

## **IDENTIFICATION OF KEY ISSUES**

KOKUA COUNCIL, July 27, 2009

**Key Priorities of what is needed to support Grandparents Raising Grandchildren (GRG) and caregivers committed to raising Hawaii's children in absence of parents, whether or not the caregivers have legal status of the children growing up in the `ohana homes.**

Needed - increased awareness, clarity, and acceptance within state departments and counties.

- There are about 14,000 grandparents raising about 35,000 grandchildren in Hawaii (*2007 Needs Assessment of Grandparents Raising Grandchildren* contracted by Hawaii State Executive Office on Aging)
- The new *Older American Act-2007*, includes and defines, "grandparent raising grandchild 55 years or older caring for child 18 years or younger, and grandchildren 19 to 59 with a medically diagnosed serious disability".
- **Omission:** Materials from counties haven't shown on the covers that services include GRG. **Problem:** GRG say they don't know about resources and they don't know where to call to ask questions. Task Force Recommendation: all counties to put on covers of county materials and websites, *Elderly Services including Grandparents Raising Grandchildren*. Desired Outcomes: more GRG learn they are eligible to call and ask questions; and the next Hawaii State 4-Year Plan on Aging more clearly shows that *Grandparents Raising Grandchildren* who meet the definition above are included in plans, budgets, and annual reports for elderly services.

**What causes the `ohana care situations?** When family crisis happen, grandparents' belief systems motivate them to do all that they can to care for their grandchildren. Given that *separation of the child from his birth family is a major crisis for the child and family regardless of the circumstances*, GRG forget all about what are their needs (budget, vitamins, prescription medicine, rest, etc.) and feel committed to provide care to grandchildren-in-crisis. Emotionally and physically, those GRG live in stressed situations. At the same time, no matter what, grandparent experience meaningful work and dedication to family. Grandparents of Polynesian ancestry frequently believe in *Hanai* [*nearly equivalent term for legal adoption or ho`ohiki.* " *Ho`ohiki literally means to vow, promise or take a binding oath*]. *The other significant cultural practice is the part-time or temporary system of child care or temporary placement and care known as luhi, in which members of the `ohana or close friends helped parents care of their child for a specified period of time. The non-binding and temporary aspects of luhi are known and accepted.* Most GRG do not have \$ 3,000 or more for legal services to get Legal Guardianship or Adoption of grandchildren in their care. Many grandparents raising grandchildren day dream about the parents coming back ready to take care of their children so those GRG don't want change of legal status. Months turn into years of `ohana caregiving.

**HOUSING ISSUES** - *A Real Story* to show what managers of Kupuna Housing have been doing.

A grandfather financially eligible to qualify to live in public kupuna housing, learned that his grand-daughter had parents who wouldn't or couldn't take care of her (drugs, neglect, threaten harm to child). The grandfather provided care to his grand-daughter at his Kupuna Housing apartment. He received *Eviction Notices* from the manager of the apartment building because House Rules say "no children allowed". The grandfather now lives in a car with his grand-daughter. Many grandparents committed to caring for their grandchildren live in homeless shelters with those grandchildren.

**Problem** - Statewide, seniors who live in Kupuna Housing receive *Eviction Notices* whenever they provide care for a grandchild-in-crisis, instead they need reasonable time to find other housing.

**Need for Support of Legislation**

Senator Chun Oakland shows interest in a Resolution for the 2010 Legislative Session.  
Title of the Resolution: REQUESTING ALL HOUSING AGENCIES THAT RECEIVE GOVERNMENT FUNDS TO MAKE EXEMPTIONS FOR ELIGIBLE SENIORS WHO UNEXPECTEDLY BECOME THE SOLE OR PRIMARY CAREGIVERS OF THEIR GRANDCHILDREN-IN-CRISIS.

**BURACRAY ISSUES**

**1. State Department of Education (DOE) has not fully implemented *Caregiver Consent, Act 99* (passed into law 2003).** **Law:** when parents are absent from child's life, a caregiver without legal status of child(ren) can get authority to enroll minor(s) in school and to consent to minor's full participation at school. Caregiver needs to sign an Affidavit entitled *Caregiver Consent, Act 99* includes that caregiver participate at Parent Teacher Conferences and at all that supports student 's school successes.

**Omission: No DOE Policy.** Some school staffs don't know about the Affidavit; some schools have the Affidavits at the Principals' Office. At some schools teachers will talk to caregivers who show up at Parent Teacher Conferences; at other schools, teachers will not talk with caregivers without legal status because teachers don't know about the Affidavit. Many times, GRG don't know about the Affidavit because school staffs do not inform them. When GRG do know and sign an Affidavit, DOE still asks them for a Power of Attorney document signed by absent parents, or for proof of Legal Guardianship.

**Problem.** GRG report feeling intimidated. GRG report that parents are whereabouts unknown, incarcerated somewhere, or have a history of mental illness or violence and the grandparent does not have or want contact with those parent, so can't get a Power of Attorney! In addition, even when GRG signed an *Affidavit, Caregiver's Consent*, DOE did not send GRG NOTICES of Parent Teacher Conferences. Absence of communication (between school, teachers, and caregivers) hurts students.

**2. State Department of Health (DOH) did not implemented *Caregivers Consent for Minor's Health Care, Act 208, Affidavit*** for caregivers (without legal status) caring for minors whose parents are absent.

**Problem:** if child has difficult behaviors, and if caregivers goes to a *DOH Family Guidance Center* with a signed *Affidavit* (letter stating parent is absent and giving all identifying information about the caregiver, child, absent parents; with notary seal), then DOH Attorney General plans to assess each request for help.

**3. State Department of Public Safety**

**Omissions:** *Intake Program* does not inform incarcerated parents about Child Support Law; and the *Exit Program* does include info for parents about *how* to re-connect/strengthen relationships with their children and 'ohana caregivers and *how* to prevent disrupting the family raising those children.

**Problems:** (1) When parent enter incarceration, if they are not informed then they don't know that they are responsible for notifying the court about no capacity to pay Child Support during incarceration, otherwise during incarceration the obligation to pay will accumulate and last forever. Hinders parenting. (2) GRG report that when parents are released from incarceration, they interfere and cause disruptions the household while those parent are not ready to take full responsibility for the safety and care of their children, including financial support.