether there are any relatives or other suitable persons who are willing to care for the child?

Did you know..... how long does it take to run a background check called a code X?



# INITIAL LICENSE (JULY 1, 2023)



If the court places with a relative (Kinship) or suitable person and they indicate a desire to become a licensed FP, the Court will order DCYF to "commence an assessment of their home within 10 days."

DCYF must update the court on the progress of licensure and notify the court within 7 days of a denial

Foster care maintenance payments effective on date initial license is approved



# WHY AN INITIAL LICENSE?

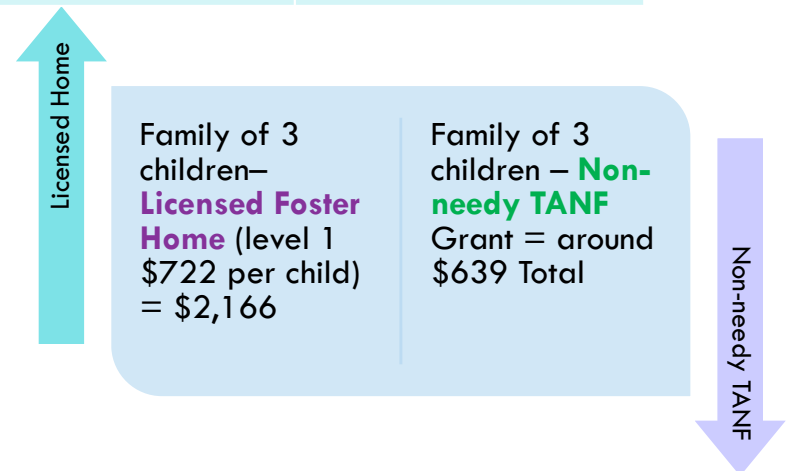
## FOSTER CARE MAINTENANCE PAYMENTS FOR LICENSED CAREGIVERS ONLY

Current foster care maintenance rates (July 2023)

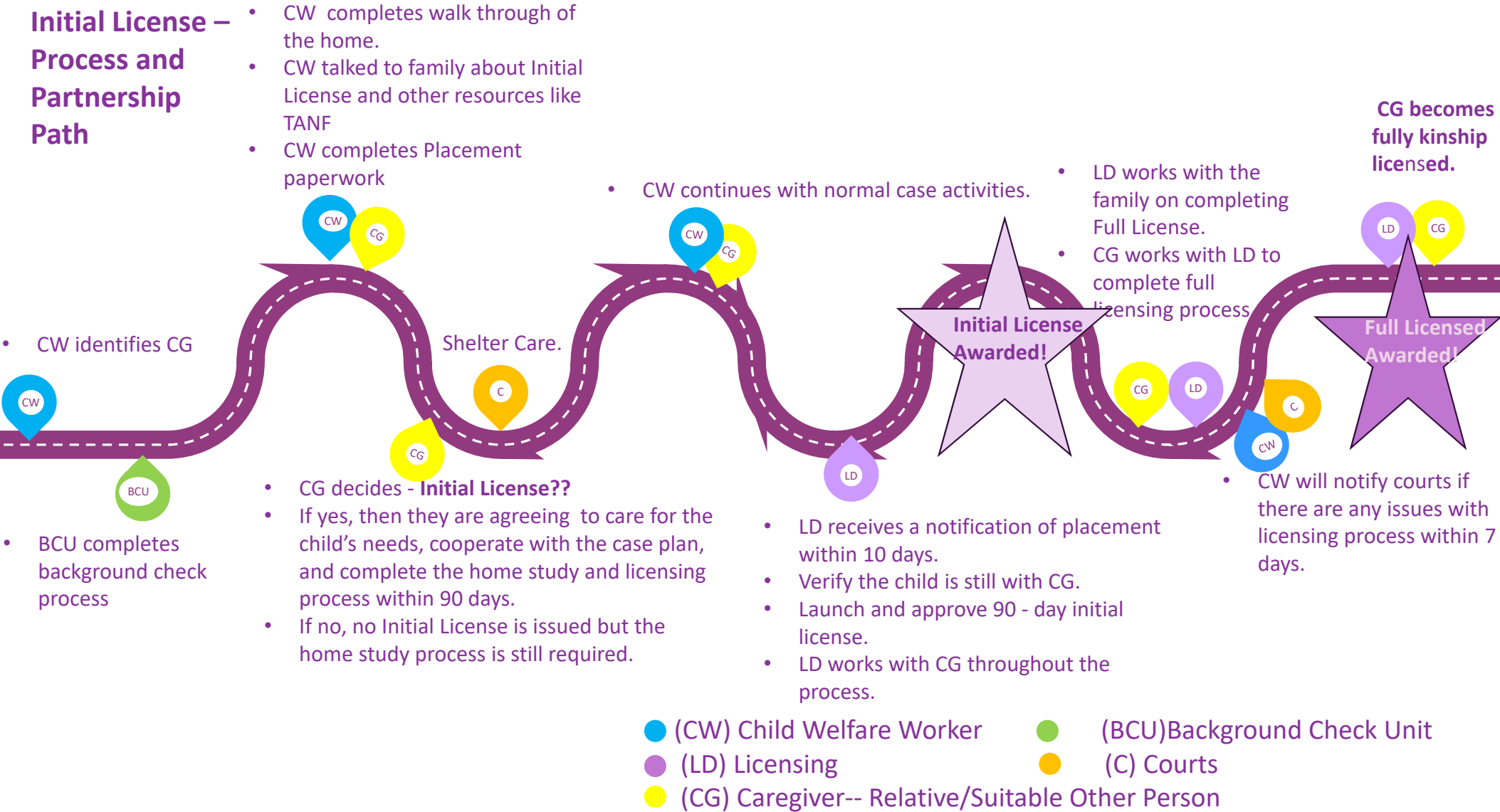
Child's Age	Level I	Level II (\$177.92)	Level III (\$523.51)	Level IV (\$802.30)
0 - 5 years	\$722.00	\$899.92	\$1245.51	\$1524.30
6 - 11 years	\$846.00	\$1023.92	\$1369.51	\$1648.30
12 years and older	\$860.00	\$1037.92	\$1383.51	\$1662.30

### TANF

Non- Needy TANF Grant for 1 child	\$417	Goes up by about \$111 per child
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## Initial License – Process and Partnership Path



# HB 1747

EFFECTIVE  
JUNE 9, 2022

Requires relatives to be the priority for placement and permanency throughout the life of the case.

Restrictions around removal of children from relatives/suitable persons.

Requires caseworkers to discuss guardianship as an alternative to termination of parental rights (TPR) throughout the life of the case with parents and caregivers.

11.130 guardianships may be eligible for guardianship subsidy (GAP) if they meet all eligibility criteria.

Created good cause exemption for termination filing. RCW 13.34.145(5)(a)(vii)



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***IN RE DEPENDENCY OF K.W. (2022)***  
**“IMPROPER REMOVAL FROM RELATIVE” CASE**

## Three takeaways

DCYF cannot make decisions based *only* on unfounded allegations of criminal history

DCYF cannot prioritize future permanency over current stability

DCYF must reevaluate kinship placements as circumstances change





# ***IN RE DEPENDENCY OF K.W. (2022) FINAL NOTES***

At a minimum, DCYF should look to “J.B.S. factors” outlined in K.W.:

- Best interest of child is paramount
- Psychological and emotional bonds with current caregiver
- Potential harm the child would suffer if contact with caregiver is severed
- The nature of the child’s attachment to the prospective caregiver
- Prospective caregiver’s history and current circumstances
- The potential effect upon the child of an abrupt and substantial change in their environment



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**SB 1524  
Supporting  
Kin Family**

**Voluntary Placement  
Agreements (VPAs)**

**Guardianships  
Subsidy (GAP and EGAP)**

# **Voluntary Placement Agreements (VPA)**


**Starting July 23, 2023**




**Suitable other persons (friends,  
coaches, teachers etc..) will be a  
placement option for VPAs**

# What happened to the old Relative Guardianship Assistance Program (R-GAP)?

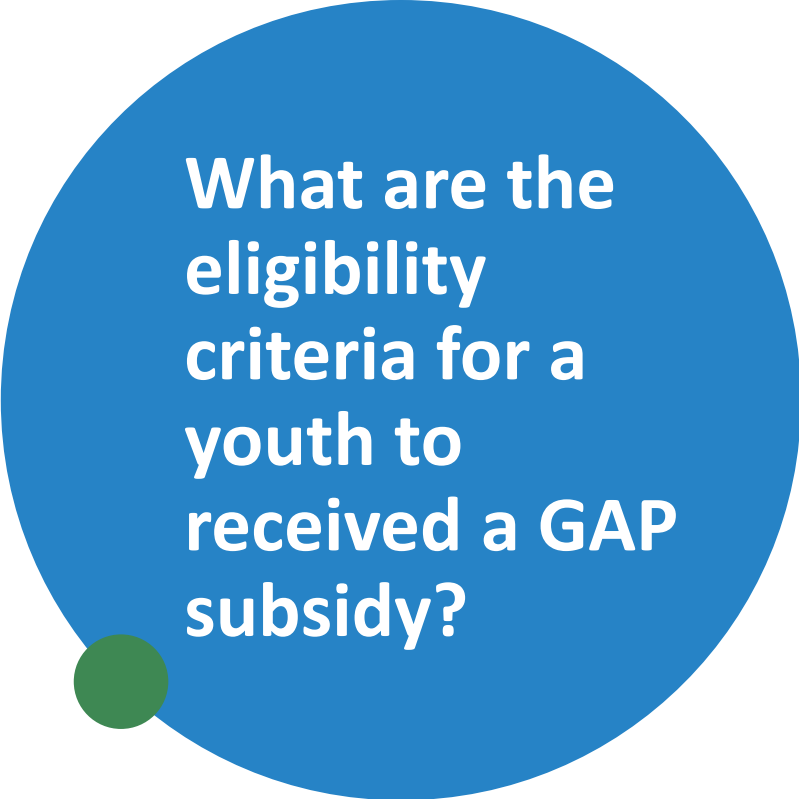
Effective July 23<sup>rd</sup>, 2023, SB 5124 removed the qualifier of “relative” for the guardianship assistance subsidy program (R-GAP).



New name - R-GAP has been renamed to the Guardianship Assistance Program (GAP).




State funds vs federal Funds



## What are the eligibility criteria for a youth to received a GAP subsidy?

Follow policy:

The criteria is as follows:

- A child or youth must be in an open dependency
  - A permanency plan of guardianship has been determined to be in the best interest of the child.
  - The child or youth must be placed with their fully licensed foster parent for six (6) consecutive months post licensing.
  - If the youth is 14 or older they must agree with the plan of guardianship.
- 

# Can suitable other persons or a general foster parent receive a GAP subsidy?

Yes – if eligibility is met.



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graph TD; A[Yes – if eligibility is met.] --> B[Licensed Foster Parent]; B --> C[Received foster care maintenance payments for 6 consecutive months post licensing for the child the guardianship is for.]
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Licensed Foster Parent

Received foster care maintenance payments for 6 consecutive months post licensing for the child the guardianship is for.



# NON-SUBSIDIZED FAMILIES GAP

When a family is not eligible for GAP it's typically because:

**Not willing or able to become licensed**



Families may still be eligible for:

Child-Only TANF grant at a significantly reduced rate compared to the foster care maintenance amount.

Apple Health



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# Extended Guardianship Assistance Program (EGAP) Eligibility Criteria

Received GAP subsidy before their 18<sup>th</sup> birthday



Youth between 18-21 meet one of the 5 criteria



Must show verification every 6 months



New email: [guardianship@dcyf.wa.gov](mailto:guardianship@dcyf.wa.gov)



Live with the guardian or in an approved SIL

# GUARDIANSHIP ASSISTANCE PROGRAM (GAP) SUBSIDY

*Subsidized guardianships are only available to those who meet the eligibility requirements which are defined in a few places in statute, but for ease, let's just stay within 13.36 RCW.*

## **Eligibility:**

- Child/youth must be in licensed home for at least 6 consecutive months before a GAP agreement can occur.
- **The GAP agreement must be completed and signed before the guardianship is entered into court.**



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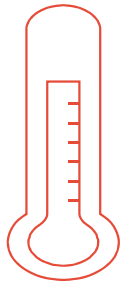
# ADOPTION SUPPORT

## Eligibility:

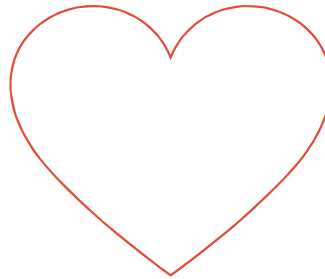
- **What is a special factor or condition?**
- The child is:
  - A minority ethnic background;
  - Six years of age or older at the time of the application;
  - Is a member of a sibling group of three or more or of a sibling group in which one or more siblings meets the definition of special needs;
  - Is diagnosed with a physical, mental, developmental, cognitive or emotional disability;
  - Is at risk of a diagnosis of a physical, mental, developmental, cognitive or emotional disability due to prenatal exposure to toxins, a history of serious abuse or neglect, or genetic history.



# GUARDIANSHIP AND ADOPTION SUPPORT ARRAY OF STATE SERVICES

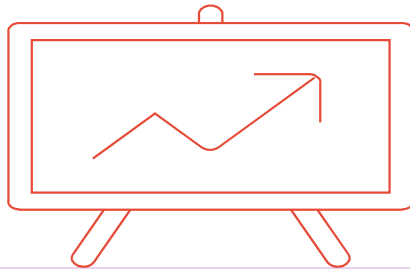


Medical &  
Dental Benefits  
(same)

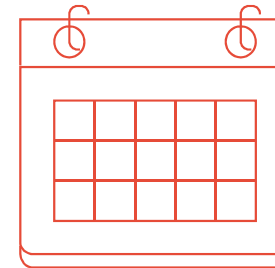
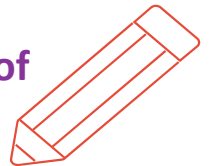


Pre-Authorized Counseling  
and EBPs. \*Pre-authorized  
counseling not available for  
GAP. GAP may access  
through FVS.

Training  
(same)



Reimbursement of  
Non-Recurring  
Adoption expenses  
up to \$1,500  
R-GAP \$2,000



Monthly Cash  
Payment  
(same)

80%-90%-95% of the  
amount of foster care  
/maintenance for the  
child

***A family may choose which any or all that meet the needs***



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# The future..... More to come.

- Kin-First Culture Co-design
- DS Settlement
- ACF Proposed Rules
- And more.....



# QUESTIONS?

## **Department of Children, Youth, and Families**

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