



**National Resource Center for  
Permanency and Family Connections**  
*Silberman School of Social Work at Hunter College*



*A Service of the Children's Bureau  
& A Member of the T/TA Network*

# **INFORMATION PACKET**

## ***LGBTQ Youth Permanency***

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**Overview**

Many lesbian, gay, bisexual, transgender, and/or questioning (LGBTQ) youth fear that their families will reject them if they disclose their sexual identity. LGBTQ youth enter the child welfare system for all of the same reasons as their peers, but for far too many, this unique concern is justified (Philadelphia Lesbian and Gay Task Force, 1996). For LGBTQ youth who subsequently enter the child welfare system, the rejection and loss of a home and family is usually just the first of many, and the prospect of permanency diminishes with each one.

LGBTQ youth continue to suffer from the effects of discrimination within the child welfare system. They can find themselves in group homes where they endure peer bullying that is often tacitly or expressly condoned by staff (Mallon, 2001). Foster parents may pressure LGBTQ youth to somehow change or suppress their sexual identities or may send them back to their agencies. Eventually, such foster parents become known to their agencies, which accommodate them by not sending them LGBTQ youth (Clements & Rosenwald, 2007). Unsurprisingly, permanency is rarely considered an option for these youth (Jacobs & Freundlich, 2006).

Youth who experience this can despair of ever finding another family and often blame themselves for being unworthy of permanency (Clements & Rosenwald, 2007). Frustrated by a system that does not work for them and perpetuates their oppression, some youth choose to run away (Urban Justice Center, 2001). Those who stay in care are likely to endure placement after placement, rejection after rejection, before they finally age out of the system (Mallon, Aledort & Ferrera, 2002). These young people often end up living on the street; an estimated 40 percent of the homeless youth population identifies as LGBTQ (Lambda Legal Defense and Education Fund, 2001).

In order to effectively counteract the discrimination that drives LGBTQ youth from their homes and allows them to fall through the cracks of the child welfare system at a disproportionate rate, education and training are needed for foster parents, agency staff, and all children in the system (Wilber, Reyes and Marksamer, 2006). Within agencies, emphasis should be placed on youth-guided planning for relational, physical, and/or legal permanency (Mallon, 2011). Finally, work should be done with families of origin so that LGBTQ youth can remain with theirs whenever possible (Jacobs & Freundlich, 2006).

**Fact Sheet**

- 30% of LGBTQ youth in one survey reported suffering violence at the hands of family members after coming out (Philadelphia Lesbian and Gay Task Force, 1996).
- 26% reported being forced to leave their families due to conflicts around their sexual orientation or gender identity (Philadelphia Lesbian and Gay Task Force).
- In a small qualitative study of 25 foster parents at a private, faith-based agency, 6 of the 7 participants who had had an openly gay child placed in their home requested that the child be removed due to behaviors surrounding their homosexuality (Clements & Rosenwald, 2007).
- LGBTQ youth in a 2002 study reported an average of 6.35 placements (Mallon, Aledort & Ferrera, 2002).
- 100% of surveyed LGBTQ youth in New York City group homes reported verbal harassment by peers, facility staff, and other providers based on sexual orientation or gender identity (Urban Justice Center, 2001).
- 70% reported physical violence due to their sexual orientation or gender identity (Urban Justice Center).
- 78% reported being removed or running away from placements because of hostility toward their sexual orientation or gender identity (Urban Justice Center).
- 56% reported a period of living on the streets because it felt safer than being in their group or foster homes (Urban Justice Center).
- Between 20% and 40% of homeless youth are LGBTQ (Lambda Legal Defense & Education Fund, 2001).

**Best Practice Tips**

- Adopt agency policies prohibiting discrimination on the basis of sexual orientation or gender identity (Wilber, Reyes & Marksamer, 2006).
- Require agency staff, caregivers, and service providers to participate in training on the needs of LGBTQ youth and available resources for them (Wilber et al.).
- Create opportunities for dialogue with youth about all forms of diversity, including sexual orientation and gender identity (Wilber et al.).
- Support and encourage healthy, age-appropriate, and safe exploration and expression of sexual orientation and gender identity for all youth (Wilber et al.).
- Recruit and support LGBTQ-affirming and competent caregivers, including LGBTQ families, and staff (Wilber et al.).
- Encourage youth to be actively involved in selection of a placement from a wide range of options (Wilber et al.).
- Engage youth in leading their own permanency planning by identifying supportive adult figures with whom they wish to seek permanency and choosing the kind(s) of permanency desired – relational, physical, and/or legal (Mallon, 2011).
- Work with families of origin to help youth remain or reunite with them whenever possible (Jacobs & Freundlich, 2006).

**Model Program**

*New York City Administration for Children's Services (ACS)*

[http://www.nyc.gov/html/acs/html/support\\_youth/support\\_youth\\_lgbtq\\_1.shtml](http://www.nyc.gov/html/acs/html/support_youth/support_youth_lgbtq_1.shtml)

The New York City Administration for Children's Services (ACS) has taken significant steps to improve the quality of its services to LGBTQ youth and families. ACS has established a policy prohibiting discrimination based on gender identity or sexual orientation and requires that all foster care agencies designate point persons to whom LGBTQ youth can bring concerns about their care. These point persons receive training for working with LGBTQ people and can serve as a resource for parents and other staff at their agencies. ACS has collaborated with New York City's LGBT Community Center to provide such training and has also taken steps to recruit affirming families for LGBTQ children. ACS is developing its own best practice guide for working with Transgender and Gender Nonconforming youth, which it expects to publish in the summer of 2012.

**Websites & Other Resources***National Resource Center for Permanency and Family Connections*

[http://www.hunter.cuny.edu/socwork/nrcfcpp/info\\_services/lgbtq-issues-and-child-welfare.html](http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/lgbtq-issues-and-child-welfare.html)

NRCPPFC has a webpage listing numerous resources on LGBTQ Issues & Child Welfare and is available to provide on and offsite training and technical assistance to States and Tribes related to LGBTQ issues in the child welfare system.

*Getting Down to Basics*

<http://www.lambdalegal.org/publications/getting-down-to-basics>

This tool kit, developed by the Child Welfare League of America and Lambda Legal, offers “guidance on an array of issues affecting LGBTQ youth and the adults and organizations who provide them with out-of-home care,” with individualized sections for youth in care, families of LGBTQ children, caseworkers, foster parents, congregate care providers, legal representatives, faith-based providers and more. Available online and in print.

*The Opening Doors Project*

[http://www.americanbar.org/groups/child\\_law/what\\_we\\_do/projects/openingdoors.html](http://www.americanbar.org/groups/child_law/what_we_do/projects/openingdoors.html)

The American Bar Association’s Opening Doors Project was established to “provide the legal and child welfare community tools, resources and support for improving outcomes for LGBTQ young people in foster care.” Their website features research, tools, and other materials for child welfare or legal professionals working with LGBTQ youth in care. The Opening Doors Project also offers trainings, which can be requested via their website.

*California Social Work Education Center (CalSWEC)*

<http://calswec.berkeley.edu/child-welfare-services-gay-lesbian-bisexual-transgender-queer-and-questioning-youth-training>

CalSWEC's site offers extensive training materials for two curricula for child welfare staff and supervisors: *When Did You First Realize You Were Straight?* and *Moving the Margins*. It also includes links to the Child Welfare League of America's *Best Practice Guidelines: Serving LGBT Youth In and Out of Home Care* as well as other external resources.

*California Foster Care Ombudsman Office*

<http://www.fosteryouthhelp.ca.gov/LGBTQ.html>

This section of the California Foster Care Ombudsman Office's website is intended for use by youth in care and offers links to an array of resources for LGBTQ youth, including organizations such as the GLBT National Help Center and the National Center for Lesbian Rights. Contact information is also provided for the Ombudsman Office, the Transgender Law Center, and the Trevor Project's Youth Suicide Helpline, as well as California-specific legal information related to the state's Foster Care Non-Discrimination Act.

*Sylvia Rivera Law Project (SRLP)*

<http://srlp.org/fostercare>

SRLP's website offers detailed information on the legal rights of transgender youth in New York City's foster care programs and contact information for organizations that may assist transgender youth in care. SRLP provides free legal services to low-income people and people of color who are transgender, intersex, or gender nonconforming.

## **Legislation and Policy**

### *Federal Policy*

Under President Barack Obama and Secretary of Health and Human Services Kathleen Sebelius, the federal government has taken steps to promote permanency for LGBTQ youth in foster care. In October of 2010, the Administration for Children and Families awarded a \$3.3 million grant to the Los Angeles Gay and Lesbian Community Services Center to promote the development of “a county-wide system of care to address barriers to permanency and well-being for lesbian, gay, bisexual, transgender, and questioning children and youth that are in or at-risk of placement in foster care, placement in the juvenile justice system, or homelessness” (ACYF, 2010).

In April of the following year, Commissioner of the Administration on Children, Youth and Families Bryan Samuels issued an information memorandum to child welfare agencies urging them to “continue to explore the ways in which they may improve daily life and outcomes for young people who are involved in the foster care system and who are LGBTQ” (ACYF, 2011) and offering resources for information and training on working with this population. Among his recommendations was the training of staff to increase their ability to serve LGBTQ youth as well as support and training for families of origin if youths have identified reunification as part of their permanency plan. Commissioner Samuels also stressed the importance of recruiting affirming families for LGBTQ youth. The memorandum suggested ways that federal funding could be used for these activities.

*California's Foster Care Non-Discrimination Act – AB 458*

This act, passed in September 2003 and effective January 1, 2004, forbids discrimination in California's foster care system on several bases, including sexual orientation and gender identity. This means that all children and adults engaged with the system have equal access to services, placement, care, treatment, and benefits. It also means that discrimination against foster children and parents on the basis of sexual orientation or gender identity is prohibited. Group home administrators, foster parents and department licensing personnel are supported in the implementation of non-discriminatory practices by mandated training (National Center for Lesbian Rights, 2006).

**Bibliography**

- Child Welfare League of America. (2006). *Best practice guidelines: Serving LGBT youth in out-of-home care*. Washington, DC: Author. Retrieved from <http://www.nclrights.org/site/DocServer/bestpracticeslgbyouth.pdf?docID=1322>
- Clements, J. & Rosenwald, M. (2007). Foster parents' perspectives on LGB youth in the child welfare system. *Journal of Gay & Lesbian Social Services, 19*(1), 57-68.
- Commissioner, Administration for Children and Families (2011, April 4). *Lesbian, gay, bisexual, transgender and questioning youth in foster care*. Memorandum. Washington, DC: United States Department of Health and Human Services.
- Freundlich, M. & Avery, R. (2004). Gay and lesbian youth in foster care: Meeting their placement and service needs. *Journal of Gay & Lesbian Services, 17*(4), 39-57.
- Gallegos, A., Roller White, C., Ryan, C., O'Brien, K., Pecora, P. J., & Thomas, P. (2011). Exploring the experiences of lesbian, gay, bisexual, and questioning adolescents in foster care. *Journal of Family Social Work, 14*(3), 226-236.
- Jacobs, J. & Freundlich, M. (2006). Achieving permanency for LGBTQ youth. *Child Welfare, 85*(2), 299-316.
- Lambda Legal Defense and Education Fund. (2001). *Youth in the margins: A report on the unmet needs of lesbian, gay, bisexual, and transgender adolescents in foster care*. New York: Author.
- Lambda Legal Defense and Education Fund. (2009). *Moving the margins: Curriculum for child welfare services with lesbian, gay, bisexual, transgender, and questioning youth in out-of-home care*. New York: Author.

- Mallon, G. P. (1998). *We don't exactly get the welcome wagon: The experiences of gay and lesbian adolescents in child welfare systems*. New York: Columbia University Press.
- Mallon, G. P. (2011). Permanency for LGBTQ youth. *Protecting Children*, 26(1), 49-57.
- Mallon, G. P., Aledort, N., & Ferrera, M. (2002). There's no place like home: Achieving safety, permanency, and well-being for lesbian and gay adolescents in out-of-home care settings. *Child Welfare*, 81(2), 407-439.
- Mountz, S. (2011). Revolving doors: LGBTQ youth at the interface of the child welfare and juvenile justice systems. *LGBTQ Policy Journal at the Harvard Kennedy School, 2011 Edition*. <http://isites.harvard.edu/icb/icb.do?keyword=k78405&pageid=icb.page414421>
- New England Network for Child, Youth & Family Services. (2007). *Reach out: Enhancing services to out-of-home gay, lesbian, bisexual, transgender, queer and questioning youth, Evaluation 2004-2006*. Burlington, VT: Author. Retrieved from <http://www.nenetwork.org/glbtc/REACHOUTEVAL.pdf>
- Rosenwald, M. (2009). A glimpse within: An exploratory study of child welfare agencies' practices with LGBTQ youth. *Journal of Gay & Lesbian Social Services*, 21, 343-356.
- Ryan, C. (2009). *Helping families support their lesbian, gay, bisexual, and transgender children*. Washington, DC: National Center for Cultural Competence, Georgetown University Center for Child and Human Development.
- Turner, J. (2009). From the inside out: Calling on states to provide medically necessary care to transgender youth in foster care. *Family Court Review*, 47(3), 552-569.
- Woronoff, R. & Mallon, G. P. (Eds.). (2006). LGBTQ youth in child welfare [Special issue]. *Child Welfare*, 85(2).

## References

- Administration on Children, Youth and Families (ACYF). (2010, October 1). ACF awards grants to reduce long-term foster care. News release. Washington, DC: U.S. Department of Health and Human Services (HHS).
- Clements, J. & Rosenwald, M. (2007). Foster parents' perspectives on LGB youth in the child welfare system. *Journal of Gay & Lesbian Social Services, 19*(1), 57-68.
- Commissioner, Administration on Children, Youth and Families (ACYF). (2011, April 6). *Lesbian, gay, bisexual, transgender and questioning youth in foster care*. Memorandum. Washington, DC: U.S. Department of Health and Human Services (HHS).
- Jacobs, J. & Freundlich, M. (2006). Achieving permanency for LGBTQ youth. *Child Welfare, 85*(2), 299-316.
- Lambda Legal Defense and Education Fund. (2001). *Youth in the margins: A report on the unmet needs of lesbian, gay, bisexual, and transgender adolescents in foster care*. New York: Author.
- Mallon, G. P. (2011). Permanency for LGBTQ youth. *Protecting Children, 26*(1), 49-57.
- Mallon, G. P., Aledort, N., & Ferrera, M., (2002). There's no place like home: Achieving safety, permanency, and well-being for lesbian and gay adolescents in out-of-home care settings. *Child Welfare, 81*(2), 407-439.
- National Center for Lesbian Rights. (2006). AB 458 fact sheet: The California Foster Care Non-Discrimination Act. San Francisco: Author.
- Philadelphia Lesbian and Gay Task Force. (1996). *Violence and discrimination against lesbian and gay people in Philadelphia and the Commonwealth of Pennsylvania*. Philadelphia: Author.

Urban Justice Center. (2001). *Justice for all? A report on lesbian, gay, bisexual and transgender youth in the New York juvenile justice system*. New York: Author.

Wilber, S., Reyes, C., and Marksamer, J. (2006). The Model Standards Project: Creating inclusive systems for LGBT youth in out-of-home care. *Child Welfare*, 85(2), 133-149.