



Community Legal Information Association of PEI

Grandparents Parenting

on PEI

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Grandparents Parenting on PEI

Being a grandparent can be wonderful. It is often a time to enjoy the company of children without the stress of day to day care. Grandparents have a lot to offer children, including family history, fun, wisdom, love, guidance, and knowledge. Many Islanders have vivid and happy memories of time spent with a grandparent.

Island families have a long history of extended family members playing a big role in raising children. However, it is becoming more common for grandparents to take on the role of primary caregiver to their grandchildren.



There are many reasons why grandparents raise their grandchildren, such as:

- parents leaving PEI to find work or to go to school;
- parents dealing with addiction or mental health challenges;
- parents dealing with physical health challenges;
- parents who have divorced or separated;
- parents who have died;
- parents who are incarcerated;
- parents who are too young or immature to take on the responsibility of parenting;
- parents who are in the military and have been deployed;
- families who are experiencing violence.

Every family is unique and may have different reasons.

The grandparents we spoke to find love and joy in their grandchildren and do not regret taking on a parenting role. However, many feel isolated, uncertain, and stressed. Grandparents may have complicated or conflicted relationships with the children's parents. Some do not have a relationship with the children's parents at all. Almost every grandparent we spoke to told us they experience financial distress. Although emotionally rewarding, parenting your grandchildren can be difficult.

This booklet contains legal information and community resources that a parenting grandparent may find helpful. We used the actual questions and concerns of grandparents on PEI to create this document. If you have more questions after reading it, you can contact us at clia@cliapei.ca or 902-892-0853 or 1-800-240-9798.

We are grateful to the grandparents who took our survey, participated in focus groups, or took part in telephone interviews. This booklet would not have been possible without your support and insight.



Throughout the booklet, the medicine wheel shows information specific to Aboriginal grandparents or people raising Aboriginal children.

*What is the best part of
parenting your grandchild?*

“He brings a lot
of joy to our lives. HE is
the best part.”
~ Island Grandparent



The Law & Grandparents

In this section, we will explore different aspects of the law that may impact grandparents raising their grandchildren:

- Guardianship;
- Custody;
- Adoption;
- Child Protection.

Grandparents' rights are not specifically written in the law in Prince Edward Island. Even so, there are ways to achieve legal caregiver status.

Many grandparents parenting their grandchildren have no legal documentation to show they are the primary caregiver. This can cause difficulties. There are a number of ways to secure legal documentation.

Guardianship is a legal agreement or legal appointment that allows an adult to act as a parent to a child. **Legal guardianship gives you the right to provide day-to-day care to the children.** A guardian has the same responsibilities as a parent to provide daily care and supervision. The most common time for a grandparent to become a guardian is if the child's parents have died or are otherwise not available.

Many parents name a guardian for their children in their will. If a guardian has been named, the court will know the wishes of the deceased parent. Guardianship must be approved by the court. The court will review the will and require a letter from you stating that you agree to serve as a guardian. If you decide not to take on the responsibility, the judge will not order you to do so.

If another person wants to act as guardian after the death of the child's parents, you may need to go to court so a judge can assess

the situation and make a decision. If you wish to become the guardian of a child, speak to a lawyer about the process and the forms required.

Community Legal Information Association hosts the **Lawyer Referral Service**. Through this service, you can speak with a lawyer for a consultation at a low fee. Anyone can use this service for any type of legal situation. To access the Lawyer Referral Service, call:

902-892-0853 or 1-800-240-9798



Custody means the right and responsibility to care for a child. **Legal custody gives you the right to make major decisions about the child.**

The law says custody should always be arranged in a way that is best for the child. A caregiver who has custody of a child has the right to:

- choose what school the child goes to;
- decide if the child will receive religious instruction;
- make medical decisions for the child, including consent to surgery;
- make all day-to-day decisions concerning the child, like baby-sitting arrangements;
- decide what activities the child is involved in.

According to the *Custody Jurisdiction and Enforcement Act*, anyone with a ***settled intention to parent*** the child may apply to court for an order concerning custody of the child. A good example of an adult

with a settled intention to parent would be a grandparent who has acted as a parent to the child. The person's chance of gaining custody will depend on the situation. The court tries to provide a stable home for children.



*What is the best part of parenting
your grandchild?*

“Feeling needed and
having a reason to get up
in the morning.”

~ Island Grandparent

Many things affect the judge’s decision about custody. For example, it is important for the judge to know who has cared for the child in the past and what kind of attachment the child has formed with that caregiver. The judge wants to know what kind of plans the person seeking custody has for the child. A judge may ask for a home study in order to have more information to make a decision. A home study is when the living situation and family dynamic is assessed by a social worker, or other professional, to ensure the placement is in the child’s best interests.

If you would like custody of your grandchildren, consider which option is best in your situation:

1. **Temporary Custody Agreement:** a document usually drawn up by a lawyer that states that, for a certain amount of time, you will be acting as primary caregiver and decision maker for the children. An agreement must be in writing, requires the consent of the child’s parents, and should be signed by the parents, grandparents and two witnesses.
2. **Permanent Custody Agreement:** a document usually drawn up by a lawyer that states you will be acting as

primary caregiver and decision maker for the children until they reach the age of majority. An agreement must be in writing, requires the consent of the child's parents, and should be signed by the parents, grandparents and two witnesses.

3. **Court Order for Custody:** a written order made by a judge granting you custody of the children. This order can be temporary or permanent. The order can include other instructions about the child. The judge will base his or her decision on the best interests of the child.

It is always a good idea to get legal advice before making decisions about custody. A temporary custody agreement, for example, may not give you all the powers you need to raise the child, as the birth parents remain the official legal custodians and decision-makers for the child. **It is always possible for the child's parent to re-open a custody agreement or to go back to court for a new custody order.**

Children may have a say in the question of custody. The *Act* says that the views and preferences of the child are to be taken into consideration whenever possible. The judge decides how appropriate it is to take into account the child's wishes. The older and more mature the child, the greater weight his or her wishes will have on the court's decision.

Adoption is a legal process that establishes new parent-child relationships. **If you adopt your grandchild, he or she will become your legal child and will no longer be the legal child of his or her birth parents.** This is the only option that removes the birth parents' rights completely.

Relative adoptions can be approved through Adoption Services. The birth parents request an application for a permit to make an

*What is the best part of
parenting your grandchild?*

“The children feel
safe and secure.”
~ Island Grandparent



adoption placement with a relative. Birth parents receive counselling from an authorized social worker to ensure they know all of their options and that adoption is right for them. The birth parents sign a Consent to Placement form and the birth parents and adoptive parents both sign a Guardianship Agreement. The social worker may assist the birth parents to compile family and medical information for the child's benefit.

The adoptive family undergoes a risk assessment, which includes an assessment of the family's ability to raise a child, a criminal record check, a child protection record check, and a medical check.

If all goes well, the birth parents will sign a Consent to Adoption form which permits the adoption to take place. To finalize the adoption, the adoptive parents must contact a lawyer to do the legal paperwork, and a social worker to conduct a Pre-Hearing Study. The social worker assesses the adoptive family and their home to prepare a Pre-Hearing Study report for the court. This confidential report will help the judge decide if the adoption should take place. It is okay to use the same social worker for the risk assessment and the Pre-Hearing Study. The birth parents must use a different social worker for their counselling.

In all adoptions, the first consideration is the best interest of the child. If the judge decides to issue the Adoption Order, there are no further checks on the new family. They are then treated as any other PEI family.

The law in PEI allows adoptions to be open or closed. Relative adoptions are considered to be open adoptions as the birth parents and adoptive parents know each other. Once the adoption is complete, the adoptive parents will decide how much access or information may be available to the birth parents.

Children who are 12 years or older must give written consent for the adoption to take place.

Adoption Services does not provide financial assistance to adoptive parents for the adoption process.

Call **Adoption Services** at 902-368-6511 for more information about adoption on PEI.



There is no difference in the law for Aboriginal grandparents or people raising Aboriginal children in regards to guardianship, custody, and adoption.



Child Protection Services is mandated to protect children on PEI from parental abuse and neglect. The *Child Protection Act* gives the Department the authority to intervene when a child has been harmed or is at risk of being harmed by a parent. The *Act* applies to all children 0 to 18 years. This *Act* is a complicated piece of law and your situation may not be fully explained in this section. You may wish to speak to a lawyer for legal advice.

If Child Protection Services (CPS) receives a report about the safety of your grandchild, the report will be assessed and a CPS Social Worker may interview the child and the parent(s). If the CPS Social Worker finds your grandchild is in need of protection from a parent, the worker will offer the parent(s) an opportunity to present a safety plan for the child. This safety plan is often referred

*What is the best part of
parenting your grandchild?*
“The children know, no
matter what happens, the
grandparent is there and will
support and love them.”
~ Island Grandparent



to as a “least intrusive plan”. It is possible for a safety plan to be determined even if only one parent is involved with CPS.

The parent(s) will have an opportunity to propose the name of someone who can provide a safe home for the child during or after the investigation. This could be the grandchild’s grandparent(s). If CPS has reason to believe the proposed home is not suitable, the parent(s) may be asked to present another safety plan for the child. If you want your grandchild to stay with you, you should discuss this with your grandchild’s parents. In the case that your grandchild is in your home through a safety plan made by the parent(s), it is important to know you do not have legal custody and guardianship of the child. The parent has a right to propose a different safety plan for the child at any time.

CPS does not provide financial assistance for the care of the child. The parent(s) may provide financial support or you may be eligible to apply for financial assistance programs (see page 26). Due to privacy and confidentiality issues, CPS may not be able to share

For more information or to contact **Child Protection Services:** 902-368-5330. If you believe your grandchild or any child is being neglected, abused, or is witnessing family violence at home, you must report it to Child Protection Services at the following numbers: 902-368-6657 or 1-877-341-3101 (daytime) or 902-368-6868 or 1-800-341-6868 (after business hours).

information with you. The Department usually requires the consent of the parent(s) before sharing information.

There may be situations where a parent is unwilling or unable to provide CPS with an acceptable safety plan. This may result in the parent(s) signing a Voluntary Care Agreement to temporarily transfer the legal custody and guardianship of the child to the Director of Child Protection, or the child may be apprehended. If this happens, the Director can only place the child in an approved foster home. If you wish to be considered as an approved foster parent, you may apply to become a **kinship foster parent**. For more information on how to apply, contact Child Protection Services at 902-368-5330.



Child Protection Services has a mandate to ensure the safety and best interests of the child. In assessing kinship foster applications, the Director of Child Protection will consider the best interests of the child, the wishes of the parent(s), provisions in the *Act*, the length of time the child is expected to be in care, and other factors related to the needs of the child. Age of the applicant is not a factor in the Director's decision, however, your capacity to care for the child will be considered. There is a detailed assessment process.

Some things to know:

- CPS cannot disclose information about the parent(s) without their consent.
- If the child is already in foster care, it may be possible for the child to be placed in your home if you become an approved foster parent.

- As a least intrusive plan, or as an approved foster parent for the child, you must be able to maintain a positive working relationship with CPS and follow recommendations.
- **The Director of Child Protection only has the authority to provide financial support to approved foster parent(s).** Foster parent(s) receive monthly payments for the care of the child.

If your grandchild is in the permanent legal custody and guardianship of the Director of Child Protection, this means either the birth parents have decided they cannot properly care for the child or the courts have found that the parents cannot properly care for their child. When the Director of Child Protection has permanent custody and guardianship, the parents' legal rights and obligations for the child are extinguished. This means the Director has all rights to custody and guardianship of the child, including the right to give or withhold adoption of the child.

When applying to adopt a child who is in the custody and guardianship of the Director of Child Protection, there are extra steps required in addition to those outlined in the section on adoption. If you wish to apply to adopt your grandchild, it is a good idea to get legal advice and then to talk to Child Protection Services about adoption.



Aboriginal Children and Child Protection

The *Child Protection Act* recognizes the importance of preserving cultural identity and heritage for Aboriginal children. The *Act* also has specific provisions for Aboriginal children and youth.



If your grandchild is a registered member of a band or entitled to be registered as a member of a band, the Director of Child Protection Services must:

- tell the designated representative of the band that an investigation is taking place;
- tell the designated representative of the band about what was decided and whether an agreement has been made for the child's protection;
- tell the designated representative of the band about any court proceedings;
- work with the designated representative of the band when developing the child's plan of care.



Many Aboriginal people experienced residential schooling and other governmental programs that removed children from their families. Currently in Canada, Aboriginal children are overrepresented in the population of children in care. This can make any investigation by CPS scary for the children, the parents, the grandparents, and the community. The *Act* states that families should be kept together when it is in the best interests of the child. An investigation does not mean the child will be removed.

Helpful CLIA Publications: *Custody and Access; Adoption; You and Your Grandchildren; A Parenting Plan for Parents on PEI; What do I Need to Know? A Guide to Child Protection for Youth.*

Resolving Conflict

Trying to come to an agreement with your grandchild's parent(s) can be challenging. Sometimes it can feel like court is the only option, but it is a good idea to try alternative dispute resolution before considering court.

Relations with the child's parent(s):
“Keep an open line of communication; don't argue in front of the children; don't include the children in the discussion.”
~ Island Grandparent



Alternative Dispute Resolution (ADR) is a name for the different ways that people can solve conflicts outside of court. It allows all of the people involved to talk about the situation, what is important to them, how they are currently being affected and what is important to them in the future. ADR can help with big issues like custody as well as day to day issues like parenting styles and discipline.

Mediation is a confidential ADR process with the goal of making an agreement between the parties outside of court. Anything said in mediation can't be used against the parties later in court. The mediator is neutral and guides the process. He or she does not take sides, make judgments, or enforce agreements the parties make.

Mediation can only take place if all parties agree to participate. Also, there are cases when mediation may not be appropriate.

Working together with the help of the mediator, the parties create an agreement that is acceptable to everyone and meets the needs of the children. It is up to you and the other parties to put the agreement into effect.

Free mediation is available for matters regarding custody and care of children through the **Family Court Counsellors Office**:
902-368-6928.



Mi'kmaq Family PRIDE Program provides Family Group Conferencing to Aboriginal peoples on reserve. This program facilitates shared decision-making meetings for families. At a conference, friends and family are invited to come together to develop a plan to help solve problems and to make sure that a child and his or her family have the care and support they require. 902-436-5101 or 1-877-884-0808 (toll free).

For a list of private mediators, contact **Mediation PEI**:
mediationpei@gmail.com or go to www.mediationpei.com

Helpful CLIA Publication: *Resolving Conflict Outside of Court.*

*What is the best part of
parenting your grandchild?*

“Giving them guidance
and routine. Before I came
into the picture, they didn't
have that.”

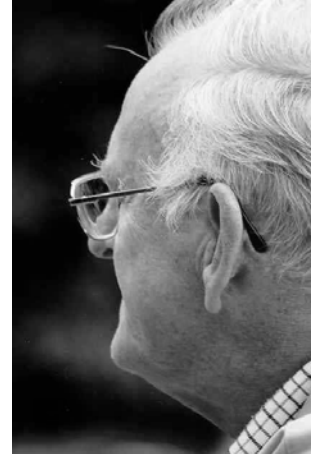
~ Island Grandparent



The Law & Grandchildren

In this section, we will explore different aspects of the law that may impact your grandchildren:

- Name changes;
- Age-related legislation;
- *Youth Criminal Justice Act*.



Name Changes

Some grandchildren may want to change their last name to that of their grandparents' family name. Since our name is so important to our sense of belonging and identity, this is a normal thing for a child to want.

As long as the child has been a resident of PEI for at least three months, the child's legal custodian(s) can make an application to Vital Statistics to have a child's name changed. The application must include written consent of any other person who has legal custody of the child and any parent who is entitled to have access to the child. If that is impossible, the person asking for the name change can apply to court for an order saying consent is not required. If you are in this situation, you should speak with a lawyer.

Children 12 years of age or older must provide written consent for a name change, unless their consent is dispensed with by the court. Once young people reach the age of 18 years, in most cases, they can change their name without their parents' permission and without asking the court.

If you wish to change the name of your child, you should contact **Vital Statistics: 902-838-0880 or 1-877-320-1253**. You can also visit www.gov.pe.ca/health/VitalStatistics .

Age-Related Legislation

Most laws impact all Canadians in the same ways. However, Canada and PEI do have laws specific to youth and children that are designed to protect them. For a more complete list of age-related legislation, order CLIA's booklet, *Are You Old Enough?*.

School:

Youth can leave school after age 16; however, employers and post-secondary institutions usually require that you have a high school diploma. All youth between the ages of 5 (birthday on or before Dec 31st of the school year) and 20 have the right to go to public school free of charge.



Working:

Youth under 16 can work if they:

- work no more than 3 hours on a school day and 8 hours on a non-school day;
- work no more than 40 hours per week;
- work between the hours of 7 a.m. and 11 p.m. only;
- do not work in an environment that is harmful to the child's health, safety, moral or physical development.

Most of these restrictions do not apply to youth over the age of 16. For more information on the *Employment Standards Act* and *Youth Employment Act*, contact the **PEI Employment Standards Branch: 902-368-5550 or 1-800-333-4362** www.gov.pe.ca/labour



Driving:

Youth can get their beginner's permit for motor vehicles at 16 with the consent of their legal custodians. The young person must follow all the rules of the Highway Safety Division and complete their programming. The youth is eligible to take a driving test for a regular license after having a Beginner's Permit for 365 days (one year). If the youth is in a Driver Education Program, the waiting period is 275 days. Once the young person has a Driver's License, there are special rules the youth must follow for the first two years. For more information, contact **Highway Safety**: 902-368-5228. www.gov.pe.ca/highwaysafety

Leaving Home:

If a youth aged 16 or older voluntarily leaves home and understands the safety concerns involved, he or she can choose not to receive assistance from Child Protection Services (CPS). If this happens, the Director of Child Protection is not involved in determining where the child will live. As well, the guardians or parents may not have to provide child support. If a youth younger than 16 leaves home, CPS will do an assessment to determine whether the child needs to be in an alternative living arrangement.

Sex:

Canadian law says that the age of consent for sexual activity is 16 years old. However, it is not a criminal offence if a young person aged 14 or 15 consents to sexual activity with someone less than 5

years older or if a young person aged 12 or 13 consents to sexual activity with someone less than 2 years older. These exceptions only apply if the older person is not in a position of authority, trust or dependency and if there is no exploitation.

The law says that young people under 12 cannot give consent at all. Youth aged 16 and 17 cannot give consent to sexual activity that involves exploitation, prostitution or pornography.

It is important for youth to know that creating, accessing, distributing or possessing nude or sexual photos of a person under the age of 18 is illegal in Canada. “Sexting” is when people send each other explicit sexual content via mobile phones. Even if this is done in a committed relationship it could be a criminal offense, depending on the age of the people involved and the circumstances of the incident.



Drugs:

The legal drinking age is 19. The legal age to buy tobacco and smoking paraphernalia is 19. Use of illegal drugs does not become legal at any age. It is illegal for an adult to give tobacco products to someone under the age of 19.

Entertainment & Style:

- **Gambling:** must be 19 years old or older to engage in gambling;
- **Movies:** must be 18 or older to rent or buy films that say “Explicit Material” or “Restricted – Graphic Sexual Content.”
- **Piercings:** must be 16 years old to get body piercings without written permission from parents or guardians. Youth must be 18 or older to get intimate body piercings (genitals, nipples) without written permission from parents or guardians.
- **Tattoos:** must be 18 or older to get tattoos without written permission from parents or guardians.



Youth Criminal Justice Act

The *Youth Criminal Justice Act* (YCJA) deals with young people who are involved in the justice system. The justice system understands that young people are not as mature as adults and may make poor decisions. They are not held to the same standards as adults.

Children under 12 years of age cannot be charged with a crime. If a child under 12 does something that would be a crime if he or she was older, child protection and mental health systems may become involved. If a youth aged 12 to 17 breaks the law, the child may be charged with an offence in the youth criminal justice system.



The YCJA says that special consideration must be given to young people of Aboriginal descent. Aboriginal young people can be referred to the Mi'kmaq Confederacy of PEI (MCPEI) Aboriginal Justice Program, which provides culturally appropriate services. If you would like support or information from the **MCPEI Aboriginal Justice Program**, call 902-367-3681.

If your grandchild is charged in the youth justice system and you cannot afford a lawyer, you can apply for a **Legal Aid** lawyer: Charlottetown, 902-368-6043; Summerside, 902-888-8219. For a one-time consultation with a lawyer at a low fee, you can call the **Lawyer Referral Service**: 902-892-0853 or 1-800-240-9798.

If you or your grandchild are a victim of crime, you may wish to contact **Victim Services**. They provide victims of crime with information about the justice system, support, court preparation, help in preparing a victim impact statement, and referrals. Charlottetown 902-368-4582; Summerside 902-888-8218.

Helpful CLIA Publications: *Names; Are You Old Enough?; Youth Justice on PEI; The Age of Consent: Young People, Sex and the Law.*

Aboriginal Children



Status Card

“Status Indians” or “Registered Indians” in Canada have a unique relationship with the Federal Government based on the *Indian Act* and Treaties between the Nations. Having status allows the Aboriginal person to access Federal benefits and programming. Not every Aboriginal person is eligible to be a “Status or Registered Indian”.

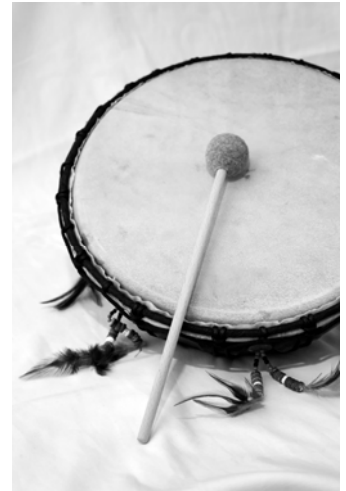
Aboriginal children who have status may be eligible for non-insured health benefits through Health Canada and may also be eligible for post-secondary school funding through their Band Council.



In order for your grandchild to become a “Status Indian”, you must apply to Aboriginal Affairs and Northern Development Canada. To find out more about applying for status you may contact **Aboriginal Affairs and Northern Development Canada**, Manager, Individual Affairs, Amherst: 902-661-6784.
www.aadnc-aandc.gc.ca

Cultural Needs

An important part of raising Aboriginal children is ensuring they have access to Aboriginal cultures, languages, and peoples. There are Aboriginal programs on PEI that you can access:



The **Mi'kmaq Family PRIDE Program** provides support to on-reserve Aboriginal families. They work toward the wellness, protection and safety of Aboriginal children and Aboriginal families.

Summerside: 902-436-5101; Lennox Island First Nation: 902-831-2711; Abegweit First Nation: 902-676-2722.

The **Mi'kmaq Family Resource Centre** works to strengthen and support families with culturally sensitive programs, like a drop-in centre, community kitchen and support group. You can learn more about the Centre by calling 902-892-0928 or going to their website at www.mikmaqfamilyresources.ca

For more information, supports and for a full list of Aboriginal events and programming on PEI, contact:

Mi'kmaq Confederacy of PEI (MCPEI) promotes understanding of Mi'kmaq rights, culture and traditions; works on Treaty and Aboriginal rights; develops capacity within First Nation communities; and works collaboratively with other government and community organizations. Charlottetown: 902-626-2882; Summerside: 902-436-5101 www.mcpei.ca

Native Council of PEI (NCPEI) is the self-governing authority for off-reserve Aboriginal peoples on PEI. NCPEI provides programming for Aboriginal peoples on health, education, economic development, housing, family health, culture and tradition. 902-892-5314 or www.ncpei.com



*What is the best part of
parenting your grandchild?*
“Cuddling on the couch
after school before
preparing supper together.”
~ Island Grandparent

If you are a non-Aboriginal grandparent raising Aboriginal children, it is important to seek out support to ensure you are meeting the children’s cultural needs. For example, cutting an Aboriginal child’s hair can have cultural implications and may psychologically harm the child or cause distress to the family.

Family Resource Centres

Family Resource Centres across PEI offer programs and provide help to caregivers in many areas of childcare and development.

Cap enfants (Wellington): 902-854-2123 www.capenfants.ca
Provides francophone programs, services and supports for children ages 0-6 and their families across PEI.

CHANCES (Charlottetown): 902-892-8744 www.chancesfamily.ca
Provides a variety of programs and services for families with children from birth to 11 that promote child development and parenting skills. Prenatal programs are also available.

Families First (Montague): 902-838-4600

www.familiesfirstpei.com Provides programs for children aged 0-6 and their families including information, support, play groups, field trips, clothing exchanges and cooking groups.

Family Place (Summerside): 902-436-1348

www.familyplacepei.com Provides programs for families and children (0-6) including prenatal and postnatal programs, food supplements, community kitchens and gardens, playgroups, early learning and parenting workshops, parenting support and more.

Kids West Family Resource Centre (Alberton): 902-853-4066

www.kidswestalberton.ca Provides programs for children (0-6) and their families, including play groups, workshops, resource lending, nutrition and smoking cessation programs, and family fun camps.

Main Street Family Resource Centre (Souris): 902-687-3928

Provides programs for children ages 0-6 and their caregivers including nursery school programs, drop-in play, resource library, workshops, support programs, and a community kitchen.



Mi'kmaq Family Resource Centre (Charlottetown):

902-892-0928 www.mikmaqfamilyresources.ca Provides culturally sensitive programs, including a drop-in centre, workshops, social events, community kitchen and a support group.



Grandparents Support

In 2015, there is only one grandparents' support group on PEI. If you would like to start a group in your area, contact East Prince Seniors Initiative for information on how to begin. You can also join the group:

Grandparents Peer Support Group
East Prince Seniors Initiative
902-888-2177
eastprinceseniorsinitiative.blogspot.ca



Finances & Housing

This section provides information on child support and financial programming that may help your family. The list may not be complete, so ask what other options are available to you when talking to financial professionals and government staff.

What has been the biggest challenge?

“He doesn't go without, but I'm constantly living with week to week pay cheques. I had to declare bankruptcy.”

~ Island Grandparent

Child Support

Parents have a responsibility, to the extent that they are capable, to provide financial support for their children who are unmarried and under 18, or over 18 and in a full time education program, or who are dependent because of an illness or disability. This is true whether the parents were married, lived together, or have never

lived together. If someone acted as a parent to your grandchild, such as a step-parent, that person may also be required to pay child support.

If you are providing primary care to your grandchild, you may be able to apply for a child support order. The amount of support is based on the parent's income and the Child Support Guidelines. When determining whether a child support order should be issued, the courts must consider various factors, including any court orders already in place. Calculating child support is more complicated because there are three parties involved. It is difficult to guess the amount the judge may order for child support. The **Child Support Guidelines Office** can provide information and free assistance to apply for a child support court order: 902-368-6220 or 902-888-8188.

Canada Child Tax Benefit (CCTB) and Universal Child Care Benefit (UCCB)

The CCTB benefit is a tax-free monthly payment to help eligible families with the cost of raising children under age 18. This benefit is payable only to the person providing primary care to the child. The UCCB also provides a monthly payment for each child under the age of 18 to assist with child care. If your child has a disability, make sure to ask about the Child Disability Benefit (CDB) when you apply for the CCTB. For more information, call the **CCTB Program** at 1-800-387-1193 or go to www.cra-arc.gc.ca/cctb

Canada Pension Plan (CPP) Benefits

- **Children's Benefit (Deceased):** If your grandchildren are in your care because their parent(s) have died, your grandchildren may be entitled to monthly CPP payments. The child's parents must have been CPP contributors in the past. The child must be under the age of 18, or under the age of 25 and in full-time attendance at a recognized school or university. Benefits can be retroactive.

- **Children's Benefit (Disability):** If your grandchildren are in your care because their parents live with a disability and receive CPP disability payments or you (or your spouse) receive CPP payments and you are primary caregiver, your grandchildren may be entitled to this benefit. The children must be under the age of 18 or under the age of 25 and in full-time attendance at a recognized school or university. Benefits can be retroactive.
- **Child Rearing Provision:** If you were a CPP contributor during your working years and you stopped working or received lower earnings to raise your children or grandchildren, you may be able to use the "child-rearing provision" to increase your Canada Pension Plan (CPP) benefits. If you successfully apply, the child-rearing period will be excluded when CPP calculates your benefit amount. This means you will get a higher CPP payment.

For more information, visit your local **Service Canada** office, call 1-800-277-9914 or go to www.servicecanada.gc.ca/eng/services/pensions/cpp

Some children may be eligible to receive two CPP Children's Benefits depending on your family situation. It is important to provide the CPP worker with all information about any disabilities or deaths in the family that relate to the grandchildren. If you don't, your grandchildren may miss out on a benefit they are entitled to.



"A positive attitude is very important, especially for the child. It's not fair for the kids to have these struggles financially."

~ Island Grandparent

Taxes

When you file your taxes, remember to claim your grandchildren as dependants. You should also apply for the HST rebate, which is partially based on the number of children you have in your care. You may be able to claim child care expenses, medical expenses, the child fitness tax credit, the children's arts credit, the disability tax credit, a transfer of tuition amounts, the PEI amount for young children (under the age of 6), the family caregiver credit, and the amount for eligible dependants. For assistance, consider contacting a professional tax preparer or financial professional.

Saving for Post Secondary Education

A Registered Education Savings Plan (RESP) is a good way to save for education after high school. Not only can it save you taxes, you will also qualify for government grants as follows:

- **Canada Education Savings Grant (CESG):** gives an additional 20% for every dollar of the first \$2,500 you save in your child's RESP each year. Depending on your income, you could receive an extra 10% or 20% on every dollar of the first \$500 you save in your child's RESP each year. The maximum contribution by the CESG program is \$7,200.
- **Canada Learning Bond (CLB):** gives you \$500 to start saving for your child's education. Your child could also get \$100 every year until the child turns 15 years old (to a maximum of \$2,000). This program assists families under a certain income.

For more information, speak with a financial advisor at your financial institution or go to www.hrsdc.gc.ca

PEI Child Care Subsidy

This subsidy covers all or part of the cost of child care in licensed child care centres, nursery programs, Early Years Centres, before-and-after-school programs and family daycare homes. The subsidy rate varies, depending on the size of the family, age of children and

the household's income. Charlottetown: 902-368-6470;
Summerside: 902-888-8245; Montague: 902-838-0700;
Souris: 902-687-7170; O'Leary: 902-859-8837

PEI Family Housing

Provides rental housing units for families who may not otherwise be able to have adequate housing. Rent is usually based on 25% of the household's total income. Charlottetown: 902-368-5770;
Summerside: 902-888-8436; Montague: 902-838-0796;
Souris: 902-687-7098; O'Leary: 902-859-8837

Atlantic Peoples Housing Ltd (APHL) : 902-566-4729 APHL manages several properties that have units that rent at 25% of the person's annual gross income.



Nanegkam Housing: 902-566-4729 Provides affordable housing units to Aboriginal tenants. Rent is 25% of the person's annual gross income and includes heat.

Social Assistance Program: Provides financial support as a last resort to assist Islanders to meet their basic needs. Eligibility is determined through an income and assets test for each applicant or family. You can apply for either short-term or long-term assistance. Charlottetown 902-368-5338; Summerside 902-888-8397; Montague 902-838-0728; Souris: 902-687-7170; O'Leary: 902-859-8835.



People who live on reserve would apply to the **Band's Social Program**.

If your grandchild has a disability, he or she may be eligible for financial assistance, financial relief, or specialized programming. The **PEI Council of People with Disabilities** promotes the full participation and inclusion of people with disabilities on PEI. The Council can assist you to find options available to your grandchild: www.peicod.pe.ca 902-892-9149 or 1-888-473-4263.



*What advice do you have for
other grandparents?*

“Don’t be a jellyfish – have
rules and boundaries. ”
~ Island Grandparent

Health

Dialing **811 (711 TTY)** allows you to speak with a registered nurse 24 hours a day, 7 days a week. The nurse can answer questions, provide advice and information and guidance. This free service is available in over 120 languages.

Public Health Nurses are an excellent resource for families. They offer child and youth health supports, information, health promotion, illness prevention, health and developmental assessments and immunization. Souris: 902-687-7049; Montague: 902-838-0762; Charlottetown: 902-368-4530; Kensington: 902-836-3863; Summerside: 902-888-8160; O’Leary: 902-859-8720; Tignish: 902-882-7366.

Children (ages 3-17) can access dental care assistance through the **Public Health Dental Programs** (902-368-5460 or 1-866-368-5460). These programs offer free preventative dental care and oral health education; partial or full financial support for dental exams, x-rays, fillings, extractions and root canals for children without access to an insurance plan; orthodontic support, pediatric dental specialist support, and help with a cleft lip or palate.

Kindergarten children on PEI can access the **Eye See Eye Learn** program, which provides prevention, early detection and management of eye and vision problems. Your grandchild can access a free eye exam and free pair of glasses if you are unable to afford it. 902-368-5819 www.healthpei.ca/eyesee-eyelearn

Youth and children under the age of 19 with type I diabetes may qualify for the **Insulin Pump Program**. This program provides support to families for the costs associated with insulin pump therapy. For more information, contact Health PEI at 902-838-0787.

What have you learned?

“They taught us new ways of looking at things and how people should not stick to old ways or old things.”

~ Island Grandparent

If your grandchild has difficulty hearing, you can access **Health PEI Audiology** for free hearing assessments, hearing aid services for clients up to 21 years of age and healthy hearing programs. The child’s legal custodian can self-refer or have the child referred by a doctor: 902-368-5807 www.healthpei.ca/audiology

If your grandchild is experiencing difficulties with speech and language, you may wish to contact the **Speech Language Pathology Program**. This program provides assessments, education, and supports to children. Pre-school children can access this program for free and you can refer the child yourself. 902-368-5807 www.healthpei.ca/slp

If your grandchild is dealing with a drug or alcohol addiction, you may wish to contact **Addictions Services** for their youth programming. You do not need a doctor’s referral. The young person is assessed and matched to a service appropriate to the youth’s level of need. 1-888-299-8399 justtalkpei.ca

If your child has medication needs, you may be able to get assistance for drugs that are listed on the Provincial Formulary through the **PEI Pharmacare Program**. This program helps cover the cost of prescription drugs. If you are facing high drug costs for your grandchild, call to see if you qualify for assistance: 902-368-4947 or 1-877-577-3737 www.healthpei.ca/pharmacare

If you or your grandchild need to travel out of province for medical services, you may qualify for a transportation subsidy of 50% or 100% for the cost of your bus ticket to NB or NS, depending on your household income. This subsidy does not cover ambulance use. You must have prior approval from Health PEI for these services.

Out-of-Province Travel

Support Program:

902-368-5918

ooptravelsupport@gov.pe.ca



Wellness & Leisure

Extracurricular activities, hobbies, and leisure for children can be a challenge on a low income. Some tips:

- Contact your **Town Hall, Community Centre, Church** or **Sporting Facility** for free youth events in your community.
- If a program has a fee you cannot pay, ask if there are bursaries or lower rates for children from low income families.
- If an organization cannot provide free or low cost programming, ask if they know of any low cost programs in your community.
- Ask **local businesses** or **service clubs** if they will sponsor your child to attend a program.
- Ask other grandparents and parents for ideas!



4H: 1-866-308-4833 www.pei4h.ca Youth aged 9 to 21 can learn leadership and life skills while promoting agriculture awareness.

Adventure Group (Charlottetown): 902-628-8668
www.adventuregroupepei.ca Provides activity-based learning and self-exploration with a focus on personal and social skills development. Bursaries to attend may be available.

Big Brothers, Big Sisters: www.bigbrothersbigsisterspei.org
Matches adults with children for social recreation and mentoring.
Charlottetown: 902-569-5437 or 1-877-411-3729. Summerside: 902-436-8122.

Boys and Girls Clubs of PEI: Provides day camps and after school programs with a focus on life skills, education, social development, and learning. Low income families can apply for bursaries. Charlottetown: 902-892-1817; Summerside: 902-436-9403; Wellington: 902-854-3174.

East Prince Youth Development Centre (Summerside): 902-436-2815 www.epydc.org Provides employment services to youth aged 15-30. Offers opportunities to enhance skills, gain work experience and gain self-confidence.

Girl Guides of Canada: 902-894-4936 www.girlguides.ca
Enables girls and women to be confident, resourceful and courageous, and to make a difference in the world. Ages 5+.

go!PEI: 902-892-5323 www.gopei.ca Provides free physical activity and healthy eating programs across the Island to all ages and abilities. Including Learn 2 Run, After School programs, Walking Clubs and Healthy Cooking Classes.

Jumpstart PEI: 902-892-6445 Helps kids in need participate in activities and recreation. Youth can apply for up to \$300 for registration fees and equipment. Programs like Girl Guides, Scouts, dance, and fitness classes are eligible as well as sports.

KidSport PEI: 902-368-4110 or 1-800-247-6712
www.kidsportcanada.ca/prince-edward-island Helps remove financial barriers so that children can participate in sport. Youth can apply for up to \$300 to attend programs from 40 provincial sport organizations.



MCPEI Aboriginal Sports Circle: 902-436-5101 or 902-626-2882 Supports Aboriginal youth to increase their participation in sports.

PEI Literacy Alliance: www.pei.literacy.ca
Provides programs that support children to increase their literacy and essential skills. Children's tutoring, family literacy, free book programs.

Scouts PEI: 902-566-9153
www.scouts.ca Enables young people to develop into citizens of the world with greater self-confidence and sense of civic responsibility. Ages 5+.



Bullying & Mental Health

Your grandchild may encounter bullying or racism, homophobia, sexism and other forms of prejudice. This can be upsetting and frightening. The following agencies and organizations may be able to support you and your grandchild.

Justice Resources:

Contact your local **police** or **RCMP** detachment if you and your grandchild want to see if charges can be laid or if police can intervene.

Victim Services: Provides victims of crime with information about the justice system, support, court preparation, help in preparing a victim impact statement, and referrals. Charlottetown 902-368-4582; Summerside 902-888-8218.



Aboriginal Justice Program: Provides support to Aboriginal people with cultural based justice alternatives and referrals. Services include Healing Circles, Conflict Resolution Circles, Early Intervention Circles and Sentencing Circles: 902-367-3681.

Mental Health Resources:

School guidance counsellors can provide counselling, support, referrals, education, and information to your grandchild. The guidance staff promote students' learning and overall wellness.

Children's Mental Health (Health PEI): 1-866-833-5443 Provides mental health assessments, treatments, crisis intervention and referrals to agencies across the province.

Catholic Family Services Bureau:

www.catholicfamilyservicesbureau.com

902-894-3515 Provides confidential, non-denominational, individual, couple, and family counselling services. This includes services for children and youth (music therapy, play therapy and youth therapy). Reduced rates are available for people who are experiencing financial difficulties.

Family Service PEI: 902-892-2441

(Charlottetown), 902-436-9171

(Summerside) or 1-866-892-2441 (toll free)

www.fspei.ca Provides credit counselling and talk therapy for teens and adults. Can provide therapeutic support to caregivers. Reduced rates are available for people who are experiencing financial difficulties.



Community Groups:

If your grandchild is being bullied based on race, religion, sexuality, physical ability, or other aspects of their identity, the following groups may be able to provide support and information.

PEI Association for Newcomers to Canada: 902-628-6009

www.peianc.com Immigrant Student Services team helps immigrant children and youths integrate into the PEI school system and into life in Canada. Other youth programming and supports may be available.



Mi'kmaq Confederacy of PEI: Charlottetown:

902-626-2882 or Summerside: 902-436-5101 www.mcpei.ca

Provides youth and family programming for Aboriginal youth and their caregivers.



Native Council of PEI: 902-892-5314 or www.ncpei.com
Provides youth and family programming for Aboriginal youth and their caregivers.

PEI Human Rights Commission. 902-368-4180 or
1-800-237-5031 www.peihumanrights.ca Enforces the PEI *Human Rights Act*, including the human rights complaint process. Provides public education programs on human rights.

Pride PEI: info@pride-pei.com www.pride-pei.com Provides services and support to lesbian, gay, bisexual, and transgender Islanders.

Women's Network PEI: 902-368-5040 or 1-888-362-7373
www.wnpei.org Provides youth programming on a project basis with a focus on assertive and competent girls, healthy masculinity, and healthy relationships.



What advice do you have for other grandparents?

“Keep in touch with friends...stay positive. Take care of your own self - make time for yourself as grandparent so you do not wear yourself out.”

~ Island Grandparent

Conclusion

An important part of protecting yourself and your grandchildren is to plan ahead for a time when you may be unable to make important decisions about yourself, your family, your health, your finances and your legal affairs. If you do not plan ahead, your wishes may not be known or they may not be followed. Having your affairs in order can prevent you and your loved ones from having to make difficult decisions at stressful times.

Community Legal Information Association provides free information about **wills, powers of attorney, health care directives**, and more. If you would like to learn more about planning ahead, please contact us for information.

Being a primary caregiver for children can be challenging and it can become harder as we age. It is important to seek out help when you need it. If you have a problem and don't know where to turn or if you still have questions, call **Community Legal Information Association**. We will try to help you. **902-892-0853 or 1-800-240-9798** clia@cliapei.ca www.cliapei.ca

Helpful CLIA Publications: *Wills; Powers of Attorney; Health Care Decisions; Moving to a Community Care Facility or Nursing Home; Making Your Will; Wills and Estates: Executors.*



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For more information, visit our website at www.cliapei.ca, email us at clia@cliapei.ca, or you can telephone us at 902-892-0853 or 1-800-240-9798. You can also find us at: www.facebook.com/CLIAPEI, www.twitter.com/CLIAPEI and www.youtube.com/CLIAPEI.

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