

# **COUNTY GUIDE FOR KINSHIP CAREGIVERS**

## **Part I INFORMATION**

## **Part II RESOURCES**

**(Free download  
Provided By the New York State Kinship Navigator)**

**(A Catholic Family Center Program Funded by  
New York State Office of Children and Family Services Program)**

**(Kinship County Guides are a joint project of NYS Kinship Navigator,  
the Kincare Support Project of Albany Law School, and AARP NYS,  
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**For More Information Regarding This Resource Guide  
Or For Up To Date Information on Kinship Caregiver Resources Across New York State,  
and for the second part of this guide, PART II COUNTY RESOURCES,  
Please Contact:**

NYS Kinship Navigator  
[www.nysnavigator.org](http://www.nysnavigator.org)  
1-877-4KinInfo (877-454-6463)

**For Direct Services for Kinship Caregivers, Please Contact:**

The NYS County Kinship Programs:

Catholic Charities of Buffalo  
Kinship Caregiver Program  
716-856-4494  
(Serving Allegany, Cattaraugus, Erie, and Niagara counties)

Catholic Charities Support Services  
Kinship Care  
518-449-2001  
[ReneB@ccalbany.org](mailto:ReneB@ccalbany.org)  
(Serving Albany and Rensselaer counties)

Catholic Family Center  
Kinship Caregiver Resource Network  
[mpenet@cfcrochester.org](mailto:mpenet@cfcrochester.org)  
585-232-1840  
(Serving Monroe County)

Child Care Coordinating Council  
518-561-4999  
(Serving Clinton and Franklin counties)

Cornell Cooperative Extension  
Hudson Valley Regional RAPP Program  
845-344-1234 (Orange)  
845-677-8223 (Dutchess)  
845-292-5250 (Sullivan)  
(Serving Dutchess, Orange, and Sullivan counties)

Family Center  
Family Ties  
212-766-4522  
(Serving 5 boroughs of New York City)

Family Enrichment Network  
Kinship Caregiver Program  
607-723-8313  
(Serving Broome County)

Liberty Resources  
Kinship Caregiver Program  
315-425-1004  
(Serving Oswego County)

Mid-Erie Counseling & Treatment Services  
NYS Kinship Caregiver Program  
716-895-7167  
(Serving Erie County)

National Committee of Grandparents for Children's Rights  
Long Island Kincare Connection  
631-444-3160 (Suffolk County)  
516-446-1539 (Nassau County)  
(Serving Nassau and Suffolk counties)

NYC Council on Adoptable Children  
Kinship Connections  
212-475-0222  
(Serving 5 boroughs of New York City)

Presbyterian Senior Services  
Kinship Caregivers Program  
718-620-1262  
(Serving the Bronx and New York (Manhattan) counties of New York City)

Volunteer Counseling Services of Rockland  
Enhanced Relatives as Parents Program  
845-634-5729  
(Serving Rockland County)

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New York State Office of Children and Family Services

Orange County Cornell Cooperative Extension RAPP Program

## I. INTRODUCTION

### **A Family Right to Care**

By Gerard Wallace, Esq., Kincare Support Project, Government Law Center, Albany Law School  
(The project is a collaboration of AARP NY and the Government Law Center with support from the New York Life Foundation and AARP Foundation)

*(The legal information in this Guide is current as of December 1, 2006. Legal information is not legal advice and is not a substitute for the advice of an attorney. It is recommended that readers seek the advice of a knowledgeable attorney for answers to their legal questions.)*

Since the early 1990's, the number of grandparents and other relatives raising grandchildren has risen dramatically. According to the 2000 Census, in New York over 143,000 grandparents were primarily responsible for their grandchildren. In 2006, estimates are that more than 200,000 grandparents and other non-parent caregivers are caring for children. They are doing a great job. According to one study of national health data, in almost every measurement of children's behavior, grandparents were successful caregivers.

Yet this caregiving comes at a high cost. Over half the grandparents are over fifty years old. Often, they are raising children with special needs. They have economic difficulties, housing issues, family issues, and legal issues. They must continually fear the birth parents' intrusion; they must worry about their ability to be there as the children get older. They must parent without the recognition and support that they deserve from our society, our laws, and our institutions.

While in recent years grandparents and other caregivers have gotten increased attention, the efforts of policy makers and law makers have yet to provide protections, rights, and assistance similar to those available to birth parents.

For instance, a grandmother cares for her grandchild for over five years. Legally she is the temporary custodian, "pursuant to Article 10", the state neglect proceedings. The local department of social services attempted to terminate the mother's rights. But an appeals court reversed the termination and ordered the department to continue efforts at reunification with the parent. The child, who is now five and a half years-old, will probably be sent back to her mother, despite the skull fracture and other multiple fractures suffered when she was three months old and in the care of her mom and dad. In a similar proceeding, another grandma is forced to return two children after two years in her care. Another grandparent patiently endures her drug addicted daughter's threats that if the grandma seeks public assistance, the mother will take the child away forever. Grandma cannot afford an attorney, and fears going to court. She cares for her grandchild at great expense, deciding not to seek public assistance. And one grandparent pays for eight years of private schooling, erroneously informed that they are not eligible for free public school tuition because the child was not in their legal custody. These examples are just a few of the unfortunate circumstances where wrong advice, ill-fitting laws, and fear of losing a child have created unnecessary suffering for grandparents and other relative caregivers.

Since 2000, New York has addressed some of the issues facing relatives caregivers. But many problems still exist. Some answers are about simple fairness, others are more complex, pitting entrenched parental and/or state control of children against the emerging rights of non-parent, especially grandparent, families. Undoubtedly, as eighty million baby boomers become grandparents, a comprehensive investigation and response to these problems will emerge. Yet, that end is not yet in sight, and children must live in families who are burdened by unnecessary obstacles.

Kinship families should expect more from law makers, and they will get more - only when law makers focus on these issues and enact comprehensive solutions.

When a grandparent takes over caring for a child, the first question they ask is what is their legal authority and legal control of the child. The answer depends on whether they are: Informal Custodians, Legal Custodians, Guardians, Foster Parents, or Adoptive Parents.

In the following pages is a short discussion about the legal issues associated with these legal arrangements. For a start, we summarize the legal “options” available to non-parent caregivers: Informal Custodians

Non-parents who care for children without court orders are known as “informal custodians.” In at least seventeen states, the enactment of the Uniform Probate Act has given parents the right to delegate their authority to these “third party” custodians. Other states have similar authorizations in their powers of attorney statutes. All such delegations are for limited periods of time, usually six months or one year. Delegation laws may have special provisions regarding school enrollment, medical decision making, and access to official records. In New York, recent legislation permits parents to delegate most parental authority, but not major medical decision making.

### **Legal Custody and Guardianship**

Most legal authorities agree that legal custody and guardianship offer similar rights and authority. While there are legal differences between legal custody and guardianship in court procedures and in practical authority. Most school districts, medical providers, and government agencies regard the two as possessing the same powers. However, at times legally technical differences can arise. For instance, access to certain government documents or what legal status is covered by private health insurance policies can be dependent upon guardianship but not legal custody.

### **Foster Care**

Once children are removed from their parents, every state has laws providing a preference for placement with relatives. The scope of the search, the legal deference given to families, and the placement options may differ. In New York, all of these legal elements have legislative authority, but remain dependent upon implementation, which can result in significantly different local practices.

### **Adoption**

Most of the children adopted in America are adopted by their relatives. Since the surrendering and adopting families know each other, there is often continuing contact between the birth parents and the child. Often families reach agreement about this contact. In a few states these agreements are legally enforceable. Some, like New York, enforce adoption agreements only for children who are in foster care. When children are in foster care, the local department will work with a reluctant parent (who might be legally unfit) to help them understand the benefits of adoption.

### **Visitation**

Grandparents do have a special legal relationship to their grandchildren. The U. S. Supreme Court has carved out an exception to parental rights, allowing grandparents to seek visitation with their grandchildren, even when parents are fit. That right to seek visitation is not a fundamental right, but one that New York and other states can create by enacting a law. In New York, its grandparent visitation statute permits grandparents to ask a court to order visits. Under most circumstances, the court will hold a trial to decide whether visitation is in the “best interests” of the grandchild.

## **Answers Still Needed**

Grandparents are at a disadvantage in many other areas. They frequently do not know their custodial rights when a parent threatens to remove a child from their care. They do not receive notice of custody, guardianship, or adoption proceedings. They may be steered away from becoming foster parents, although, in many instances, they are eligible. In most court proceedings, poor grandparents are not guaranteed assignment of counsel. Once they take a child into their home, they may be forced to move because of violations of their tenancy agreement. They lose public assistance if they adopt. They may be unable to retain custody of a child in their care, when confronted with a birth parent's petition for custody. And they, like most legal professionals, may never be able to understand what responsibilities, duties, and authorities are associated with informal care, legal custody, or guardianship.

In the past six years some progress has been made. One example of assistance is Presbyterian Senior Services GrandParent Apartments in the Bronx, New York City. Another is Kentucky's "de facto" custody law which gives relative caregivers equal standing with parents, once a child has lived for more than one year in the caregiver's home. These innovations and others happened when policy makers and private non-profits focused on the issues facing "kinship" families. Yet, much still needs to be done. In general, there is still an overriding need for comprehensive solutions for issues facing grandparents and other relative caregivers. More assistance, more family rights, and special grandparents' rights are needed. To accomplish this, state and federal authorities must dedicate the time and effort to examine these barriers. Only then will grandparents and other relatives start to get a legislative and regulatory response that assists rather than hinders them in raising children.

*(Note that additional legal information about these legal arrangements is available in the second section of this Guide.)*

## **II. ENABLING KINSHIP CAREGIVERS IN NEW YORK**

*(The legal information in this Guide is current as of December 1, 2006. Legal information is not legal advice and is not a substitute for the advice of an attorney. It is recommended that readers seek the advice of a knowledgeable attorney for answers to their legal questions.)*

### **A. Custodial Arrangements**

As mentioned, In New York State there are several legal options for grandparents and other relatives who are raising children: Informal Custody, Legal Custody, Guardianship, Kinship Foster Care, and Adoption. This section of the guide will help answer questions about these caregiving arrangements in order to help you to decide which one best suits your family circumstances. It will also refer you to useful resources that can answer additional legal questions.

In general, the word “custody” has two meanings: physical custody and legal custody. Physical custody refers to the care and control of a child. Legal custody is court ordered custody started by a custody petition. Physical custody is lawful when parents consent to the care and control of another person or a court orders another person to assume care and control. Courts order care and control of children via custody, guardianship, foster care, or adoption proceedings.

#### **1. Informal Custody**

Informal custody arrangements are made without court involvement. In New York, non-parents who are informal custodians do not have sufficient authority to make educational and medical decisions for children unless they qualify as “persons in parental relationship.” These “persons” include informal “custodians” who are caring for children because the parents are deceased, incarcerated, mentally ill, disabled, or cannot be found. And since 2005, a parent can “designate” a caregiver as a “person in parental relationship” via a simple writing. For periods of one month or less, the writing doesn’t need to be notarized. For longer periods more information and notarization are necessary.

Without court orders regarding the care and control of children, parents retain their superior rights to care for their children. They can demand the return of their children at any time. In order to keep physical custody, a grandparent or some other full time caregiver must seek a court order. If the non-parent has cared for the children for an extended period of time, or if the non-parent can show that the parents are unfit, then a judge will order a trial to decide care and control. Likewise if the caregiver has the consent of the parents then a judge can grant custody or guardianship. For grandparents, a special law states that two years residence in a grandparents’ home is an extended period of time. Unfitness and an extended period of time are considered “extraordinary circumstances” which result in a trial to determine who will be granted care and control.

#### **2. Legal Custody**

Legal custody is court ordered custody. A non-parent should seek legal custody when he/she wants clear legal authority to care for the child and the protections of a court order, but does not want to terminate parental rights and assume permanent responsibility for the child. It is important to note that legal custody is never really permanent because under certain circumstances parents can petition the court to regain custody. Also, a judge may limit the authority of a custodian or award a joint custody with a parent. Grandparents and other relatives (and sometimes non-relatives) who wants legal custody must get the parents’ consent or go to court and prove to the judge that the parents are not able to care for the child. If the child’s parents agree to custody, a petitioner can usually make out a simple petition form at your local family court. However, if the parents do not agree, then it will be necessary to prove an “extraordinary circumstances” that make it necessary for the court to decide whether to give custody of a non-parent. "Extraordinary circumstances" is a legal term. It includes abandonment, persistent neglect, unfitness, abuse, and other extraordinary circumstances like an extended period of time during which the child lived with a non-parent.

As mentioned, a special New York law provides that two years residence with a grandparent is an “extraordinary circumstance” which will allow a judge to hold a custody trial. In almost all custody proceedings, the parents will have the right to a lawyer, and a lawyer (called a law guardian) will be appointed to represent the child

### **3. Guardianship**

Guardianship is a legal arrangement granted to a non-parent by either a family or surrogate’s court. Guardianship provides the legal authority similar to parental authority. In New York State, there are two types of guardianship: guardianship of the person - where the guardian has the legal authority to make all daily decisions concerning a child including his/her education, medical care, and where he/she will live; or guardianship of the property whereby the guardian is placed in charge of a child's property and finances.

Generally speaking, guardianship and legal custody are very similar. What differences exist are usually ignored by schools, medical providers, and other officials. However, there are some differences. All guardianship proceedings will include a child abuse registry check and a criminal record check for all members of the household. Such investigations are not necessary in custody proceedings. While the practical effect of guardianship is usually treated as being similar to that of legal custody, some differences may arise, though not frequently.

Guardians have the authority to make medical decisions, guardians are usually able to add a child to their health insurance, and guardians have full authority to apply for government records and documents. If possible, it is advisable to seek guardianship rather than legal custody. However, the responsibility and rights of the parents do not end if you become the guardian of your grandchild. The parents are still responsible for the financial support of your grandchild and, if the court orders it, they may also be allowed to visit their child and, as in legal custody, the parent still has the right to petition the court to regain control of their child.

While both Family Court and Surrogate's Court may appoint a guardian, for residents of county courts sometimes choose to hear guardianship petitions only in Surrogate’s Court. But guardianship of an infant may be applied for in either Surrogate's Court or Family Court. Only where guardianship over the property of an infant is required, or when guardianship over a mentally disabled infant is sought, must the application be made to the Surrogate's Court. The Surrogate's Court will provide instructions and information regarding the petition procedure. It is recommended that interested parties call the court first before going to file a petition.

### **4. Standby Guardianship**

New York, like some other states, has a standby guardian statute, which allows the appointment of a standby guardian. In most states, only parents or legal guardians can name a standby guardian. But in New York, a parent, guardian, legal custodian, or a informal custodian who cannot locate the parents can petition the court to name a standby or can designate who they wish the court to appoint in a out of court writing. A standby must wait till the occurrence of an event, typically the debilitation, incapacity, or death, of the principal (i.e., the parent, legal guardian, legal custodian, or informal caregiver) before assuming guardianship.

The Standby Guardianship statute, Surrogate's Court Procedure Act Section 1726, has two very different ways to name a successor guardian:

Option One: If the principal (parent, guardian, legal custodian or other authorized informal) is chronically ill or dying, they can go to court with the person chosen to be the standby guardian and ask the court to appoint that person as the standby guardian. Upon incapacity or death, the standby

guardian becomes an active guardian, but he/she must go to court within ninety days for confirmation of the appointment.

When the principal goes to court to have the court appoint the standby guardian, they are taking steps to make sure that the person chosen as standby guardian will be appointed by the court to act as the child's guardian when they die or are no longer able to take care for a child, but they do not give up their current right to make decisions for the child.

Option Two: The principal can designate a standby guardian by writing and signing a document in front of two witnesses who are at least 18 years old that states:

- a. the principal's name;
- b. the name, address, and telephone number of the proposed standby guardian;
- c. whether the authority of the standby guardian will be to make decisions for the daily needs of the child, the child's finances and property, or both; and
- d. whether the authority or the power of the standby guardian should begin when the principal becomes debilitated, incapacitated, or dies.

When a principal designates a standby guardian in writing, they are recommending a person to be the child's guardian. If the court agrees, the court will appoint or name that person as the child's guardian. When a principal makes such a designation, he/she does not give up their current exclusive right to make decisions for the child. Upon debilitation, incapacity, or death, the standby guardian must go to court within sixty days and petition for appointment.

## **5. Foster Care**

Children who are abused, neglected or abandoned by their parents may be placed in the legal custody of the Commissioner of Social Services after a court has decided that their parents cannot safely care for the children. Children who are removed from their homes are placed in a foster family home, a group home, a child care institution, or with relatives. It is important for caregivers to know that once a child is living in their home, it is probably too late for them to become foster parents. Grandparents and other relative caregivers who want to become foster parents should make sure that the child is first placed in the care and control of the State. They can then ask to become the kinship foster parent. In most instances, the court will place the child with them.

The goal of foster care is to find a permanent home for the child. The Commissioner of Social Services, through the child welfare agency, will try first to reunite the parent and child. If this cannot happen, the agency may go to court to request that the rights of the parent be terminated so that a permanent home can be found for the child. The agency will then want to find a home for the child with people who will want to adopt the child.

If your son or daughter is being charged with abuse or neglect, and their child may need placement, the Family Court will want to know whether there are suitable relatives like you available to take care of the child. Your son or daughter can tell the court that you are available to care for the child; and you should go to court and let the court know that you are available to take care of your grandchild. The local department of social services also has a duty to locate relatives, including all the grandparents, and to inform them of their custodial options. However, the extent of these searches varies from county to county.

## **6. Kinship Foster Care and Kinship Custody**

When there is an abuse or neglect proceeding, New York State's Social Service Law requires that the Commissioner of Social Services or the child welfare agency look for relatives to become foster parents. Upon finding a suitable relative, the local department and the family court judge should

inquire whether the relative wishes to become a foster parent, to take temporary custody with the continuing involvement of the department, or to become an independent legal custodian. Kinship foster care is foster care granted to a grandparent or another relative of a child until the parent and child are reunited or until a permanent home is found for the child. A kinship foster care parent has temporary physical custody of the child, not legal custody. Legal custody of that child remains with the Department of Social Services (DSS). This means that the kinship foster care parent takes care of the child's daily needs but cannot make any legal or major decisions regarding the child without first obtaining the consent of DSS. An advantage to kinship foster care is that you may be able to receive kinship foster care payments to assist you with the care of your grandchild, and you may receive other forms of assistance, like family services, payment of special expenses, and educational assistance for the child. Like foster parents, kin must be certified after completing a foster parent course and submitting to an investigation. .

Some relatives are awarded temporary custody, often called "direct" custody or "N docket" custody. The relative is subject to the department's scrutiny and oversight, like a foster parent. In this situation, the department will continue efforts to "reunite" the parents with their children, and eventually the parents may regain custody.

Many relatives choose not to become kinship foster parents nor to become temporary custodians, because they prefer to take care of the child without the department of social services supervision and involvement in their home. These relatives can petition for legal custody. However, some courts are refusing to hear such petitions once efforts at reunification of parent and child have begun, so petitions seeking independent custody should be filed as soon as possible.

The law regarding kinship foster care is changing rapidly because of the need to place foster children in permanent homes, and because relatives and children are gaining more legal rights. Everyone interested in the well being of children should rely upon up to date legal information and advice from a competent attorney.

## **7. Adoption**

Adoption is the only permanent legal arrangement granted by a court. In adoption, the rights of the child's birth parents are terminated and the adoptive parent obtains all the parental rights and responsibilities of the original parents. Once you have adopted a child, you will be the child's legal "parent" and the child's birth parents will no longer have any rights to the child.

If you adopt a child, you will be legally and financially responsible for the care, education and support. This means that that the child cannot receive a public assistance grant based solely on the child's income and resources. See the section on Public Assistance below.

Adoption subsidies may be available for children adopted through kinship foster care if the child has special needs or is considered hard to place. Most foster children are considered hard to place. Additionally, in order to be eligible for an adoption subsidy the child must be in the legal custody of the Department of Social Services and the kinship relative must be a certified foster parent. Another special feature to adoption of kinship foster children is the chance for the birth parents to make an enforceable agreement indicating who may adopt the child or what contacts the surrendering parent may have with the child.

In New York State, adoption is sought at the family court in the jurisdiction where the child resides. Under certain circumstances, New York law will enforce adoption agreements made between birth parents and adoptive parents in private adoptions.

## **8. Opportunity to Become a Caregiver**

Relatives, especially grandparents, may want to become caregivers of children who are still living with their parents or who are in state care (usually foster care). In both circumstances, relatives can ask for a court proceeding.

When children reside with their parents, the petitioner must allege that the parents are unfit, or that the child recently lived with the petitioner. As mentioned, they must show an “extraordinary circumstance” that justifies the intrusion into parental control.

When children are already in state care, the petitioner can start a custody proceeding, intervene in the neglect proceedings, or seek to become a foster parent in a separate proceeding. Custody proceedings are governed by Article Six of the Family Court Act. Intervention, which needs the consent of the parents, is governed by Family Court Act Section 1035(f). Petitions to become a foster parent, pursuant to Family Court Act Section 1028-a, must show that the relative filed the petition within one year of the child’s removal and no more than six months after the relative learned about the removal.

## **9. Legal Assistance**

Although it is not always necessary to have an attorney, it is almost always best to speak with an attorney about the available legal options, for instance, whether it is better to file for custody, guardianship, or adoption. Some county resources are the local Bar associations, mediation centers, legal aid and legal services, the Office for the Aging legal assistance program, and volunteer attorney programs.

## **B. Finances: Programs Available to You and Your Grandchild**

### **1. Financial Assistance**

One possible consequence of a grandparent raising a grandchild is a need for additional financial resources. There are a number of government programs that provide financial assistance for low income and/or financially needy children. These include:

#### **a. Public Assistance and Non-Parent Grants (TANF)**

Family Assistance (TANF) is cash public assistance, available from your local department of social services. It assists needy children and their families to help pay for basic needs like food, clothing, and rent. Eligibility is based on the number of people in the family unit, family income and assets. Two types of grants are available.

If the adult caregivers want assistance based on their income and resources, then they are required to participate in work activities, job training or community work experience, unless they are disabled or elderly (over sixty).

A second type of grant does not look at the income and resources of the relative caregivers. This grant is based “only” on the income and resources of children, because the non-parent caregivers do not have the legal obligation to “support” the children. Such grants are officially called “non-parent” grants. For example, grandparents should be aware that their income does not count in determining eligibility unless they are applying for Family Assistance with their grandchild or if they have adopted their grandchild. You may apply for a non-parent (“Child Only”) grant in which you would be considered a “non-needy caretaker”. In this case you should fill out the applications for your grandchild, not for yourself. Despite what you are told, fill out the form as if you were the child. For

instance, if the question is, "Do you have a bank account?" the answer is no - if the child does not have an account. It may be advisable to write "non-parent grant" on the top of the first page. If the caregiver also meet the criteria for welfare benefits, he/she can apply for themselves and for the children in their care, as a family unit. In this case, your income and assets will be counted in determining eligibility. It is important to know that the New York State Welfare Reform Act of 1997 has imposed a cumulative five-year time limit on Family Assistance, but that the time limit does not apply to non-parent grants.

Grandparents and other relative caregivers who seek a non-parent grant will be asked to inform the department of their income and resources. The department does not use this information to decide eligibility for the non-parent grant. But, the department is required by federal law to record the adult relative caregiver's income and resources.

Sometimes kinship caregivers are told that they must have legal custody or guardianship in order to apply for a non-parent grant. This is not the law. In such instances, insist that you want to apply. Or contact a legal assistance program or any kinship caregiver program and ask for their help in applying. If you apply and are denied, you should appeal the denial by asking for a "fair hearing." You can fax your request to the state office indicated in your denial letter. Upon appeal, a high percentage of denials are found without merit. It is your legal right to apply for public assistance and your legal right to appeal (by asking for a fair hearing) a denial of assistance.

All Family Assistance recipients are automatically eligible for Medicaid. For more information, see the Medicaid section in this guide.

#### b. Food Stamps

Food Stamps are used to purchase food items and are redeemed by using a Common Benefit Card. Food Stamp eligibility is based on the income of everyone in the household. For instance, if a grandchild is income eligible for Family Assistance but the grandparent does not qualify, it is unlikely that the family unit would be eligible for Food Stamps. However, under certain circumstances for persons who have disabilities and must cook separate meals can their food stamp eligibility will be determined under special rules that take their circumstance under consideration.

#### c. Women, Infant and Children (WIC)

Women, Infant and Children (WIC) clinics provide special supplemental nutrition for high-risk pregnant and breast-feeding women, as well as to infants and children up to 5 years of age. Clients gain access to medical care and are provided supplemental food vouchers, nutrition education and breast-feeding support. Clinic sites vary from county to county, with many counties having numerous sites..

#### d. Supplemental Security Income

Supplemental Security Income (SSI) is cash assistance for people who are aged, blind or disabled and have limited income and resources. For information call Social Security at 1-800-772-1213.

#### e. Social Security Benefits

Social Security Benefits are monthly cash benefits for unmarried children under the age of 18 (or full-time students under 19 and older disabled children) whose parents have died. The parent in question must have worked, paid Social Security taxes, and earned enough credits to generate benefits. Applications should be made to the local Social Security office. You will need original documents or certified copies of the child's Social Security card and birth certificate, the parent's Social Security number, the parent's death certificate, and the deceased parent's W-2 forms or Federal tax return (if self employed) for the most recent year. If a child has lived with a grandparent for at least six months

before the grandparent applies for Social Security and the child's parents are dead or disabled, the child is eligible for the benefits of the grandparent. A child who is adopted by their grandparent is also eligible.

## **2. Tax Benefits**

In addition to financial assistance, there are also certain tax benefits for which grandparents and other relatives raising children may be eligible. These benefits are “credits” which are financially more advantageous than deductions. Credits reduce the amount of taxes paid - by subtracting the credit from the amount of taxes due - after calculating income, deductions, expenses, etc. Some credits are “refundable” which means that if the credit is larger than the amount of taxes due, then the remainder is paid out to you.

### **a. Child and Dependent Care Tax Credit**

The Child Care Credit is a benefit for working people with children who pay for someone else to care for the children while they are working. In a single parent family, the single parent must be working. In a two-parent family, both parents must be working. In order to qualify, the child must be either less than 13 years old or older than 12 and physically or emotionally unable to care for themselves. The child must have a social security or Individual Taxpayer Identification Number (TIN) and must live with the parents or relative caregivers. Credit is based on the cost of the childcare. The parent must provide the child care provider's social security or ID number, the name of their organization and the address.

### **b. Earned Income Tax Credit (EIC)**

The Earned Income Tax Credit (EIC) is a special benefit for low and moderate income working people including grandparents and other relatives who are raising children. The EIC program provides additional income via its “refundable” credit because it will pay out any unused credit. EIC is a tax credit program that is administered by the United States Internal Revenue Service (IRS). It also differs from other tax credits because it provides grandparents and other relatives with a cash payment (in the form of a check) even if they do not owe any taxes. In most cases, the EIC does not affect eligibility for benefits like Family Assistance (TANF), Medicaid, Food Stamps, Supplemental Security (SSI) or public or subsidized housing. The only way for you to get the EIC is to file an income tax return with Form 1040A or 1040 and fill out and attach Schedule EIC. You can file an income tax return even if you have low or no income as long as your child has lived with you for more than one-half year. For more information you may call the IRS and ask for Publication 596.

### **c. Employee Dependent Care Accounts**

A growing number of employers allow employees to have up to \$5,000 a year in pretax dollars taken directly from their paycheck. This is known as a Dependent Care Account. The money is then used to reimburse expenses for childcare or elder care. Grandparents should be aware that money in the plan that is not used can be lost. It is essential that you know exactly how much to have deducted.

### **d. Free Tax Information**

Free tax assistance and help completing the necessary forms is available to grandparents. You can call the IRS office at 1-800-829-3676 for forms. You can also call the IRS at 1-800-829-1040 for further information and help in preparing forms.

During income tax season, many organizations offer assistance. The County Office for the Aging provides assistance by IRS trained volunteers in preparing and filing simple federal and state income tax forms for people 60 years and over. The AARP Tax Aide Program with its local sites that operate from February 1st to April 15th can help you complete the appropriate forms. You can contact the AARP Tax Aide Program at 1-888-227-7669 to find the site location nearest you.

## **C. Health Care for Your Grandchild**

### **1. Health Insurance Coverage**

Relative caregivers may find it difficult to find health insurance coverage for their children. Caregivers in the paid work force that have employer-provided group insurance still run into problems because employer provided group health insurance may not cover children in kinship care arrangements. Contact your employer and/or insurance company to find out for sure what coverage you have. Medicare does not provide health coverage for children, so Medicare recipients must look elsewhere.

#### **a. Medicaid**

In New York State the medical assistance program is called Medicaid. It is a program funded by the state and federal governments, which helps people who are receiving public assistance and/or have a low income pay for doctor and hospital bills and some medication. You may apply for Medicaid on your grandchild's behalf at the department of social services offices listed below. Make sure you apply and sign the application form as soon as you realize you need Medical Assistance because payment for medical expenses can only go back 3 months from the date of application.

Federal law requires states to provide Medical Assistance benefits to individuals who receive Family Assistance (TANF, formerly AFDC) grants or Supplemental Security Income (SSI) and children in foster care.

Note: Even if you have children in your care who, for any reason, are not eligible for Family Assistance or SSI, you should still apply for Medicaid on their behalf by going to your local Social Service Office.

### **2) Child/Teen Health Program (CTHP)**

The Child/Teen Health Program (CTHP) is a provision of the federal Medicaid program, which provides financially needy children with preventive health care. Every child who is eligible for Medicaid is eligible for federally funded CTHP services. CTHP is a critical program for your grandchild because it provides many services that may not be available to adult Medicaid recipients.

When you see your doctor for an CTHP exam (sometimes called a well-child visit or a check-up), your grandchild should receive the following:

A complete physical exam

Eye and hearing tests

Lab tests, including levels, if needed

Immunizations, if needed

Dental assessment

Health education about issues of concern for you and your grandchild

Nutrition assessment

Developmental assessment

### **3) Medicaid Managed Care Plans**

a. If your child or yourself is granted Medicaid benefits, you may choose to enroll in a Medicaid Managed Care plan. Managed care is currently voluntary not mandatory. You will need to complete an enrollment form. If you are found eligible you will be notified by the County and the plan you have chosen. Be sure to carefully read the information that the Department of Social Services provides to you about the Health Maintenance Organizations (HMOs). Prepared Health Services Plans (PHSPs) serving County Medicaid recipients. Call the HMOs/PHSPs that look best for your grandchild or

family. Ask them for more information about what you need to know. They can send you a list of doctors, other medical providers and give you details on the services they offer.

When choosing an HMO, consider the following:

Does my family's doctors belong to this HMO?

Does this HMO have doctors, clinics, and hospitals near my home?

Are there enough specialists to treat my family's health needs?

Does this HMO offer special services or "extras?" For example, will they pay for any health care items not prescribed by a doctor? Do they offer free parenting classes?

For any questions about Medicaid Managed Care, you can call the County Medicaid Managed Care Unit.

#### **4. Child Health Plus and Family Health Plus**

In addition to the Medicaid program, New York State also offers low-cost health insurance for children up to age 19 called Child Health Plus and Family Health Plus for adults between the ages of 19 and 64. The programs are available to NYS families who are not eligible for Medicaid and have limited or no health insurance.

Even if your family income is high, you can enroll your grandchild in the program (although you will have to pay more for your coverage). The fees for Child Health Plus are based on family size and income. For example, a family of four with an annual gross income of \$27,600 would pay nothing. The same family making \$38,000 per year would pay \$9 per child per year. And if the family made less than \$19,000 per year, it would cost them nothing to insure their children.

The following insurance companies may provide coverage to families in your county:

Empire Blue Cross/Blue Shield 1(800) 431-1914

Genesis 1 (800) 599-2920

Kaiser Permanente 1 (800) 454-3840

Wellcare 1 (800) 288-5441

Hudson Health Plan 1 (800) 339-4557

You may call these companies directly to request an application. For the names and telephone numbers of insurance companies in other counties, or to learn more about Child Health Plus, call 1 (800) 698-4KIDS.

#### **5. Medical Consent**

Under New York State law, only parents or legal guardians can make all decision regarding medical care for children. Legal custodians can also make medical decisions, but their court orders may indicate some limitations on their authority. For informal custodians, a note from the parent of parents can give medical decision making power to the caregiver for most medical care. The note, officially called a designation) must contain certain information in order to be legally valid. See examples of parental designations (notes) below. There are two kinds of notes, the simpler one is good for one month from the day of writing and it does not need to be notarized. The longer note is good for six months and must be notarized. The designations are renewable. While the law declares who can make these decisions, the reality is that often medical providers accept the authority of grandparents and other relative caregivers, and never inquire about court orders or parental designations.

Sometimes, a statement from you, or the parent, or from a social worker, which shows your relationship to your grandchild, is enough to get medical care for a child.

New York State law does allow grandparents and older sisters and brothers to consent to a young child's immunizations. No court order or parental designation is necessary..

In case of an emergency, take your grandchild to the emergency room of a hospital. Since emergency care is necessary to save lives or to prevent serious injury, New York and other states permit medical personnel to treat children without getting the consent of the authorized adult caregiver. You do not need legal guardianship of a child to get emergency medical treatment for a child. In an emergency, the doctor will decide whether the child needs immediate medical attention. If there is not time to get consent from the authorized caregiver and the life and health of a child would be in danger, then the doctor can treat the child without the obtaining permission.

If a relative caregiver is having difficulty obtaining medical care, it may be necessary to obtain legal guardianship or legal custody or a parental designation. See other sections in this guide for advice on how to become a legal custodian or guardian and for parental designation forms. In some cases a lawyer should be contacted for assistance.

## **6. Children's Health Care Services**

In addition to your grandchild's pediatrician or family physician, the County Department of Health (DOH) offers many low and no cost health services for children residing in your county. If you would like to receive any of these services or have a question about a particular service, please call the DOH District Office in your area. The following Children's Services are offered at no cost or on a sliding fee scale by the DOH (Medicaid is also accepted):

### **a. Clinics**

Immunization clinics are usually conducted year round by the county. Immunizations are recommended to begin at two months of age, and children are eligible for this free service through college. Vaccines are provided to protect against diphtheria, polio, whooping cough, tetanus, measles, mumps, rubella (German Measles), hepatitis, and HIB (Hemophilus influenza type B, which is one cause of meningitis). Flu and pneumonia shots for senior citizens are offered in November. Clinic times and dates may be obtained from any Health Department office.

Tuberculosis Control Clinics are sometimes available. Telephone DOH for information.

Sexually Transmitted Diseases (STD) clinics are conducted for the diagnosis and treatment of sexually transmitted diseases. No appointment is necessary and, consistent with Public Health Law, parental permission is not required for minors. All information is strictly confidential. Clinic services include epidemiological follow-up by a Public Health Advisor to trace sexual contacts of the infected persons and bring those contacts to diagnosis and appropriate treatment. STD clinics are held in the Health Department offices.

HIV Counseling and Testing both anonymous and confidential is also usually available, conducted by certified counselors.

Women, Infant and Children (WIC) clinics provide special supplemental nutrition for high-risk pregnant and breast-feeding women, as well as to infants and children up to 5 years of age. Clients gain access to medical care and are provided supplemental food vouchers, nutrition education and breast-feeding support. The WIC program is free to women, infants and children who are found to be medically and financially eligible. Application forms are available at all Health Department offices.

b. Physically Handicapped Children's Program (PHCP)

PHCP offers financial assistance for medical and surgical rehabilitation to children and young adults to age 21 who have conditions diagnosed as physically handicapping. The program relies on available health insurance monies as the first step in paying for treatment costs. Otherwise, treatment is authorized by PHCP Medical Director for State/County funds or Medicaid. Financial eligibility requirements must be met.

c. Environmental Health

The Division of Environmental Health provides services directed at safety and the prevention of disease, as well as the alleviation or prevention of human suffering resulting from harmful environmental conditions. Major responsibilities include the surveillance of all public water supplies, including the bacteriological and chemical content of water, the inspection of food service establishments in both commercial and non-commercial settings, and the approval of plans for realty subdivision, sewage systems, water supplies and swimming pools.

In addition, other services apply to schools, day care centers, children's camps, hotel/motels, mobile home parks, state licensed and local institutions, swimming pools/bathing beaches, insect and rodent control, migrant labor camps, and the investigation of nuisances, hazards and animal bites. The Public Health Law and the Sanitary Code mandate many of these services. There are charges for operating permits for various facilities and plan review charges are also levied for realty subdivision, sewage, swimming pool and food services plans.

d. Community Health Outreach

The Department of Health that provides public health education, intervention services, case management and prevention services to target high-risk communities and/or specific public health issues. Ask your county DOH about community health outreach (CHO) which may provide education, information and referral to individuals who are at highest risk of contracting communicable and infectious disease and/or require medical management for acute or chronic health problems.

The overall goal is to foster behavioral changes that will result in positive outcomes through outreach, education, referral and case management via some or all of the following programs:

- Abstinence Education and Promotion Initiative
- Adolescent Tobacco Use Prevention Act (ATUPA)
- Asthma Prevention and Control Program
- Childhood Lead Poisoning Prevention Program (CLPPP)
- Community Health Worker Program (CHWP)
- Comprehensive Tobacco Use Prevention and Control Plan
- HIV Prevention and Education Program
- Lyme Disease Surveillance and Education Program
- Migrant Health Services (MHS)
- Public Health Education
- West Nile Virus Surveillance and Education Program
- Youth Empowerment Program Against Tobacco Use (Reality Check)

e. Early Intervention Services

Children from birth to age three, who are experiencing a developmental delay, are eligible for Early Intervention Services. Early Intervention provides services such as physical therapy, occupational therapy, speech, and educational therapy, and family counseling in the child's natural environment whenever possible. The aim is to enhance a child's potential for growth and development before he/she reaches school age. Ask your local DOH offices for information about the Intervention Division Office or early intervention services.

## Child Find / Infant-Child Health Assessment Program (ICHAP)

Child Find / ICHAP is a component of the Early Intervention Program, which is designed to improve the identification, location, referral to care, and follow-up of infants and toddlers at risk of developmental delay and disabilities. Public Health Nurses provide periodic home visits to assess the child's developmental status and provide appropriate information and referral for families concerning their child.

It may also be helpful to contact your local hospitals and inquire about the services they offer in their pediatric clinics and immunization centers.

## 7. Tips For Raising Healthy Grandchildren

### a. Immunizations

Immunizations are shots that protect children from many contagious diseases. It is important for children to get their shots at the right times in order to prevent them from getting sick with fevers and rashes or diseases that can cause more serious problems such as brain damage, heart problems, crippling, deafness, and blindness. School districts and daycare centers require proof of immunizations before a child can be enrolled. Following is a chart for all major childhood immunizations and the correlating recommended ages for each. In order to read this chart, locate the "recommended age" in the first left-hand column and follow the row across. Each box that has a check in it corresponds to a type of immunization that the child should receive at that age.

Recommended Age	Prevnar	Polio (OPV)	Diphtheria Tetanus Pertussis (DTP)	Haemophilus Influenzae type b (HbOC-Hib Titer) (Hib)	Hepatitis B (Hep B)	Measles Mumps Rubella (MMR)	Tetanus Diphtheria Booster (Adult Td)
Birth					✓		
2 Months	✓	✓	✓	✓	✓		
4 Months	✓	✓	✓	✓			
6 Months	✓	✓	✓	✓	✓ (16-18 mo.)		
12-18 Months	✓		✓	✓		✓ (16-18 mo.)	
4-6 Years			✓				
Every 10 Yrs.							✓

### b. Lead Poisoning

Many American children are at risk of lead poisoning. One out of every six American children has too much lead in their blood. The biggest source of lead in the home is lead-based paint used on walls, floors, doorway trim, window sills and radiators in some older homes. Children with high levels of lead in their bodies can suffer from brain damage, hearing loss, or developmental delays.

Guidelines for Keeping Your Grandchildren Safe from Leaded Paint in the Home

Let your tap water run for a few minutes in the morning before using it for drinking, cooking, or making baby formula. Use cold water only. Hot water or water that has been sitting in the pipes for hours may contain high levels of lead.

Wash your grandchild's hands often.

Store your food and beverages in plastic, glass (not lead crystal), or stainless steel containers only.

Keep cribs and beds away from painted radiators.

Look out for any chipping, peeling, or flaking in your apartment or rental house. Report it in writing to your landlord. When work is being completed on the painted surfaces remove children from the environment. Thoroughly damp-dust and wet mop the renovated area before children return.

### c. Sudden Infant Death Syndrome (SIDS)

Sudden Infant Death Syndrome (SIDS) is the sudden and unexplained death of an infant under one year of age. SIDS, sometimes known as crib death, strikes nearly 5,000 babies in the United States every year. Doctors and nurses don't know what causes SIDS, but they have found some things you can do to make your baby safer.

One of the most important things you can do to help reduce the risk of SIDS is to put your healthy baby to sleep on his or her back. Do this when your baby is being put down for a nap or to bed for the night. This is new information since you may have been told that babies sleep on their tummy. Now, doctors and nurses believe that fewer babies will die of SIDS if infants sleep on their back. Some babies have health conditions that might require them to sleep on their tummy. If your baby was born with a birth defect, often spits up after eating, or has a breathing, lung or heart problem, be sure to talk to a doctor or nurse about which sleep position is better.

Although back sleeping is the best sleep position, your baby may be placed on his or her side. Side position does not provide as much protection against SIDS as back sleeping, but it is much better than placing your baby on his or her tummy.

### Other Things You Can Do To Help Reduce the Risk of SIDS:

**Bedding** - Make sure that your grandbaby sleeps on a firm mattress or other firm surface. Do not use fluffy blankets or comforters under the baby. Do not let the baby sleep on a waterbed, sheepskin, a pillow, or other soft materials. When your grandchild is very young, do not place soft stuffed toys or pillows in the crib with him or her.

**Temperature** - Babies should be kept warm, but they should not be allowed to get too warm. Keep the temperature in your baby's room at a level that feels comfortable to you.

**Smoke-free** - Create a smoke-free zone around your grandbaby. No one should smoke around your grandbaby.

**Doctor or Clinic Visits** - If your grandbaby seems sick, call your doctor or health clinic right away. Make sure your grandbaby receives his or her shots on schedule.

If you have any questions about your grandchild's sleep position or health, first talk to your doctor or nurse. For more information, call the New York State SIDS Helpline at 1-800-336-SIDS.

## **D. Education for Your Child**

Relative caregivers who are raising children will need to enroll them in school. Boards of Education issue guidelines about who can enroll a child in school or see a child's school records. These guidelines vary depending on where the grandchild lives. However, New York State law says that persons in parental relation to the child may enroll a child in school. Persons in parental relation include:

- the child's father or mother
- the child's adopted father or mother
- the child's step-father or step-mother
- the child's court appointed guardian
- the child's "custodian"

New York State Education Law defines a "custodian" as a person who does not have a legal relationship to the child but is caring for the child as if he or she is the child's parent because the parent or legal guardian:

- has died
- is in prison
- is mentally ill
- is in an institution
- has abandoned the child
- is absent and has disappeared
- is living outside the state
- has designated the custodian in a valid legal designation

### **1. School Enrollment**

In addition, it is necessary to show that you have assumed care and control of the child and that the child is residing with you and will continue to live in your home. Schools may require legal custody or guardianship in order to prove that you have assumed the care and control of a child. Often school districts will only ask for an affidavit stating that you are the child's caregiver and the reason you are caring for your grandchild. An affidavit from the parent attesting to the fact that you have assumed the full care and control of a child may also be necessary. Schools can also request documents that prove where the relative and child live. Suitable documentation includes a utility bill, driver's license, medical insurance card, a letter from the Department of Social Services, etc.

Following the aforementioned procedure should allow you to enroll your grandchild in school, see your grandchild's school records, and make decisions about your grandchild's education. Note: You may need to educate your school administrators to help them understand that legal custody or guardianship of the child is not necessarily required in order for you to enroll him or her in school.

### **2. Special Education Services**

Any student with a disability is entitled to receive a "free and appropriate public education in the least restrictive environment". If you feel that a child has a disability and would benefit from special services you must request this in writing. Send a letter to the Committee on Special Education in your school district or to the principal of your neighborhood school. Your letter should include your reasons for making this request and any details that describe the child's areas of difficulty. Date the letter and keep a copy for your records.

The Committee on Special Education (CSE) will send you a plan for an evaluation. Federal law permits grandparents and other relative caregivers to participate in the deliberations of the CSE. The evaluation must include a physical examination, an individual psychological evaluation (when necessary), a social history, an observation of the student in the classroom and appropriate educational evaluations and assessments relating to the areas of suspected disability. Once you

agree upon the appropriate tests, sign and return the plan. In New York, the school district has 40 school days from the date of the grandparent's original letter or within 30 school days from receipt of the signed consent to complete the evaluation. Although the Committee on Special Education is responsible for making all the arrangements for the evaluation, you also have the right to bring or send additional information about your grandchild to the Committee. The results of the evaluation are used to determine what your grandchild's individual needs are and if your grandchild has a disability. If the evaluation determines that a child requires special education, the recommendation will identify the disability; describe your grandchild's strengths and areas of need; list goals that the child should reach in a year's time, include short-term instructional objectives to be mastered or major accomplishments to be gained that will lead toward reaching the annual goals, and, identify the types of programs and services that your grandchild will receive. All of this information will be included on your grandchild's Individualized Education Program (IEP). You will be sent a copy of the IEP, and as the authorized caregiver, you must approve it. Read it carefully to make sure it does what it is meant to do. Consider the following: Does the IEP cover all areas of your grandchild's development including behavior, socialization, communication, self-help, academic and motor skills? Does it state specifically how goals and objectives will be measured? Is it realistic? Does it encourage growth at a reasonable rate? Is it written in language that you can understand and discuss? Once your child has begun the IEP process, he or she will be reviewed annually and reassessed at least every three years.

The needs of many children with disabilities can be met in a public school setting with peers who are not disabled. Alternative programs should be considered only when the student's needs cannot be met within the regular school setting. The success of any student's educational program relies on the active participation of all persons responsible for the student. Your involvement, as a caregiver is essential. For more information on special education services, technical assistance and referral, contact the local BOCES or your local school.

## **E. Child Care For Your Child**

The early years are a time of rapid growth and development for your grandchild. There will be new ideas to explore, skills to master and many new people to meet.

A good early childhood program should nurture your grandchild's development on all levels.

### **1. Types of Child Care Available**

The following are the types of childcare that are available for full time or regular, part time care. For help in finding child care based on your family's individual needs, contact one of the Child Care Resource and Referral agencies listed at the end of this section. (Nursery Schools are not listed here as they run for less than 3 hours per day and are not a registered or licensed child care program by the NYS Office of Children & Family Services.)

#### **a. Child Care Centers**

These are full or part day programs in public or private locations. They include day care centers and Head Start programs (free part day program for income eligible children). Children are grouped according to age.

#### **b. Family Child Care Homes**

Care for children in the home of another family. Children of various ages can be accommodated in a small group setting and flexible hours can be arranged. The number of children allowed in the care of any family childcare home is regulated by the state.

#### **c. In-Home Care**

This is care in a child's own home by a person hired specifically for that purpose.

#### **d. Summer Day Camps**

Camps offer summer activities usually for school-age children. Programs vary from number of hours per day to number of weeks in a session.

e. School-Age Child Care

School-age child care means care provided on a regular basis to 7 or more school-age children who are under 13 years of age or who are incapable of caring for themselves. The children attend school or kindergarten at a public or private school and whether such care is provided for compensation or otherwise.

## 2. Choosing Suitable Child Care

Before deciding what type of childcare best suits your needs, you should visit several potential programs and/or providers. During your visit, consider the following questions:

Do the adults:

- appear warm and friendly? seem calm and gentle?
- hold and touch each child in a caring manner?
- have experience working with children?
- treat each child as an individual?
- share your methods of guiding and controlling behavior?

Is there ample opportunity for your child to enjoy:

- good quality picture books?
- manipulative toys?
- creative materials which a child can use in his/her own way?
- active play indoors and outside?

Do children:

- receive individual attention?
- work alone as well as in small groups?
- have a balance between vigorous outdoor play and quiet indoor play?

Now that you've found childcare, how can you maintain a good relationship between you and your child care provider?

The most important thing you as a grandparent can do to deal with problems that may arise with your caregiver, is to work on establishing and maintaining a good relationship. The following are a few suggestions:

Keep your side of the contract. Pay tuition and fees on time, provide all requested items for your child, and be prompt for pick-up and drop-off time.

Talk things over. A short talk each day with the provider will be all you need. You might want to mention anything that has happened in your grandchild's life that might be affecting his/her behavior in care.

Consider the caregiver's feelings. Show the caregiver that you appreciate what she is doing. Don't just wait for problems to arise before you provide feedback to your caregiver.

If you disagree with the caregiver's childcare methods discuss these differences with her. State how you would like things done and reasons for it. Listen to her reasons.

### 3. Where To Get Help

A community based Child Care Resource and Referral agency can help you find childcare based on the individual needs of your family. The following are the telephone numbers for referral agencies in the metropolitan New York area.

In Nassau County	(516) 358-9288
In New York City	(212) 929-7604 x 3025 & 3032
In Orange County	(800) 827-1751
In Putnam County	(845) 621-5619
In Rockland County	(845) 425-0009
In Suffolk County	(516) 462-0303
In Westchester County	(914) 761-3456 ext. 140

Some of these agencies can help you determine if you are eligible for financial assistance to help pay for childcare or direct you to the agencies that can.

What if you have concerns about your childcare program or provider?

In New York State, the Department of Social Services maintains a state-wide, toll free Child Complaint Line at 1-800-732-5207 for complaints of possible regulatory violations in a child care program.

To report suspected cases of Child Abuse or Maltreatment in New York State call toll free: 1-800-342-3720.

### III. OTHER RESOURCES FOR YOU AND YOUR CHILD

**A. See the NYS Kinship Navigator: [www.nysnavigator.org](http://www.nysnavigator.org) or 1-877-4-KinInfo (1-877-454-6463) or a local kinship program listed at the front of this Guide.**

#### **B. Suggested Reading for Grandparents & Grandchildren**

When someone you love dies or is gone for a long period of time the natural reaction is grief. Anyone old enough to love is old enough to grieve. Even before children are able to talk, they grieve when someone they love dies or is absent. These feelings about death become part of them forever. How adults respond when someone loved dies has a major effect on the way children react to the death. Grandparents who are raising their grandchildren and who are willing to talk openly about the death or prolonged absence of the child's parent will help the children understand that grief is a natural feeling. Children need adults to confirm that it's all right to cry and be sad, and that the hurt they feel now won't last forever.

A child's questions about death need to be answered in language they can understand. Adults shouldn't worry about having all the answers. The most important thing is to answer as best you can and in a caring way.

The following is a list of books for children that deal with losing someone you love and/or being raised by a grandparent:

#### **Books for Children**

Author: Martha Whitmore Hickman  
Title: Robert Lives With His Grandparents: A Concept Book  
Ages: K - 4th grade  
Date: 1995

Robert's parents are divorced and he lives with his grandparents. When his grandmother decides to attend Parents Day at his school, he is afraid of what the other kids will think of him.

Author: Jeanne Warren Lindsay  
Title: Do I Have a Daddy?  
Ages: Four to Eight  
Date: 1991

This story provides a model for how to respond to children's questions about a parent they have never seen.

Author: Jennifer Bartoli  
Title: Nonna  
Ages: Four to Seven  
Date: 1975

A boy tells the story of the death of his grandmother, portraying how young children respond to the death of a loved one.

Author: Norma Simon  
Title: The Saddest Time  
Ages: Four to Eight  
Date: 1986

Losing a loved one is the subject of these three gentle stories.

Author: Jill Krementz  
Title: How It Feels When a Parent Dies  
Ages: Eight to Thirteen  
Date: 1981

Eighteen children, ages seven through 16, tell how it feels to lose a parent through death.

Author: Ruth White  
Title: Belle Prater's Boy  
Ages: Elementary School  
Date: 1996

When Woodrow's mother disappears suddenly, he moves to his grandparents' home in a small Virginia town. He befriends his cousin and together they find the strength to face the terrible losses and fears in their lives.

Author: Marilyn Sadler  
Title: Zenon: Girl of the 21st century  
Ages: Elementary School  
Date: 1996

Because Zenon creates trouble at her space station home somewhere in the Milky Way, her parents send her to her grandparents' farm on Earth for the summer.

Author: Tololwa Mollel  
Title: Kele's Secret  
Ages: Elementary School  
Date: 1997

A young African boy who lives with his grandparents on their coffee farm follows their hen in order to find out where she is hiding her eggs.

Author: Margaret Stevens  
Title: When Grandpa Died  
Ages: Four to Eight  
Date: 1979

A little girl learns to accept the death of her grandfather.

Author: Donna O'Toole  
Title: Aarvy Aardvark Finds Hope  
Ages: All ages  
Date: 1988

An aardvark's delayed grief over the loss of family begins to heal through the support of a caring friend.

Author: Jill Hastings & Marion Typpo  
Title: An Elephant in the Living Room  
Ages: Seven to Twelve  
Date: 1984

This book helps children from alcoholic homes learn about alcoholism, and teaches new ways to handle feelings.

Author: Wendy Lichtman  
Title: Blew and the Death of the Mag  
Ages: Ten and up  
Date: 1975

After her mother dies, a young girl explores her feelings of love, fear, anger and understanding.

Author: Dan Millan  
Title: Secret of the Peaceful Warrior  
Ages: Five to Eleven  
Date: 1991

A young boy who is harassed by the school bully learns that he cannot overcome fear by running away or by becoming a bully himself. This book teaches children how to resolve conflicts peacefully and how to live as "peaceful warriors."

Divorce

Author: Richard A. Gardner  
Title: The Boys and Girls Book about Divorce, With an Introduction for Parents  
Ages: Pre-Teen through Adolescence  
Date: 1992

A warm reassurance and honest answers to questions frequently asked by children of divorced parents.

Author: Laurene Krasny Brown, Marc Brown  
Title: Dinosaurs Divorce: A Guide for Changing Families  
Ages: Five to Twelve  
Date: 1986

Dinosaur characters depict the range of experiences and feelings encountered by children whose parents have divorced. Simple, direct text and lively pictures encourage young readers to acknowledge and express their own fears and reactions to this experience.

Author: Brigitte Weninger  
Title: Good-Bye Daddy!  
Ages: Four to Nine  
Date: 1995

After spending the day with his daddy, a young bear is sad and angry that his father has to leave. The bear comes to learn that even when a father has to live in another home, the love and caring never go away.

Author: Eric Rofes (Editor)  
Title: The Kids' Book of Divorce: By, For and About Kids  
Ages: Grades Four to Eight  
Date: 1982

Twenty school children, fourteen of whose parents are divorced, discuss the various aspects of divorce and give advice on coping with the feelings, fears, and problems caused by divorce and its aftermath.

## **Books for Adults**

Author: Sylvie De Toledo  
Title: Grandparents as Parents: A Survival Guide for Raising a Second Family  
Date: 1995

A guidebook for any grandparent who is raising a grandchild.

Author: Deborah Doucette-Dudman

Title: Raising Our Children's Children

Date: 1997

The social, legal and emotional issues faced by grandparents as parents, such as custody battles, housing issues, and prior mistreatment of the children.

Author: Lillian Carson

Title: The Essential Grandparent: A Guide for Making a Difference

Date: 1996

An easily readable book that honors grandparenthood, dispelling grandparenting myths and helping readers develop their own grandparenting strategy.

Author: Arthur Komhaber

Title: Contemporary Grandparenting

Date: 1996

A synthesis of current knowledge about grandparents and their role in families and society. Includes a chapter on grandparents raising their grandchildren.

Author: Eda J. Leshan

Title: Grandparenting in a Changing World

Date: 1997

Insightful, witty advice on such topics as grandparents who remarry, grandchildren who live far away, grandparents raising their grandchildren, and more.

Author: Katherine Gabel

Title: Children of Incarcerated Parents

Date: 1995

Author: Barbara Hermie

Title: Coping When a Parent Has AIDS

Date: 1993

Author: John J. La Valle

Title: Coping When a Parent Is In Jail

Date: 1995

Author: Jim Fay

Title: Grandparenting With Love & Logic:

Practical Solutions to Today's Grandparenting Challenges

Date: 1994

Author: Marianne Takas

Title: Grandparents Raising Grandchildren: A Guide to Finding Help and Hope

Date: 1995

Available for \$4.00 or \$5.00 by writing: The Grandparent Guide, The Brookdale Foundation Group, 126 E. 56 Street, New York, NY 10022.

Author: Traci Truly

Title: Grandparents Rights: With Forms (Take the Law into Your Own Hands)

Date: 1995

Title: Help For Grandparent Caregivers

Author : Steven Finkelstein

Title : 1997 Rockets Family Fun Activity Guide and Directory:  
For Children and Their Parents, Grandparents, Aunts and Uncles (Day trips)

Date : 1997

Author : Kate Weingarten

Title : Enrichment Activities for School Age Children

Date : 1997

A source of weekend and vacation ideas for school age children in Westchester County, New York City and Fairfield County, CT. Available through the Institute for School Age Child Care (914) 761-3456 ext. 103

Author : Sheila Buff

Title : Nature Walks In and Around New York City

Date : 1996

Published by the Appalachian Mountain Club.

Author : Jane Berger

Title : Kids of Westchester: A sourcebook of services available  
for children from six to twelve years old

Date : 1990

Author : Westchester Arts Council

Title : Art for Schools: A Guide to Cultural Resources for Teachers and Parents

Date : 1994

Author : Peggy Turco

Title : Walks and Rambles in Westchester & Fairfield Counties

Date : 1993

### **C. Grandparent Caregiver Internet Addresses**

Grandparents Raising Grandchildren

<http://www.aarp.org>

AARP, Grandparent Information Center.

<http://www.grandsrus.com>

Grands R Us . . . for grandparents and special others raising children. This website lists support groups and grandparent rights groups.

<http://www.fosterparents.com/index30raisinggrch.html>

The Foster Parent Community homepage.

<http://www.divorcenet.com/welcome.html>

Family Law Advisor Home Page; Grandparents' right to visitation with their grandchildren.

<http://www.grandparentsforchildren.org>

National Committee of Grandparents for Children's Rights

1-866-624-9900

This organization is a leader in advocating for kinship caregivers.

Grief and Loss

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

Bereavement Research Network. Information on helping children cope with grief.

Children

<http://www.zerotothree.org>

Organization dedicated to the development of America's infants and toddlers.

<http://www.handinhand.org>

Tips For Raising Your School-Aged Children

<http://www.pbs.org/kids/>

PTV assists caregivers across America on how to use public television to help children love learning.

It offers adults guidance for selecting appropriate programs for their children.

<http://www.aspensys.com/eric>

Educational Resources Information Center (ERIC) is a national information system designed to provide users with ready access to an extensive body of education-related literature.

#### **D. National Sources of Support**

AARP GRANDPARENT INFORMATION CENTER (GIC)

601 B. St. N.W.

Washington, DC 20049

(202) 434-2296

This organization provides local support-group referrals to grandparents who are raising their grandchildren. Available publications include Parenting Grandchildren: A Voice for Grandparents; Tips for Grandparents: Finding Help Untangling the Web of Public Programs.

CENTER ON CHILDREN AND LAW

American Bar Association

740-15th Street N.W.

#200 South

Washington, DC 20005

(202) 662-1720

## EDUCATIONAL RESOURCES INFORMATION CENTER

(ERIC SYSTEM)

1600 Research Blvd.

Rockville, MD 20850-3172

(800) 538-3742

ERIC is an outreach arm of the U.S. Department of Education's Office of Educational Research and Improvement. It offers free materials on topics like "How Can I Be Involved in My Child's Education?" It publishes a free educational journal, The ERIC Review, three times a year. Call for a subscription or to order free brochures.

## FOUNDATION FOR GRANDPARENTING

Box 26

Cohasset, MA 02025

Publications Include: "Vital Connections" Newsletter. Send a self-addressed business size envelope with 58 cents in postage for a copy of this newsletter.

## GENERATIONS UNITED

122 C St., N.W.

Suite 820

Washington, DC 2000 1-20856

(202) 638-1263

A coalition of over 100 national organizations that deals with intergenerational issues and programs. Publications include Generations United Newslines (a newsletter).

## NATIONAL COMMITTEE OF GRANDPARENTS FOR CHILDREN'S RIGHTS

Health Science Center

Level 2, Room 93

Stony Brook University

Stony Brook, NY 11794-8231

Phone/Fax: (866) 624-9900

A coalition of concerned grandparents, citizens and agencies united to create one powerful voice and to network with groups throughout the nation to advocate and lobby for legislative changes.

## NATIONAL CLEARINGHOUSE FOR ALCOHOL AND DRUG INFORMATION

11426-28 Rockville Pike

Rockville, MD 20852

(800) 729-6686

This is a federal clearinghouse that provides pamphlets, booklets, posters, fact sheets, and directories on alcohol and drugs.

## NATIONAL COALITION OF GRANDPARENTS (NCOG)

137 Larkin

Madison, WI 53705

(608) 238- 8751

A coalition of grandparent caregivers who work for legislation and other policy changes in support of relative caregivers.

NATIONAL INFORMATION CENTER FOR CHILDREN AND YOUTH WITH DISABILITIES (NICHCY)

P.O. Box 1492

Washington, DC 20013

(800) 695-0285

NICHCY is a clearinghouse for free information on disabilities and disability-related issues involving children and youth. NICHCY publications include explanations of special education laws and school services for children with disabilities, state resource sheets, and information on individual disabilities. Call or write NICHCY for a free copy of their publication list.

NATIONAL INSTITUTE ON DRUG ABUSE (NIDA)

5600 Fishers Lane

Rockville, MD 20857

(800) 729-6686

NIDA provides drug information and a counseling hotline.

R.O.C.K.I.N.G.

(Raising Our Children's Kids: An Intergenerational Network of Grandparents, Inc.)

P.O. Box 96

Niles, MI 49120

An organization that (1) links support and advocacy groups of grandparents raising grandchildren; (2) provides telephone counseling to caregivers; (3) helps relative caregivers access support groups and resources; (4) helps relative caregivers develop new support groups; (5) advocates for legislative change, especially on kinship care issues.

Part II County Resources is available from the NYS Kinship Navigator, see contact information at the beginning of Part I.

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