



**CARING FOR  
Los Angeles LGBTQ  
CHILDREN  
& YOUTH**

**A GUIDE FOR CHILD WELFARE PROVIDERS**



Los Angeles County  
Department of Children  
and Family Services



HUMAN  
RIGHTS  
CAMPAIGN  
FOUNDATION



**all children  
all families**

Achieving Safety, Permanency  
and Well-Being by Improving  
Practice with LGBT Youth  
and Families



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# Acknowledgments

This booklet is funded by the Children's Bureau, Administration on Children, Youth and Families, Administration for Children and Families, U.S. Department of Health and Human Services, under grant number #90-CO-1051

Disclaimer: The information posted here is solely the responsibility of the authors and do not necessarily represent the official views or policies of the funding agency.

This resource has been adapted from *Caring for Alameda County LGBTQ Children and Youth*, which was prepared by the Alameda County Social Services Agency Department of Children and Family Services' LGBTQ Workgroup. The work group included these partner agencies: Bay Area Youth Center/Our Space, Family Builders, Family Paths and the Youth Advocate Program from West Coast Children's Clinic.

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Original design work for *Caring for LGBTQ Children and Youth* created by Denson Designs (densondesign.com). Design updates and content formatting for this issue, *Caring for Los Angeles LGBTQ Children and Youth*, provided by Think804 (think804.com).

# ABOUT THIS GUIDE

This booklet was developed by HRC and the Los Angeles Department of Children and Family Services through a diligent recruitment grant from the federal Children's Bureau to provide you with information about the care and support of lesbian, gay, bisexual, transgender and questioning children and youth. Chances are you picked up this guide because you believe, just as Bryan Samuels, the former commissioner of the U.S. Administration on Children, Youth and Families said, "every child and youth who is unable to live with his or her parents is entitled to a safe, loving and affirming foster care placement, irrespective of the young person's sexual orientation, gender identity or gender expression." Unfortunately, we know LGBTQ youth are disproportionately represented in the child welfare system and often face discrimination and mistreatment in out-of-home care.

This guide includes information on terminology and several basic, but key, tips on how to best support and care for LGBTQ children and youth. It also contains information about several relevant California laws that govern the treatment of LGBTQ youth as well as numerous Los Angeles-based resources to support LGBTQ youth. We've also provided some data from the Human Rights Campaign's study of more than 10,000 LGBTQ youth as a glimpse into their experiences and from the LA-based Williams Institute study on LGBTQ youth in care. Also, you will find resources and helpful websites for more information to competently serve all children and youth in your care, including those who may identify as or be perceived as LGBTQ.

**"When I was in foster care, all my foster mom would do is taunt me!"**

**"LGBTQ youth are not seen as bound for permanency—the assumption is that no family would want to adopt them."**

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<sup>1</sup>Woronoff, R.; Estrada, R.; Sommer, S.; *Out of the Margins: A Report on Regional Listening Forums Highlighting the Experiences of LGBTQ Youth in Care*, CWLA Lambda Legal, Washington, DC, 2006.

<sup>2</sup>IBID



## got sogie?

### what is sogie?

The new acronym “SOGIE” stands for Sexual Orientation, Gender Identity and Expression.

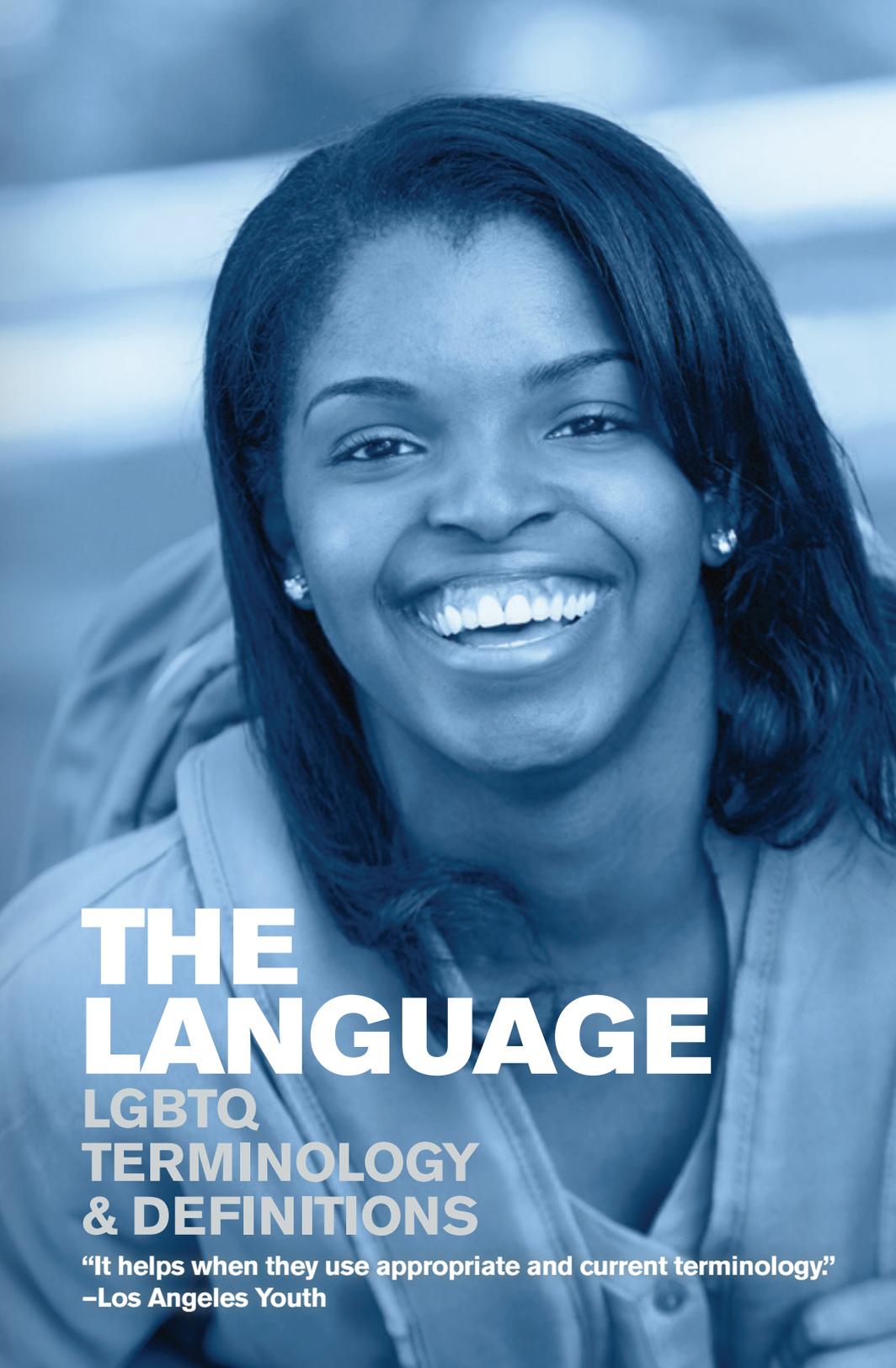
As part of our work to improve the care and services to LGBTQ children and youth, it is important to ensure the healthy development of SOGIE. A shift of focus from LGBTQ children and youth to a focus on SOGIE of all children is useful

for several reasons. Many gender-variant and non-heterosexual youth do not use the terms “lesbian,” “gay,” “bisexual” or “transgender” to identify themselves. By contrast, every child and youth has a sexual orientation and gender identity and expression (or SOGIE). Development of SOGIE is universal and normative. Healthy development of SOGIE is essential to a child and youth’s well-being. SOGIE is one of many domains of human development that is supported or undermined by the behavior and attitudes of key adults and institutions in a child’s life.

**“It helps when they understand that there are many different types of sexual orientations and gender identities” – Los Angeles Youth**

**“Once a young person who is LGBTQ enters the foster care system, his or her caseworker is an important link to support and safety. It is therefore critical that a young person’s caseworker has the capacity, understanding and willingness to support the child’s social and emotional development while in foster care.”**

– Bryan Samuels, former  
Commissioner, U.S. Administration  
on Children, Youth and Families



# THE LANGUAGE

## LGBTQ TERMINOLOGY & DEFINITIONS

“It helps when they use appropriate and current terminology.”  
-Los Angeles Youth

## There are two things to keep in mind about terminology:

- 1) Language matters, and
- 2) Language is constantly evolving.

Language matters because being mindful and choosing your words carefully is one of the simplest ways to create a safe space for all children and youth. Understanding and increasing your comfort level in using (or in some cases not using) the terms below helps not only LGBTQ children and youth whom you may be caring for, but can also help all youth know you are a safe person they can talk with about their feelings and go to for support and guidance.

Many children and youth may be experimenting with language to help describe their identities and experiences. Their language will be in flux much like the language and terms used by the larger LGBTQ community are constantly evolving. Some words, like “homosexual,”

are now seen as outdated and should be generally avoided. Other words, like “faggot” or “dyke,” are widely used and understood as slang and derogatory and, as such, should not be used by care providers. Like other forms of bullying, the use of these words in a derogatory, hurtful manner should be addressed and stopped regardless of their target.

Of course, the importance of language extends beyond one-on-one or group interactions. Service providers should also inspect the language used on paper work, resources, brochures and forms to ensure it is welcoming and inclusive.

As you review these terms, keep in mind that this list is not comprehensive given the evolving nature of language. If you come across a word you don’t know, look it up! A little bit of research can go a long way in demonstrating your support and understanding of LGBTQ children and youth.

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## A

**Advocate:** A person who actively works to end intolerance, educates others and supports LGBTQ issues, concerns, equal rights legislation, etc.

**Ally:** A term used to describe people who advocate and support members of a community other than their own. In the context of the LGBTQ community, “ally” is often used to refer to non-LGBTQ people who advocate for and support LGBTQ people.

## B

**Biological Sex:** Biological sex refers to the classification of people as male or female. Biological sex is determined

by our chromosomes (XX for females, XY for males), our hormones (estrogen/progesterone for females, testosterone for males) and our internal and external genitalia (vulva, clitoris, vagina for females, penis and testicles for males).

**Bisexual:** A bisexual person is physically, romantically, emotionally and/or relationally attracted to both men and women, though not necessarily simultaneously; a bisexual person may not be equally attracted to both sexes.

## C

**Closeted:** A phrase used to describe people who have not disclosed their LGBTQ identity, or who have only told a few people. The person is “closeted” and has not “come out of the closet.”

**Coming Out:** The process in which a person first acknowledges, accepts and appreciates his or her sexual orientation or gender identity and begins to share it with others. Coming out happens many times over the course of a lifetime.

**Cross-Dressing:** The act of occasionally wearing clothes and/or makeup and accessories traditionally associated with people of a different gender. People who cross-dress (cross-dressers) are usually comfortable with the sex they were assigned at birth and do not wish to change it.

## D

**Drag:** The act of cross-dressing as part of a performance. Drag queens often perform in highly feminine attire. Drag kings often perform in highly masculine attire. Drag may be performed as a political comment on gender, as parody or simply as entertainment. Drag performance does not define a person's sexual orientation or gender identity.

**Dyke:** Dyke is a derogatory term for a lesbian. Some lesbians have reclaimed this word and use it as a positive term, but it is still considered offensive when used by the general population.

## F

**Faggot:** Faggot (or “fag”) is a derogatory term for a gay man. Some gay men have reclaimed this word and use it as a positive term, but it is still considered offensive when used by the general population.

## G

**Gay:** Gay is an adjective used to describe a person whose enduring physical, romantic, emotional and/or relational attractions are to people of the same sex.

**Gender Binary:** The idea that there are only two distinct and very different genders: female/male.

**Gender Expression:** All of a person's external characteristics and behaviors—such as dress, grooming, mannerisms, speech patterns and social interactions—that are socially identified with a particular gender. Typically, transgender people seek to make their gender expression match their gender identity, rather than their sex assigned at birth. Gender expression is not necessarily an indication of sexual orientation.

**Gender Identity:** A person's innate, deeply felt psychological sense of gender, which may or may not correspond to the person's assigned sex at birth. Gender identity is distinct and separate from sexual orientation.

**Genderqueer:** A term people use to describe their own gender identity, often used by those who do not want to be labeled by fixed definitions of male/female.

**Gender Pronouns:** Examples of gender pronouns include “she/her” and “he/him.” It is important to use the gender pronouns that someone prefers when referring to that person. If you're unsure which pronoun an individual youth prefers, ask sensitively rather than simply assuming.

**Gender Roles:** The set of socially defined roles and behaviors assigned to females and males. Gender roles vary from culture to culture, and over time.

**Gender Transition:** The experience by which a person goes from living and identifying as one gender to living and identifying as another. Gender transition is a very individual process. To affirm their gender identity people may go through different types of transitions: social (can include name changes, changes in pronouns and changes in appearance – clothes or hairstyle), medical (includes use of hormone

blockers or cross-hormones to promote gender-based body changes) and surgical (modifies the body to remove or add gender-related physical traits).

## H

**Heterosexual:** An adjective that describes people whose enduring physical, romantic, emotional and/or spiritual attractions are to people of a different sex. Also: straight.

**Heterosexual Privilege:** Advantages that come with heterosexuality in this society and culture (i.e., the ability to have one's relationship legally recognized through marriage and the many benefits that come along with marriage).

**Heterosexism:** The belief that all people are heterosexual, the assumption and/or belief that heterosexual relationships and behavior are superior, and the actions based on this assumption.

**Homosexual:** This term is an outdated clinical term considered derogatory and offensive by many gay people. "Gay" and "lesbian" are more commonly accepted terms to describe people who are attracted to members of the same sex.

**Homophobia/Transphobia/Biphobia:** Fear, hatred, anger, discomfort, intolerance or lack of acceptance toward LGBTQ people.

## I

**Internalized Homophobia/Transphobia/Biphobia:** Refers to the self-identification of societal stereotypes by LGBTQ people, causing them to dislike and resent their sexual orientation, gender identity or gender expression.

## L

**Lesbian:** A woman who has emotional, physical, spiritual and sexual attractions to other women.

**LGBT:** An acronym for "lesbian, gay, bisexual and transgender."

**Lifestyle:** A term that is inaccurately used to refer to the sexual orientation of lesbian, gay and bisexual people. Avoid using this term. As there is no one heterosexual or straight lifestyle, there is no one lesbian, gay or bisexual lifestyle.

**Living Openly:** A state in which LGBT people are out about their sexual orientation or gender identity in their personal, public and/or professional lives.

## O

**Outing:** The act of publicly declaring someone's sexual orientation or gender identity, sometimes based on rumor or speculation, without that person's consent.

## Q

**Queer:** Queer describes people who are not heterosexual and/or who do not conform to rigid notions of gender and sexuality. For many LGBT people this word has a negative connotation since it was historically used as a derogatory slang term when referencing LGBT people; however, some are comfortable using it.

**Questioning:** The process of exploring one's own sexual identity, including but not limited to one's upbringing, expectations from others (family, friends, church, etc.) and inner motivation.

## S

**Same-Gender Loving:** A term some prefer to use instead of “gay” or “lesbian” to express attraction to and love of people of the same gender.

**Sexual Orientation:** Enduring emotional, romantic or sexual feelings for other people. Sexual orientations include “heterosexual/straight,” “gay,” “lesbian” and “bisexual.” Everyone has a sexual orientation that goes through a multistage developmental process and may evolve over time.

**Sexual Preference:** A term sometimes used to mean the same thing as “sexual orientation.” Many lesbian, gay and bisexual people find this term to be offensive because it implies that their sexual orientation is a choice.

**Straight Supporter:** A heterosexual person who supports and honors sexual diversity, acts accordingly to challenge homophobic remarks and behaviors, and explores and understands his or her own bias. See also: Ally.

## T

**Transgender:** Transgender is used as an umbrella term for people who experience or express their gender differently from what others might expect based on the sex they were assigned at birth. This includes people who are transsexual, cross-dressers or otherwise gender non-conforming. Transgender people may identify as trans man or female-to-male (FTM), trans woman or male-to-female (MTF), genderqueer, bi- gender, androgynous or gender variant.

**Transsexual:** People who seek to live in a gender different from the one assigned at birth. They may seek medical intervention (through hormones and/or surgery) to live comfortably in the gender with which they identify. They usually live full time as a different gender from the one they were assigned at birth.

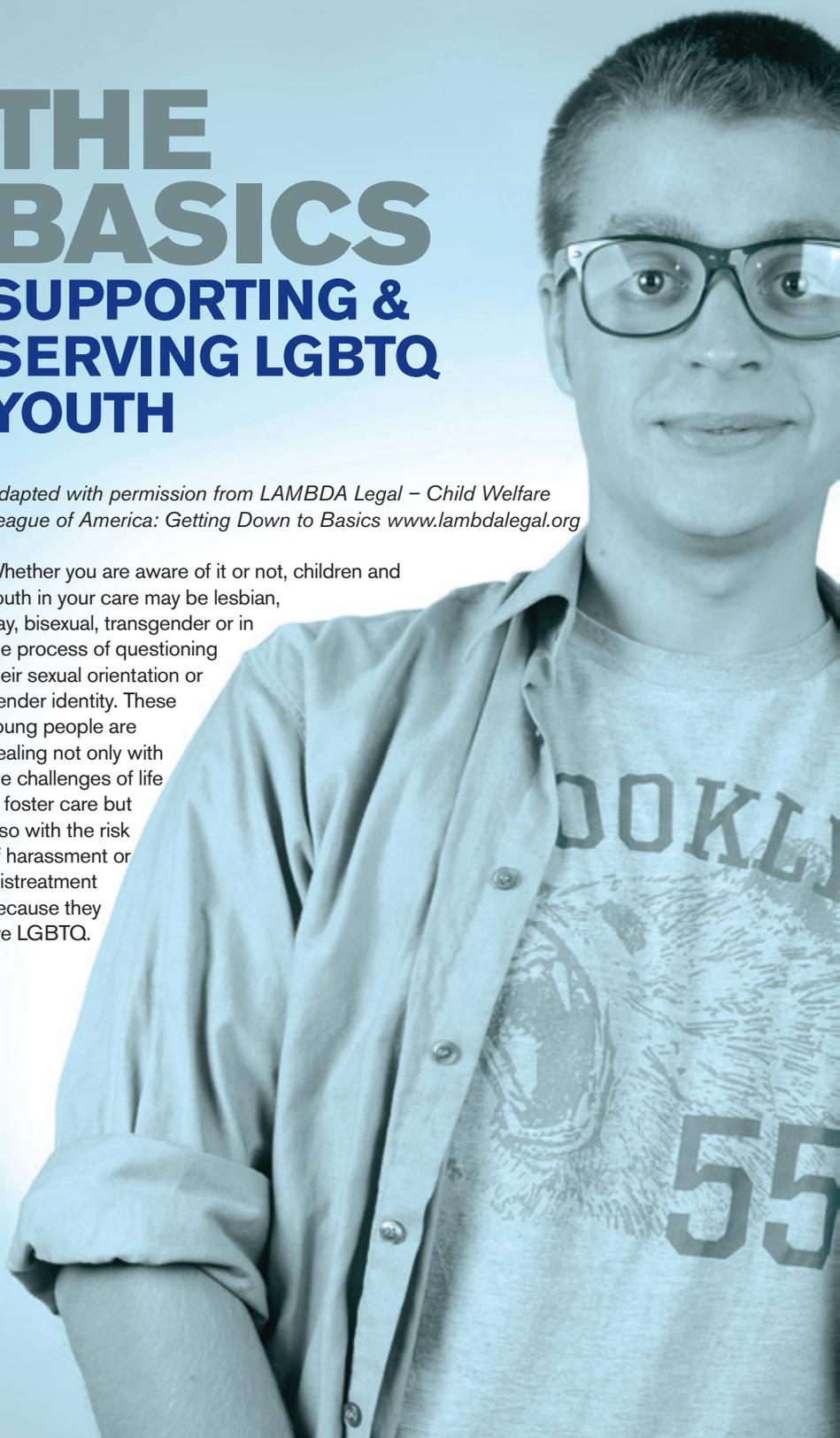
**Transvestite:** This is an outdated term that is offensive to many and not commonly used. Historically this term refers to a person (typically a male) who adopts the dress and behavior typical of the opposite sex for purposes of emotional or sexual gratification.

# THE BASICS

## SUPPORTING & SERVING LGBTQ YOUTH

*Adapted with permission from LAMBDA Legal – Child Welfare  
League of America: Getting Down to Basics [www.lambdalegal.org](http://www.lambdalegal.org)*

Whether you are aware of it or not, children and youth in your care may be lesbian, gay, bisexual, transgender or in the process of questioning their sexual orientation or gender identity. These young people are dealing not only with the challenges of life in foster care but also with the risk of harassment or mistreatment because they are LGBTQ.



## **It is incumbent upon all DCFS workers**

that LGBTQ youth be treated fairly and with the respect that all youth deserve in accordance with California law and DCFS policy.

It is equally important that providers and care givers also understand the needs of these youth and provide them with the best possible care. DCFS understands that many foster parents and other caregivers want to provide the love and support to LGBTQ youth that all youth deserve. However, many are not given adequate training and resources in order to provide a safe home for LGBTQ youth.

**“My foster family took away my clothes, called me a ‘dyke’ and tried to remake me.”<sup>3</sup>**

**“It’s all about an open mind. LGBTQ foster youth want parents who are going to teach them in a family environment and treat them like their kids.”<sup>4</sup>**

**“Living with [my foster family] made me kind of miserable. Coming out to them was a problem. Eventually, I just stopped caring cuz they kept assuming I wanted to be with their son and stuff and I was like ‘No, I just need a brother!’ ... Foster care was one of the hardest things I’ve ever had to go through.”**

– Anwar, “Families Like Ours,” from *Foster Care’s Invisible Youth*, 2012

**The following tips provide guidance for Case Workers and Care Givers so that they are better equipped to ensure the well-being of LGBTQ youth.**

- **Acknowledge that foster children and youth in your care may be LGBTQ.**

Don’t assume that all young people in your care are heterosexual or comfortable in their assigned gender. Many LGBTQ young people fear the negative reactions that may come from revealing this aspect of their identity and carefully hide that they are

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LGBTQ. Indeed, some may have been abused by their families of origin or thrown out after coming out and are reluctant to risk harassment and rejection from the child welfare system charged with protecting them

- **Examine your beliefs and attitudes that might impact your ability to support LGBTQ children and youth in your care.**

Be aware of your own beliefs, prejudices and gaps in knowledge surrounding issues of sexual orientation and gender identity and expression. Regardless of your personal beliefs, remember that above all it's your responsibility to provide a safe, nurturing and non-judgmental environment for the LGBTQ children and youth in your care.

**The National Foster Parent Association has adopted a formal policy urging sensitivity and support for LGBTQ youth in foster care. The Family Acceptance Project™ offers resources for families of LGBTQ young people.**

- **Understand that being LGBTQ isn't a "choice" or something a young person can change.**

The leading mental health and child welfare associations have long recognized that a lesbian or gay sexual orientation is a normal variation on human sexuality and no more susceptible to change than is a heterosexual sexual orientation. A child or youth should never be subjected to "conversion" or "reparative" therapies for the purpose of changing sexual orientation or gender identity. Such "therapies" have been shunned by all leading professional organizations as unethical and potentially dangerous.

- **Educate yourself on LGBTQ issues.**

You don't have to be an expert or LGBTQ yourself in order to support an LGBTQ child or youth. There are plenty of resources available to help you better understand these issues. Some resources are listed in this brochure. Seek out the support and information you need to feel comfortable engaging young people in frank and age-appropriate discussions about sexual orientation and gender identity and expression.

- **Know that your acceptance or rejection affects the health and well-being of the LGBTQ youth in your care.**

Research shows that family acceptance is an important predictor of how well an LGBTQ youth will fare as an adult. As a caregiver, don't compound the rejection an LGBTQ child or youth may have suffered from his or her family of origin by exhibiting the same rejecting behaviors.

- **Respect the privacy and confidentiality of LGBTQ youth**

Most LGBTQ young people are aware of this aspect of their identity long before they disclose it to others. Some LGBTQ people report having been aware of their sexual orientation as young as at five years old, long before they were sexually active, while others were

much older before they realized it. Research shows that children as young as two may begin expressing their gender in ways that do not fit societal expectations based on their sex assigned at birth. Understand that coming out is often a lifelong process and that LGBTQ children and youth may not be out in every context of their lives. Keep in mind that there are many factors LGBTQ people consider before disclosing their sexual orientation and gender identity, including that they may be exposing themselves to discrimination and harassment by revealing this information to others. Respect the confidentiality of the foster children and youth in your care, while helping them to decide whether or not to come out and to whom.

**The National Foster Parent Association has adopted a formal policy urging sensitivity and support for LGBTQ youth in foster care. The Family Acceptance Project™ offers resources for families of LGBTQ young people.**

**LGBTQ children and teens have the same needs for acceptance and support from their family, their peers and other important adults in their lives as all young people do. LGBTQ children and youth also have to cope with the challenges of social stigma and discrimination. All children and youth need and deserve families to nurture them and help them as they transition into adulthood.**

**LGBTQ youth need to be safe and not be condemned, pathologized or criminalized if they explore and express their sexual orientation and gender identity through means of expression that are expected of and appropriate for all youth. These expressions include romantic attachments and discussion of romantic attachments, dress, recreational and social activities, hobbies and expressions of affection such as kissing or holding hands.**

- **Apply the same standards to LGBTQ youth that you apply to others for age-appropriate adolescent romantic behavior.**

It's important for LGBTQ youth to be able to engage in developmentally appropriate romantic behavior and to feel as validated and respected in this area as other young people. LGBTQ youth in your care should be held to the same standards you apply to non-LGBTQ youth regarding age-appropriate dating, displays of affection and romantic relationships. LGBTQ youth in care, like all young people, need developmentally appropriate information and resources about sexuality and sexual health, including about the prevention of HIV and other sexually transmitted infections.

- **Know the dangers and risks for LGBTQ youth.**

Research reveals that LGBTQ youth may be at a higher risk for substance abuse, unsafe sexual practices, running away and suicidal ideation and behavior because of the social stigma and harassment they face from their peers and adults. As a caregiver, it's critical that you be aware of the warning signs and behaviors that may mean someone is struggling. If you provide a safe, supportive and bias-free environment where young people can be themselves, they will be less likely to engage in these risky behaviors.

- **Be an advocate for LGBTQ children and youth.**

LGBTQ children and youth often face verbal and physical abuse from their peers, families and the adults in their lives. Make sure the young people in your care know that you're there for them and will be their ally. Ensure that your foster child or youth is safe at school and in the community. Advocate for them and demand that they receive respectful treatment.

- **Acknowledge that there's more to an individual than sexual orientation and gender identity and expression.**

Sexual orientation and gender identity and expression are only part of what makes an individual a whole person. Avoid making assumptions about a young person based entirely upon these particular characteristics. In fact, you may find that some LGBTQ children and youth are very outspoken about their identities and feel that this is a defining part of who they are, while others may not give it much thought at all. Don't assume that every struggle faced by an LGBTQ young person is the result of this aspect of their identity. Understand that many of their struggles are, in fact, a result of the lack of support they have received from their caretakers and peers.

**All children and youth need and deserve families to nurture them and help them as they transition into adulthood.**

- **Take advantage of community resources for you and your LGBTQ foster child or youth.**

Know where to look for LGBTQ resources in your community. At the back of this pamphlet, you will find a list of national and web-based resources for LGBTQ youth, their caregivers and families.

- **Know what it means to be “transgender” and use the term appropriately.**

“Transgender” is an umbrella term used to describe people whose gender self-image differs from the norms traditionally associated with the sex assigned to them at birth based upon their physiological anatomy. For example, a transgender woman is a person who identifies as a female but was assigned “male” at birth. Conversely, a transgender man is a person who identifies as a male but was assigned “female” at birth. The term is also used to describe people who may be gender non-conforming—that is, whose behaviors, mannerisms or clothing are perceived by others to be inappropriate for their birth sex based on societal beliefs or standards. The terms “trans” and “genderqueer” are two additional terms frequently used by transgender and gender nonconforming youth.

- **Educate yourself on gender dysphoria.**

The incongruity between a person's internal sense of self as either male or female and the person's anatomical or birth sex can lead to depression and severe emotional distress. When these feelings rise to clinically significant levels, a person may be suffering from gender dysphoria, a diagnosable medical condition found in the Diagnostic and Statistical Manual (DSM). Treatment of gender dysphoria is focused on providing support, not changing a person's gender identity. It may include services

like individual and family counseling and such medical care as hormone therapy and surgery to align the physical body with the internal sense of self as male or female. Some people oppose the classification of transgender identity as a disorder, while others recognize advantages of having explicit standards of health care for transgender individuals. All concur, however, that transgender youth need to be supported, affirmed and safe and free to express their identities.

### • **Allow transgender youth to express their gender identity**

Allow transgender youth to express their gender identity through their chosen attire, names, pronouns and mannerisms without punishment or ridicule. Don't assume that transgender youth are "acting out" when they express their gender identity. The clothing and personal style that an individual chooses are important aspects of self-expression. Support transgender youth in these choices and challenge restrictive policies that may not allow such freedom.

### • **Make room assignments and housing decisions based on the well-being of individual youth.**

In sex-segregated facilities, don't assign transgender youth to the girls' or boys' units strictly based on their anatomical sex. Instead, make individualized decisions based on the physical and emotional well-being of each youth, taking into account their level of comfort and safety, the degree of privacy afforded, the types of housing available and the recommendations of qualified mental health professionals. The safety of transgender youth should be protected without resorting to isolating or segregating them from the general population. However, single occupancy rooms, if available, may be an acceptable alternative for transgender youth in sex-segregated facilities.

### • **Use young people's preferred names and pronouns.**

Respect a transgender young person's choice of name and gender pronouns that best reflects their sense of self as female, male or a different gender. By doing so, you validate their identity and sense of self-worth. If you're unsure which pronoun an individual youth prefers, ask sensitively rather than simply assuming what that person would prefer. Some youth may be fluid in their gender identity and expression and alternate use of gender pronouns and names.

### • **Avoid assumptions about transgender young people's sexual orientation.**

Transgender youth may identify as gay, lesbian, bisexual, questioning, heterosexual or differently. It's important to keep in mind that sexual orientation is separate from, and not determined by, one's gender identity and expression.



# FOSTER PARENT SURVEY

Initiatives like HRC's All Children -All Families project, along with LA County DCFS' Parent Recruitment Unit, have greatly expanded the pool of prospective foster and adoptive parents by working closely with nearly a dozen agencies throughout Los Angeles in order to recruit, train, license, and place children with LGBT foster and adoptive parents. And while these efforts to recruit new foster parents from LGBT communities have proven to be extremely successful, many non LGBT-identified foster parents who have extensive experience caring for foster youth, particularly older youth, also have a desire to provide a safe, stable, and loving home to an LGBTQ youth. But many experienced foster parents have said that they've either never been asked to care for LGBTQ youth or that they lack sufficient understanding of the specific needs of LGBTQ youth.

So while it will remain a goal of LA DCFS to recruit new foster and adoptive parents, making the best use of long-standing foster parents who are intimately aware of the many challenges facing foster youth but who may need some additional support in order to care for LGBTQ foster youth is also a priority for the county.

Therefore, a foster parent survey tool has been developed in order to gain a better understanding of the willingness of existing foster parents to provide care for LGBTQ youth, as well as the types of resources they may need in order to be effective caregivers for these young people.

**A copy of this survey can be found in the Appendix section of this guidebook.**



**THE  
DATA**  
GROWING UP  
LGBTQ IN  
AMERICA

**“I got jumped by a bunch of guys in my group home and when I told the director he said, “well, if you weren’t a faggot they wouldn’t beat you up! It’s not fair.”<sup>5</sup>**

The report *Growing Up LGBTQ in America*, outlines the results of the Human Rights Campaign’s groundbreaking survey of more than 10,000 LGBTQ-identified youth ages 13-17. It provides a stark picture of the difficulties they face; the impact on their well-being is profound, however these youth are quite resilient. The report outlines experiences in four major areas: Personal Well-Being, Family, School and Community. The findings are a call to action for all adults who want ensure that young people can thrive. Read the full report at [www.hrc.org/youth](http://www.hrc.org/youth).

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<sup>5</sup>BID

## PERSONAL WELL-BEING



Non-LGBTQ youth are nearly twice as likely as LGBTQ youth to say they are happy (**37% vs. 67%**).



LGBTQ youth are more likely than non-LGBTQ youth to report that they do not have an adult they can talk to about personal problems (**29% vs. 17%**).



LGBTQ youth are more than twice as likely as non-LGBTQ youth to experiment with alcohol and drugs (**52% vs. 22%**).

## FAMILY



More than half (**56%**) of LGBTQ youth say they are out to their immediate family.

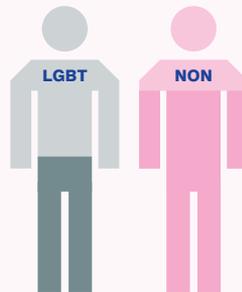


A third (**33%**) of LGBTQ youth say their family is not accepting of LGBTQ people.



**Positive Messages**

Less than a third of LGBTQ youth (**32%**) chose their family among a list of places where they most often hear positive messages about being LGBTQ.



About half (**49%**) of LGBTQ youth say they have an adult in their family they could turn to for help if they felt worried or sad, compared to **79%** of non-LGBTQ youth.

## SCHOOL

# 2X

LGBTQ youth are more than twice as likely as non-LGBTQ youth to be verbally harassed/called names at school (**51% vs. 25%**).

# 2X

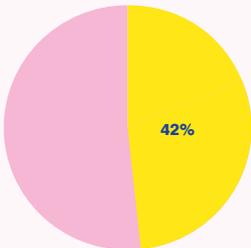
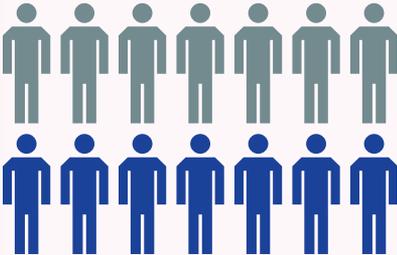
LGBTQ youth are twice as likely as their peers to say they have been physically assaulted, kicked or shoved at school (**17% vs. 10%**).

# 2X

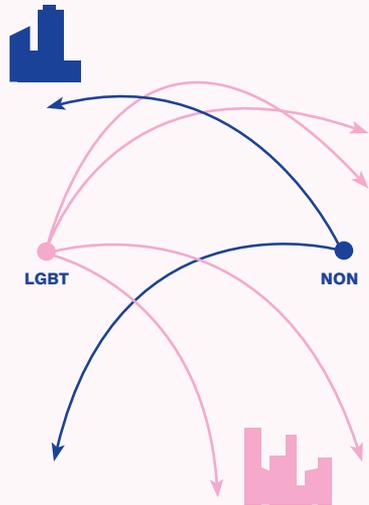
LGBTQ youth are about twice as likely as non-LGBTQ youth to say they have been excluded by their peers because they are different (**48% vs. 26%**).

## COMMUNITY

Nearly half (**47%**) of LGBTQ youth say they do not "fit in" in their community.



4 in 10 (**42%**) LGBTQ youth say the community in which they live is not accepting of LGBTQ people.



**63%** of LGBTQ youth say they will need to move to another part of the country to feel accepted.

# DATA THROUGH THE CHILD WELFARE LENS:

## SAFETY, PERMANENCY AND WELL-BEING

### SAFETY

- Many LGBTQ youth face neglect or abuse from their families of origin because of their sexual orientation, gender identity and/or expression. One study found that more than 30% of LGBTQ youth reported suffering physical violence at the hands of a family member after coming out.
- As a result of lack of acceptance and abuse in the home and at school, a disproportionate number of youth living on the streets are LGBTQ. The National Network of Runaway and Youth Services estimates that between 20 and 40% of homeless youth are LGBTQ.

### PERMANENCY

- Many LGBTQ youth (26%) are forced to leave their families of origin as a result of conflicts with their parents regarding their sexual orientation or gender identity.
- 78% of LGBTQ youth were removed or ran away from their foster placements as a result of hostility toward their sexual orientation or gender identity.

### WELL-BEING

- LGB young adults who reported higher levels of family rejection during adolescence were 8.4 times more likely to report having attempted suicide, 5.9 times more likely to report high levels of depression, 3.4 times more likely to use illegal drugs and 3.4 times more likely to report having engaged in unprotected sexual intercourse compared with peers from families that reported no or low levels of family rejection.
- 33.2% of transgender youth have attempted suicide.
- Research suggests that LGBTQ youth in foster care need a range of physical and mental health services as well as educational supports and services, but that they confront barriers in accessing these services because of their sexual orientation or gender identity.

Adapted from *LGBTQ Youth In Care: Information & Resources* by the National Resource Center for Youth Development. For citations and more information, visit [www.nrcyd.ou.edu/lgbtq-youth](http://www.nrcyd.ou.edu/lgbtq-youth).

# LOS ANGELES FOSTER YOUTH SURVEY

Researchers from the Williams Institute and Holarchy Consulting conducted the Los Angeles Foster Youth Survey (LAFYS), a telephone interview study with 786 randomly sampled youth ages 12-21 living in foster care in Los Angeles County. The LAFYS was a one-time study conducted as part of the RISE (Recognize Intervene Support Empower) Project, a five-year cooperative agreement awarded to the L.A. LGBT Center by the federal Permanency Innovations Initiative (PII).

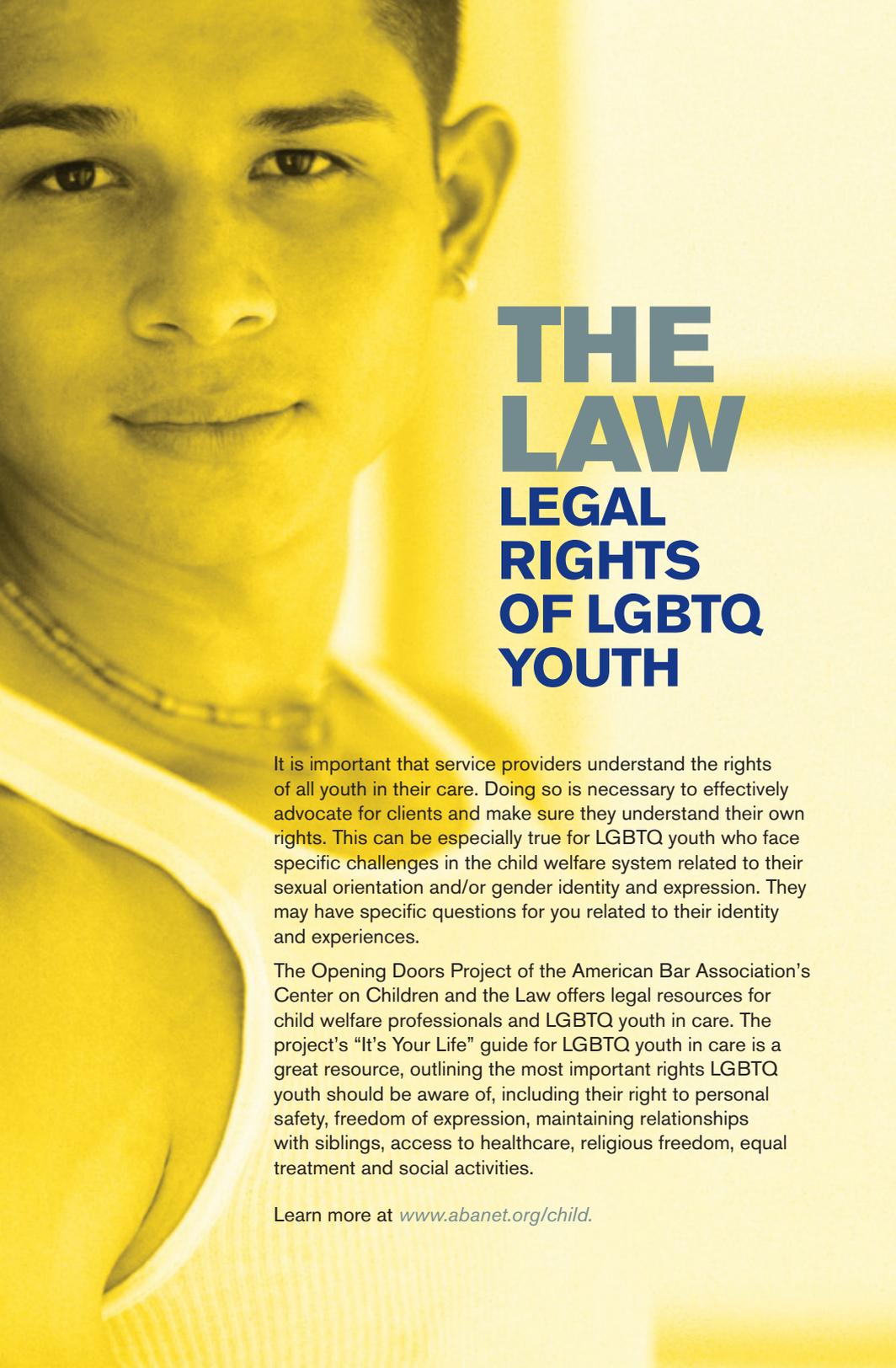
Around 7,400 youth, ages 12-21, are in out-of-home care in Los Angeles County in any given month (LA-DCFS, 2014).

Among the findings from the LAFYS:

- **19% or about 1,400 of these youth, identify as LGBTQ.**
- 12.9% of LGBTQ youth report being treated poorly by the foster care system compared to 5.8% of non-LGBTQ youth.
- 13.6% of foster youth identify as lesbian, gay, bisexual, or questioning.
- 13.2 % reported some level of same sex attraction.
- 5.6% identify as transgender.

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<sup>6</sup> Wilson, B. et al, *Sexual & Gender Minority Youth in Los Angeles Foster Care: Assessing Disproportionality in Los Angeles*, Williams Institute, UCLA School of Law, Los Angeles, 2014.



# THE LAW LEGAL RIGHTS OF LGBTQ YOUTH

It is important that service providers understand the rights of all youth in their care. Doing so is necessary to effectively advocate for clients and make sure they understand their own rights. This can be especially true for LGBTQ youth who face specific challenges in the child welfare system related to their sexual orientation and/or gender identity and expression. They may have specific questions for you related to their identity and experiences.

The Opening Doors Project of the American Bar Association's Center on Children and the Law offers legal resources for child welfare professionals and LGBTQ youth in care. The project's "It's Your Life" guide for LGBTQ youth in care is a great resource, outlining the most important rights LGBTQ youth should be aware of, including their right to personal safety, freedom of expression, maintaining relationships with siblings, access to healthcare, religious freedom, equal treatment and social activities.

Learn more at [www.abanet.org/child](http://www.abanet.org/child).

California has passed more laws designed to support LGBTQ youth than any other state in the country. In 2003, California became the first state to include sexual orientation and gender identity under its existing child welfare non-discrimination law.

## **Here is a sample of several California laws that govern the care of LGBTQ youth:**

### **CA AB458- Foster Care Non-Discrimination Act**

AB 458, the Foster Care Non-Discrimination Act, was signed into law on September 6, 2003 and went into effect on January 1, 2004. AB 458 prohibits discrimination in the California foster care system on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status. Because training is crucial to enable service providers to fulfill their responsibilities to provide safe and nondiscriminatory care, placement, and services to foster children, AB 458 also mandates initial and ongoing training for all group home administrators, foster parents, and department licensing personnel.

This law is the first of its kind in the United States to explicitly include protections for lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth and adults involved with the foster care system.

### **AB 1856 – Foster Youth: LGBT Cultural Competency**

Assembly Bill 1856 requires that existing training programs for foster youth caregivers include information related to cultural competency and best practices for serving lesbian, gay, bisexual, and transgender (LGBT) youth. AB 1856 seeks to build greater understanding between LGBT foster youth and their caregivers by integrating the best practices for providing care to LGBT youth into the existing training curriculum. Integrating LGBT competency and sensitivity training into the current training would help to bring awareness to LGBT issues and protect some of the most vulnerable children in our state's child welfare system.

### **AB 868- Judicial Council Training**

Existing law requires the Judicial Council to perform various duties designed to assist the judiciary, including establishing judicial training programs for judges, referees, commissioners, mediators, and others who perform duties in family law matters. Existing law requires this training to include instruction in all aspects of family law, including the effects of gender on family law proceedings. This bill requires that training to also include the effects of gender identity and sexual orientation on family law proceedings.

Existing law establishes the jurisdiction of the juvenile court, which is authorized to adjudge certain children to be dependents of the court under certain circumstances, and prescribes various hearings and other procedures for these purposes. Existing law requires a court to appoint counsel for a child who is not represented by counsel in these dependency proceedings, except as specified. Under existing law, appointed counsel is required to have a caseload and training that ensures adequate representation, and Judicial Council is required to promulgate rules of court that

establish caseload standards, training requirements, and guidelines for counsel. This bill requires that training to also include instruction on cultural competency and sensitivity relating to, and best practices for, providing adequate care to lesbian, gay, bisexual, and transgender youth.

Existing law requires the Judicial Council to establish a planning and advisory group to recommend on the development of program guidelines and funding procedures for court-appointed special advocates (CASAs) and to establish a request-for-proposal process to establish, maintain, or expand local CASA programs, pursuant to which volunteer CASAs provide designated services and support to children under the jurisdiction of the juvenile court. The council is required to, among other things, require an initial and ongoing training program for all persons acting as a CASA that covers various topics, including, but not limited to, child development. This bill requires that training to also include cultural competency and sensitivity relating to, and best practices for, providing adequate care to lesbian, gay, bisexual, and transgender (LGBT) youth.

Existing law requires the Judicial Council to develop and implement standards for the education and training of all judges who conduct dependency hearings. This bill requires that training to include instruction on cultural competency and sensitivity relating to, and best practices for, providing adequate care to lesbian, gay, bisexual, and transgender youth.

### **SB 1172- Sexual Orientation Change Efforts**

Existing law provides for licensing and regulation of various professions in the healing arts, including physicians and surgeons, psychologists, marriage and family therapists, educational psychologists, clinical social workers, and licensed professional clinical counselors. This bill prohibits a mental health provider, as defined, from engaging in sexual orientation change efforts, as defined, with a patient under 18 years of age. The bill provides that any sexual orientation change efforts attempted on a patient under 18 years of age by a mental health provider shall be considered unprofessional conduct and shall subject the provider to discipline by the provider's licensing entity

### **AB 537- California Student Safety and Violence Prevention Act**

AB 537, the California Student Safety and Violence Prevention Act of 2000, changed California's Education Code by adding actual or perceived sexual orientation and gender identity to the existing nondiscrimination policy. State law says that "gender" means sex, and includes a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth." The nondiscrimination policy also prohibits harassment and discrimination on the basis of sex, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.

### **SB 777- California Student Civil Rights Act**

Existing law states that it is the policy of the state to afford equal rights and opportunities to all persons in the public or private elementary and secondary schools and postsecondary educational institutions of the state regardless of their sex, ethnic group identification, race, national origin, religion, or mental or physical disability and prohibits a person from being subjected to discrimination on those

bases and contains various provisions to implement that policy.

Existing law prohibits a teacher from giving instruction, and a school district from sponsoring any activity, that reflects adversely upon persons because of their race, sex, color, creed, handicap, national origin, or ancestry.

SB 777 revises the list of prohibited bases of discrimination and the kinds of prohibited instruction and activities and, instead, would refer to disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic contained in the definition of hate crimes that is contained in the Penal Code. The bill would define disability, gender, nationality, race or ethnicity, religion, and sexual orientation for this purpose.

### **AB 394- The Safe Place to Learn Act**

The Safe Place to Learn Act provides clarification and guidance to school districts and the California Department of Education regarding what steps should be taken to ensure compliance with the California Student Safety and Violence Prevention Act of 2000, AB 537. This necessary clarification helps to ensure that current school safety standards regarding harassment and discrimination are fully and properly implemented.

A copy of the National Center for Lesbian Rights' *LGBTQ Youth in the California Foster Care System: A Question and Answer Guide* can be found in the Appendix section of this guidebook.

In addition to these state laws, Los Angeles County DCFS issued an FYI memo to all staff in 2005 outlining expectations that LGBTQ youth will be well cared-for by child welfare practitioners. A copy of this FYI can be found in the Appendix section of this guidebook.

## **Addressing the Specific Needs of Transgender Youth in Child Welfare Settings**

"My main concern with the social service system is the lack of understanding of transgender issues. As a transgender woman, my experiences and needs are different from gay and lesbian youth in care." <sup>7</sup>

The National Center for Child Welfare Excellence at the Silberman School of Social Work has put together an information packet designed to address the specific needs of transgender youth in child welfare settings. Here are some excerpts from this information packet:

### **Introduction: Transgender Youth in Child Welfare Settings**

#### **What does the term "transgender" mean?**

Gender identity is the way people think of themselves in terms of gender. The term transgender is an umbrella term for individuals whose gender identity and gender expression differ from that typically associated with the sex they were assigned at

birth. People under the transgender umbrella may describe themselves with one or more of a variety of terms. Some people who identify as transgender meet criteria for the DSM-V diagnosis of Gender Dysphoria.

### **What issues do transgender youth face in the child welfare system?**

Multiple studies have indicated that transgender youth are disproportionately represented in child welfare settings and are often victims of prejudice, discrimination, and mistreatment. Transgender youth enter the child welfare system for some of the same reasons as non-transgender youth: parental abuse and neglect. However, an aspect that is unique to transgender youth entering child welfare settings is that they are often kicked out of their homes by their parents and families after revealing their gender identity. As a result, transgender youth have been identified as an especially vulnerable population in the already high-risk population of youth in child welfare settings.

Currently, there are very few explicit protections for transgender youth in child welfare settings. Most of the existing cases on gender identity discrimination concern sexual harassment or employment discrimination of transgender people on the basis of their gender identity. Few cases specifically address the discrimination of transgender youth in child welfare settings. In particular, transgender youth in child welfare settings experience challenges in three primary areas: safety, gender expression, and access to gender-affirming medical care.

Transgender youth are often placed in housing situations where their gender identity and their gender expression are not respected. Consequently, they are at higher risk for physical, emotional, and sexual harassment, as well as bullying. For example, staff may force transgender youth to wear traditionally gender-conforming clothing and to use sex-segregated facilities (such as restrooms, living quarters, locker rooms, etc.) that do not match their gender identity. Additionally, staff may intentionally not use their transgender clients' preferred pronouns and names. Transgender youth may also be denied medical care such as hormone therapy, prescribed by physicians and mental health professionals. Gender-affirming medical care may also be delayed, interrupted, or terminated for these youth. This creates an emotionally and physically unsafe space, which is harmful to their development.

Some transgender youth who feel unsafe in care may choose to live on the streets as opposed to in child welfare settings. Living on the streets puts transgender youth at risk for becoming involved in sex work, being exposed to HIV, rape, and incarceration. Additionally, living on the streets disposes transgender youth to homelessness, an incomplete education, and employment and housing discrimination. Some transgender youth resort to self-medicating with "black market" hormone treatments and self-mutilation. This puts their lives at great risk.

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<sup>7</sup>Woronoff, R.; Estrada, R.; Sommer, S.; *Out of the Margins: A Report on Regional Listening Forums Highlighting the Experiences of LGBTQ Youth in Care*, CWLA/ Lambda Legal, Washington, DC, 2006.

<sup>8</sup>Sikerwar, P., Rider, E., *Information Packet: Transgender Youth in Child Welfare Settings*, National Center for Child Welfare Excellence, New York, 2015.

## Fact Sheet

There are increasing numbers of youth identifying as transgender or gender non-conforming. While an overrepresentation of transgender youth in child welfare settings has been documented, concrete statistics are unavailable. There are a number of reasons for the lack of statistics representing transgender youth in child welfare settings:

- Transgender youth are often lumped together in the LGBTQ category in statistical surveys. This makes it difficult to determine how much of the data is representative specifically of transgender youth.
- Transgender people may not identify themselves as transgender until a later age. There is limited research on the specific experiences of transgender youth in child welfare settings, but their overall vulnerabilities have been documented and include the following:
- 57% of transgender youth reported experiencing family rejection.
- 87% of transgender youth report facing verbal harassment frequently.
- 44% of transgender youth had been denied service due to their gender identity.
- 76.6% of transgender youth reported feeling unsafe in public on a regular basis.
- 42% of transgender youth reported that they had been physically harassed in school by their peers due to their gender identity.
- 46% of transgender youth report missing school because of harassment.
- 20% of homeless youth identify as transgender.

## Specific Protections for Transgender Youth in Child Welfare Settings:

### At the State Level

- California Senate Bill 731 (2015) Foster youth have the right to be placed according to their gender identity, regardless of the sex listed in their records. It provides specific guidance on promoting the safety, stability, and well-being of transgender youth in foster care.
- Foster Care Non-Discrimination Act, A.B. 458 (2004) Transgender youth have the right to be safe and respected in their placement, to use restrooms and facilities according to their gender identity and gender expression, to participate and decline participation in religious activities, to use their preferred name and pronouns, and to wear clothing and hairstyles that make sense for their preferred gender identity and gender expression.

## Best Practice Tips

Transgender youth in child welfare settings deserve to be treated with dignity, respect and equality. Youths' gender identities and expressions should be affirmed and validated. They should be provided with support and equal treatment throughout their involvement in the child welfare system and as they transition into adulthood. Transgender and gender non-conforming youth must be afforded a safe, inclusive, and discrimination-free environment at all times.

- Every effort must be made to place youth in transgender affirming environments.
- Do not assume that a placement is transgender-inclusive without doing prior research.
- Youth should be consulted about placement decisions.
- Youth's gender expression and preferences should be respected and affirmed.
- Physical, verbal, sexual, and psychological violence, discrimination and bullying on the basis of gender identity or perceived gender identity must be addressed and must not be tolerated. Policies should be in place to protect transgender youth from harassment.
- Staff must model respectful, appropriate, and affirming behaviors at all times. Gender Segregated Spaces
- Transgender youth should not automatically be placed in housing/living quarters according to their sex assigned at birth. Youth should be placed according to where they feel most comfortable, often (but not always) in accordance with their gender identity.
- Placements should allow transgender youth to use restrooms, locker rooms and other sex-segregated facilities according to their gender identity, if that is the youth's preference. Privacy
- Youth have the right to keep their transgender identity private.
- Information on a child's biological sex and gender identity should remain confidential.
- Many transgender youth prefer names and pronouns (he/him, she/her, ze/zie) that reflect their gender identity. Language should always mirror youth's preferences.
- Documentation should include the youth's legal name with the preferred name in parenthesis or quotations in the beginning of the document. The youth's preferred name and pronouns should be used throughout the rest of the document.



## Practices to Avoid

- Youth should not be referred to according to their gender identity (i.e., “the transgender young person”). Derogatory and outdated terms such as “transsexual,” “he/she,” “transgendered,” “it,” and “transvestite” should not be used.

## Transgender Youth Resources

<http://www.nytransguide.org/youth-resources>

This website provides a list of organizations that provide a variety of services for transgender youth in the state of New York.

## Lambda Legal - Transgender Rights

<http://www.lambdalegal.org/issues/transgender-rights>

Lambda Legal’s mission is to achieve full recognition of the civil rights of lesbians, gay men, bisexuals, transgender people and those with HIV through impact litigation, education and public policy work.

## National Center for Lesbian Rights

<http://www.nclrights.org/explore-the-issues/transgender-law/transgender-youth/>

The National Center for Lesbian Rights provides information regarding court cases and policy and legislation surrounding the rights of transgender youth.

## Gender Spectrum

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

Gender Spectrum provides education, training, and support designed to help families, educators, professionals, and organizations understand concepts of gender identity and expression, in order to create gender sensitive and inclusive environments for all children and teens.

## Transition Youth Family Allies

<http://www.imatyfa.org>

This website provides support for transgender and gender non-conforming (TGNC) youth and their families through online message boards, newsletters, and educational programs. This website also provides resources for educators, health care practitioners, and other service providers in working with TGNC youth.

## Additional Resources

Working with Transgender Youth in Foster Care and Runaway and Homeless Youth Programs: A Webcast (May 18, 2011) <http://www.nrcpfc.org/webcasts/22.html> Gerald P. Mallon and Inkera Jordan discuss working with transgender youth in foster care and runaway and homeless youth programs.



# RESOURCES

# LGBTQ Children and Youth and the Child Welfare System

All Children – All Families has compiled a comprehensive list of resources on LGBTQ children and youth and the child welfare system. These resources come from leading child welfare organizations and LGBTQ experts across the country, including the American Bar Association, American Civil Liberties Union, Child Welfare League of America, Evan B. Donaldson Adoption Institute, Lambda Legal and the National Center for Lesbian Rights.

For more information and to access these resources, visit [www.hrc.org/acaf-resources](http://www.hrc.org/acaf-resources).

## National LGBTQ Organizations & Resources

**“Creating safe spaces at school is essential to ensuring the highest performance of all students. In creating safe spaces for transgender and other gender non-conforming students, we not only improve the conditions for them but the environment for all students attending the school!”**

– Joel Baum, director of Education and Training at Gender Spectrum

### Family Acceptance Project™

[familyproject.sfsu.edu](http://familyproject.sfsu.edu)

This community research, intervention and education initiative studies the impact of family acceptance and rejection on the health, mental health and well-being of lesbian, gay, bisexual and transgender youth. Family support services available free of charge in English, Spanish and Cantonese.

### Advocates for Youth

[www.advocatesforyouth.org](http://www.advocatesforyouth.org)

Advocates for Youth champions efforts that help young people, typically ages 14-25, make informed and responsible decisions about their reproductive and sexual health. Advocates believes it can best serve the field by boldly advocating for a more positive and realistic approach to adolescent sexual health.

### CenterLink - The Community of LGBT Centers

[www.lgbtcenters.org](http://www.lgbtcenters.org)

CenterLink serves as a member-based coalition to support the development of strong, sustainable LGBT community centers.

**“Creating safe spaces at school is essential to ensuring the highest performance of all students. In creating safe spaces for transgender and other gender non-conforming students, we not only improve the conditions for them but the environment for all students attending the school.”**

– Joel Baum, director of Education and Training at Gender Spectrum

### **Gay, Lesbian and Straight Education Network**

[www.glsen.org](http://www.glsen.org)

GLSEN is the leading national education organization focused on ensuring safe schools for all students. The organization works to ensure that every student, regardless of sexual orientation, gender identity or gender expression, is treated with respect and provided with a safe learning environment.

### **Gender Spectrum**

[www.genderspectrum.org](http://www.genderspectrum.org)

Gender Spectrum provides education, training and support to help create a gender-sensitive and inclusive environment for all children and teens. Through consultation, training and events, Gender Spectrum helps families, educators, professionals and organizations understand and address the concepts of gender identity and expression.

### **Human Rights Campaign**

[www.hrc.org](http://www.hrc.org)

The Human Rights Campaign is America's largest civil rights organization working to achieve lesbian, gay, bisexual and transgender equality. By inspiring and engaging all Americans, HRC strives to end discrimination against LGBT citizens and realize a nation that achieves fundamental fairness and equality for all.

### **Lambda Legal**

[www.lambdalegal.org](http://www.lambdalegal.org)

Lambda Legal is a national organization committed to achieving full recognition of the civil rights of lesbians, gay men, bisexuals, transgender people and those with HIV through impact litigation, education and public policy work

### **National Black Justice Coalition**

[www.nbjc.org](http://www.nbjc.org)

The National Black Justice Coalition is a civil rights organization dedicated to empowering Black LGBT people. NBJC's mission is to end racism and homophobia.

### **National Center for Lesbian Rights**

[www.nclrights.org](http://www.nclrights.org)

The National Center for Lesbian Rights is a national legal organization committed to advancing the civil and human rights of LGBT people and their families through litigation, public policy advocacy and public education.

### **National Gay and Lesbian Task Force**

[www.thetaskforce.org](http://www.thetaskforce.org)

The mission of the National Gay and Lesbian Task Force is to build the grassroots power of the LGBT community. The Task Force does this by training activists, equipping state and local organizations with the skills needed to organize broad-based campaigns to



defeat anti-LGBT referenda and advance pro-LGBT legislation, and building the organizational capacity of our movement. It works to create a nation that respects the diversity of human expression and identity and creates opportunity for all.

### **PFLAG: Parents, Families and Friends of Lesbians and Gays**

[www.pflag.org](http://www.pflag.org)

PFLAG is a large, national organization with many local chapters. PFLAG provides support for LGBTQ people and their families. Local chapter information can be found on its website.

### **Transgender Law Center**

[www.transgenderlawcenter.org](http://www.transgenderlawcenter.org)

The Transgender Law Center works to change law, policy and attitudes so that all people can live safely, authentically and free from discrimination regardless of their gender identity or expression. Services include advice, guidance and referrals so that transgender people and their families can better understand how to navigate legal processes.

### **The Trevor Project**

[www.thetrevorproject.com](http://www.thetrevorproject.com)

The Trevor Project is the leading national organization providing crisis intervention and suicide prevention services to LGBTQ young people ages 13-24. It provides the only national 24/7 crisis intervention and suicide prevention lifeline for LGBTQ young people.

### **Youth Resource**

[www.youthresource.com](http://www.youthresource.com)

Youth Resource, a website by and for LGBTQ young people, takes a holistic approach to sexual health and exploring issues of concern.

## **Hot Lines**

### **The Trevor Helpline**

866-4-U-TREVOR (488-7386)

### **National Gay and Lesbian Youth Hotline**

800-347-TEEN (8336)

### **GLBT National Youth Talkline**

800-246-PRIDE (7743)

### **Gay, Lesbian, Bisexual and Transgender National Hotline**

888-843-GLNH (4564)

### **CDC Information Line**

800-CDC-INFO (232-4636)

### **Coming Out Resources from the HRC Foundation**

The HRC Foundation provides many free resources on the coming out process, focusing on all aspects of one's life – from families to the workplace and faith communities. Some of our most popular resources are featured below. For more information visit [www.hrc.org/comingout](http://www.hrc.org/comingout).



# In addition to these national resources, numerous resources for LGBTQ youth in Los Angeles exist. Here is a sample:

Health and mental health services HIV/STD testing and counseling, crisis intervention, referrals, counseling, suicide prevention and transgender support services.

## **Pedro Zamora Youth HIV Clinic**

(323) 993-7459

[www.laglc.org](http://www.laglc.org)

Anonymous HIV/AIDS testing and counseling for youth; bilingual services.

## **Suicide Prevention Hotline**

(877) 727-4747

Anonymous 24-hour suicide hotline.

## **TeenLine**

(310) 855-HOPE

Anonymous hotline staffed by trained teens who will listen and make referrals for all issues. Open 6-10 p.m.

## **The Trevor Project**

1-866-4U-TREVOR

[www.thetrevorproject.org](http://www.thetrevorproject.org)

24-hour hotline for suicidal gay teens. Free, confidential and staffed by counselors.

## **Los Angeles Children's Hospital Center for Transyouth Health and Development**

323-361-5372

<http://www.chla.org/site/c.jpINKTOAJsG/b.7501767/#>

<http://www.chla.org/site/c.jpINKTOAJsG/b.7501767/#>

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## **Support at school**

### **Gay, Lesbian, Straight Education**

Network (GLSEN/LA)

(323) 460-GLSEN

[www.glsenla.org](http://www.glsenla.org)

Offers speakers, conferences, LGBT friendly materials to use in schools and develops policies to end discrimination in schools.

## **Gay Straight Alliance (GSA) Network**

[www.gsanetwork.org](http://www.gsanetwork.org)

e-mail: [info@gsanetwork.org](mailto:info@gsanetwork.org)

Information on how to start a gay-straight alliance at your school, how to work with other gay-straight alliances in your area and how to fight discrimination and abuse in schools.

## **Project 10**

(626) 577-4553

[www.project10.org](http://www.project10.org)

e-mail: [project10@hotmail.com](mailto:project10@hotmail.com)

Provides educational support and advice to LGBT students on L.A. school campuses. Organizes annual Models of Pride conference.

## **Community support**

### **Bienestar Youth Program**

(323) 727-7897

[www.bienestar.org](http://www.bienestar.org)

Community center for gay and lesbian Latino youth. Eleven locations in California in Los Angeles, San Bernardino, San Diego counties. Offers free and confidential HIV testing (call for hours at each location), counseling, activities, information sessions.

### **L.A. LGBT Center**

(323) 993-7450

[http://www.lalgbtcenter.org/youth\\_services](http://www.lalgbtcenter.org/youth_services)

Provides different services to youth including a transitional living program for homeless youth or youth turned out of their homes.



### **National Youth Advocacy Coalition**

[www.nyacyouth.org](http://www.nyacyouth.org)

This national group fights to end discrimination against LGBT youth.

### **Rainbow Pride Youth Alliance (RPYA)**

(909) 475-9392

[www.rpya.org](http://www.rpya.org)

e-mail: [moreinfo@rpya.org](mailto:moreinfo@rpya.org)

Provides support to LGBT teens in the Inland Empire. Weekly support meetings, entertainment and events.

### **Legal services**

#### **Anti-Violence Hotline**

(800) 373-2227

[www.avp.org/ncavp.htm](http://www.avp.org/ncavp.htm)

Operates out of the L.A. Gay & Lesbian Center, provides legal services and resources, and will conduct trainings.

#### **Gay Youth Foster Care Helpline**

(866) LGB-TEEN ext. 350 or

(866) 542-8336 ext. 350

#### **[www.lambdalegal.org](http://www.lambdalegal.org)**

For youth in foster care who have questions about LGBT-related discrimination or abuse, a service of Lambda Legal Defense and Education Fund in New York. The line is staffed Monday-Friday, 6 a.m.-2:30 p.m., but you can leave messages 24 hours a day and your call will be returned.

#### **Lambda Legal Defense and Education Fund**

(213) 382-7600;

[www.lambdalegal.org](http://www.lambdalegal.org)

Provides assistance, advice and legal representation.

#### **Support for family members Children of Lesbians and Gays Everywhere (C.O.L.A.G.E.)**

(415) 861-5437

[www.colage.org](http://www.colage.org)

### **Support for children who have gay parents**

#### **PFLAG Los Angeles Parents, Families and Friends of Lesbians and Gays**

(310) 472-8952

[www.pflagla.org](http://www.pflagla.org)

For parents, families and friends of LGBT youth. Offers help lines and speakers. Meetings held the third Tuesday of every month.

### **Supportive places of worship**

#### **Gays and Lesbians/ All Saints Church**

(626) 792-1172

<http://www.geocities.com/galasjourney/>  
Episcopal-Anglican gay and lesbian ministry includes potlucks, special events, conferences.

#### **Metropolitan Community Church Los Angeles (MCC)**

(310) 854-9110

[www.mccla.org](http://www.mccla.org)

e-mail: [info@mccla.org](mailto:info@mccla.org)

e-mail for young adult ministry:

[tribe@mccla.org](mailto:tribe@mccla.org)

Christian outreach to LGBT individuals, young adult ministry that meets once a week.

#### **Ministry with Gay and Lesbian Catholics**

[mlgc.la-archdiocese.org](http://mlgc.la-archdiocese.org)

The Los Angeles Archdiocese has a special ministry for gay and lesbian Catholics with meetings, support groups and special events.

#### **Hollywood United Methodist Church**

323-874-2104

<http://www.hollywoodumc.org>

#### **Temple Beth Chayim Chadashim**

323-931-7023

<http://www.bcc-la.org>

## Scholarships

### **The Point Foundation**

(866) 33-POINT

or (866) 337-6468

[www.thepointfoundation.org](http://www.thepointfoundation.org)

Nationwide LGBT scholarship organization gives scholarships to college students who demonstrate leadership, are involved in the LGBT community, and show financial or emotional need. Applications for 2005 will be available in January 2005 online; deadline is March 1, 2005.

For more scholarship opportunities, check out

<http://www.finaid.org/otheraid/gay.phtml>

A comprehensive bibliography of books, reports, tool kits, and other resources to support LGBTQ youth can be found in the Appendix section of this guidebook.

## Appendix

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- A. LA Department of Children and Family Services FYI: Providing Services to LGBTQ Youth and Families
- B. HRC Foundation All Children-All Families
- C. Los Angeles All Children-All Families Leaders
- D. National Center for Lesbian Rights *LGBTQ Youth in the California Foster Care System: A Question and Answer Guide*<sup>9</sup>
- E. In the System and in the Life: Case Studies<sup>10</sup>
- F. Foster Parent Survey
- G. Selected LGBTQ Bibliography<sup>11</sup>

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<sup>9</sup>*LGBTQ Youth in the California Foster Care System: A Question and Answer Guide*, National Center for Lesbian Rights, San Francisco, 2006.

<sup>10</sup>*In the System and in the Life: A Guide for Teens and Staff to the Gay Experience in Foster Care*, Youth Communications, New York, 2003.

<sup>11</sup>Woronoff, R., *LGBTQ Youth in Out-of-Home Care, Selected Bibliography and Resource Guide*, Los Angeles, 2015.

# Appendix A

LA Department of Children and Family Services FYI: Providing Services to LGBTQ Youth and Families

# FYI FYI FYI FYI

**F O R Y O U R I N F O R M A T I O N**

Issue 05-35

Date: 07/26/05

## PROVIDING SERVICES TO LESBIAN, GAY, BISEXUAL, TRANSGENDER AND QUESTIONING (LGBTQ) YOUTH AND FAMILIES

This is to remind staff that Federal and state law requires that DCFS and all out-of-home care providers treat all children and families (including single persons, unmarried couples, and gay and lesbian couples) fairly and equally and ensure that lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth in out-of-home care are safe and treated in a non-discriminatory manner. Based on good practice, it is also important that we consistently provide, specialized uniquely tailored services, when need.

DCFS is committed to ensuring that every child, birth family, resource/foster parent, or adoptive parent is served regardless of his or her sexual orientation or gender identity. As with any population it is critical that services be provided without any expressions of bias or discriminatory treatment towards any person served. As our Department strives for more permanency for children, we recognize the lesbian, gay, bisexual and transgender (LGBT) community as an important partner in providing permanent, safe and loving homes for the hundreds of children awaiting adoption.

In order to better assist staff's knowledge and skill level in working with the LGBT community and LGBTQ youth, DCFS has established links on LA Kids (Links of Interest- Gay-Lesbian) of valuable resources staff can utilize:

[APA ONLINE - Committee on Lesbian, Gay, and Bisexual Concerns](#)  
[Gay, Lesbian, and Straight Education Network](#)  
[LA Valley Pride](#)  
[Parents, Families and Friends of Lesbians And Gays of LA](#)

[Gay And Lesbian National Hotline](#)  
[L. A. Gay and Lesbian Center](#)  
[Project 10](#)  
[The Gay and Lesbian Center of Greater Long Beach](#)

DCFS continues to strengthen policy/training and best practice on LGBTQ issues. To assist us in this process we are interested in hearing from you regarding the following:

- Specific success stories whereby the delivery of uniquely tailored services resulted in a positive outcome.
- Specific areas of practice, policy and training that need to be improved, clarified or strengthened.
- Any additional input regarding practice improvement.

Please forward your responses to the above subjects along with any other our suggestions, concerns and questions to [Policy@dcfs.co.la.ca.us](mailto:Policy@dcfs.co.la.ca.us) (link is below).



If you have any questions regarding this release please e-mail your question to:

[Policy@dcfs.co.la.ca.us](mailto:Policy@dcfs.co.la.ca.us)

Clerical Handbook: <http://198.51.213.151/Policy/Hndbook%20Clerical/Default.htm>

Child Welfare Services Handbook: <http://198.51.213.151/Policy/Hndbook%20CWS/default.htm>

FYI's: <http://dcfs.co.la.ca.us/Policy/FYI/TOCFYI.HTM>





# all children all families

Achieving Safety, Permanency and Well-Being by Improving Practice with LGBT Youth and Families

**HRC's All Children – All Families project promotes LGBT cultural competency among child welfare agencies through innovative resources, including an online agency self-assessment tool, comprehensive staff training, free technical assistance and more.**

### WHAT IS ALL CHILDREN – ALL FAMILIES?

All Children – All Families, a project of the Human Rights Campaign Foundation, provides a framework for agencies to achieve safety, permanency and well-being by improving their practice with lesbian, gay, bisexual and transgender youth and families. Participating agencies work to meet ten key Benchmarks of LGBT Cultural Competency – from client non-discrimination policies and inclusive agency paperwork, to staff training and creating an LGBT-inclusive agency environment. Once these benchmarks are met, the agency is designated a "Leader in Supporting and Serving LGBT Youth and Families" and awarded the All Children – All Families Seal of Recognition. This seal can be used to enhance an agency's outreach and recruitment within the LGBT community.

### WHY ALL CHILDREN – ALL FAMILIES?

A disproportionately high number of LGBT youth are in foster care, many having been abandoned by their families due to their sexual orientation, gender identity or gender expression. These youth continue to struggle as they enter the child welfare system, where agency staff members often lack the skills and knowledge to provide them with the services they need and deserve.

An estimated 2 million LGBT adults are interested in adoption in the U.S. But, the LGBT community is often an untapped resource when it comes to finding families for children and youth in foster care. Agencies can significantly increase their pool of prospective foster and adoptive parents by ensuring they have the policies and practices in place to welcome and support LGBT resource families and recruit effectively for these families.

### HOW TO PARTICIPATE IN ALL CHILDREN – ALL FAMILIES

Child welfare agencies that recruit, license, support and place with adoption/foster families and/or provide direct services to youth in out-of-home care are eligible to participate. Here's how:

**1 Complete Your Agency Self-Assessment.**

The first step to participating is completing an online Agency Self-Assessment. Upon submitting the assessment, your agency will be added to the list of participating agencies.

**2 Make Improvements in Policies & Practice.**

Your agency will also receive free, individualized technical assistance from All Children – All Families staff members. This consultation will involve an in-depth review of your self-assessment and cover those ten Benchmarks of LGBT Cultural Competency which your agency has met, and others which may need more work before they are fully in place. For a list of benchmarks, visit [www.hrc.org/acaf-benchmarks](http://www.hrc.org/acaf-benchmarks).

**3 Be a Recognized Leader.**

When your agency achieves the ten benchmarks, it will earn the status of "Leader in Supporting and Serving LGBT Youth and Families" and be awarded the All Children – All Families Seal of Recognition.

**4 Renew Your Agency's Leader Status Every Two Years.**

Recognizing that maintaining an agency's LGBT cultural competency requires an ongoing commitment, every two years All Children – All Families Leaders are asked to confirm that the ten benchmarks are still in place and to complete a short Leader Renewal Survey.

**Visit [www.hrc.org/acaf](http://www.hrc.org/acaf) to get started today.**

**“**Working with All Children – All Families, we were able to find areas where we needed to make some improvements and provide excellent training to our entire Foster Care and Adoption services staff. The whole process has made our agency more effective at attracting LGBT parents which means we are doing a better job protecting the children we serve.”  
– Nancy Ronquillo, President & Chief Executive Officer, Children's Home + Aid, Chicago, IL

**Read more testimonials at [www.hrc.org/acaf](http://www.hrc.org/acaf).**

### All Children – All Families Training Curriculum

All Children – All Families has developed a three-part training program that can be customized for the needs of individual agencies. Learn more at [www.hrc.org/acaf](http://www.hrc.org/acaf).

**“**HRC's All Children – All Families training provides child welfare systems with the support and guidance they need to add LGBT-headed families to their pool of prospective permanent homes. And this work is the right thing to do at the right time.”  
– Bryan Samuels, former U.S. Commissioner, Administration on Children, Youth and Families



## Appendix C

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HRCF All Children All Families Los Angeles-based Leaders in Supporting and Serving LGBT Youth and Families

### **Los Angeles Department of Children and Families**

Adoptions Division  
425 Shatto Place  
Los Angeles, CA 90020  
(888) 811-1121  
<http://dcfs.co.la.ca.us>

### **Southern California Foster Family and Adoption Agency**

155 North Occidental Blvd.  
Los Angeles, CA 90026  
(213) 365-2900  
<http://scffaa.org>

### **Penny Lane Centers**

15305 Rayen St.  
North Hills, CA 91343  
(818) 894-3384  
<http://www.pennylane.org>

### **McKinley Children's Center**

762 West Cypress St.  
San Dimas, CA 91773  
(877) 917-1211  
<http://www.mckinleycc.org>

### **Vista Del Mar Child and Family Services**

3200 Motor Avenue  
Los Angeles, CA 90034  
(310) 836-1223  
<http://www.vistadelmar.org>

### **The Village Family Services**

6736 Laurel Canyon Blvd.  
Suite 200  
North Hollywood, CA 91606  
(818) 755-8786  
<http://www.thevillagefs.org>

### **Five Acres**

760 West Mountain View Street  
Altadena, CA 91001  
(626) 798-6793  
<http://www.5acres.org>

### **Kidsave**

100 Corporate Pointe  
Suite 380  
Culver City, CA 90230  
(310) 642-7283  
<http://www.kidsave.org>

### **Optimist Youth Homes & Family Services**

6957 N. Figueroa Street  
PO Box 41-1076  
Los Angeles, CA 90041  
(323) 443-3175  
<https://www.oyhfs.org>

### **Hathaway-Sycamores Child and Family Services**

210 South DeLacey Avenue  
Suite 110  
Pasadena, CA 91105-2074  
(626) 395-7100  
<http://www.hathaway-sycamores.org>

### **Aviva Family and Children's Services**

7120 Franklin Avenue  
Los Angeles, CA 90046  
(323) 876-0550  
<http://www.avivacenter.org>



## Appendix D

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National Center for Lesbian Rights *LGBTQ Youth in the California Foster Care System: A Question and Answer Guide*<sup>9</sup>

### LGBTQ YOUTH IN THE CALIFORNIA FOSTER CARE SYSTEM A QUESTION AND ANSWER GUIDE



NCLRIGHTS.ORG



## LGBTQ YOUTH IN THE CALIFORNIA FOSTER CARE SYSTEM A QUESTION AND ANSWER GUIDE

This question and answer guide is designed to address many of the frequently asked questions about protecting lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth in the California foster care system from harassment and discrimination.

### 1 ARE THERE LGBTQ YOUTH IN FOSTER CARE?

Yes. At any one time there are approximately 260,000 youth in the foster care system in the United States<sup>1</sup> and approximately 40,000 youth in the California foster care system.<sup>2</sup> While it is impossible to determine precisely the number of LGBTQ youth in the foster care system, recent studies suggest that LGBTQ youth make up between 5 and 10 percent of the total foster youth population.<sup>3</sup> The actual percentage may be even higher since LGBTQ youth are over-represented in the foster care pool due to discrimination and abuse many of these youth face in their families of origin and in their schools.<sup>4</sup>

### 2 ARE LGBTQ YOUTH IN THE FOSTER CARE SYSTEM AT RISK OF BEING HARASSED OR DISCRIMINATED AGAINST?

Yes. LGBTQ youth are disproportionately targeted for harassment and discrimination in the foster care system. In one of the only studies of its kind, a New York Task Force found:

- 100% of LGBTQ youth in New York City group homes reported that they were verbally harassed on the basis of their sexual orientation or gender identity while at their group home.<sup>5</sup>
- 70% reported physical violence due to their sexual orientation or gender identity.<sup>6</sup>
- 78% were removed or ran away from their foster placements as a result of hostility toward their sexual orientation or gender identity.<sup>7</sup>
- 56% spent time living on the streets because they felt “safer” there than they did living in their group or foster home.<sup>8</sup>

This abuse is perpetrated not only by youth peers, but also by facility staff and other service providers. When the abuse is between peers, often it is condoned by facility staff or goes unaddressed.



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National Center for Lesbian Rights *LGBTQ Youth in the California Foster Care System: A Question and Answer Guide*<sup>9</sup>

### 3 WHAT ARE SOME EXAMPLES OF DISCRIMINATION THAT LGBTQ YOUTH MIGHT ENCOUNTER IN THE FOSTER CARE SYSTEM?

Examples of unlawful discrimination include:

- Failing or refusing to take steps to protect an LGBTQ youth from harassment based on their actual or perceived sexual orientation or gender identity;
- Failing to use the requested name and pronoun that is in accordance with a transgender youth's gender identity;
- Treating displays of affection by same-sex couples differently than displays of affection by different-sex couples;
- Refusing to allow a youth to wear clothing that is consistent with their gender identity;
- Not allowing an LGBTQ youth to attend a gay prom;
- Confiscating LGBTQ supportive materials.

### 4 DO FOSTER CARE PROVIDERS HAVE A LEGAL RESPONSIBILITY TO PROTECT LGBTQ YOUTH FROM HARASSMENT AND DISCRIMINATION?

Yes. California law specifically protects foster children from harassment and discrimination based on actual or perceived sexual orientation or gender identity. All LGBTQ youth in foster care must be provided with equal access to all available services, placement, care, treatment and benefits. The law covers all aspects of foster care, including services, placement, care, treatment, and benefits, and the right to not be subjected to discrimination or harassment.<sup>9</sup>

In addition, all foster youth have a constitutional right to equal protection under the law. This means that all group home facilities must protect LGBTQ youth, and those perceived to be LGBTQ, from harassment, just as they must protect all foster youth from harassment on the basis of race, religion, and sex. If group home providers ignore incidents of harassment because they believe LGBTQ youth should expect to be harassed or that they have brought the harassment upon themselves by being open about their sexual orientation or gender identity, they have violated the youth's right to equal protection.

In addition, all youth have constitutional rights to freedom of expression, which may include the right to be open about their sexual orientation or gender identity. The First Amendment and the Federal Due Process and Equal Protection Clauses may also protect the right of a transgender youth to dress in accordance with his or her gender identity in a group home.<sup>10</sup>

**5 DOES THE LAW REQUIRE FOSTER CARE PROVIDERS TO RECEIVE TRAINING ABOUT THIS NONDISCRIMINATION REQUIREMENT?**

Yes. Under the California Foster Care Nondiscrimination Act **all group home administrators, foster parents, and department licensing personnel** must receive initial and ongoing training on the rights of a foster child to have fair and equal access to all available services and the right to not be subjected to harassment or discrimination based on their actual or perceived sexual orientation or gender identity.<sup>11</sup>

In addition, all community college districts that provide orientation and training to relative caregivers must make available to these caregivers orientation and training courses that cover the rights of a foster child to have fair and equal access to all available services and to not be subjected to harassment or discrimination on the basis of actual or perceived sexual orientation or gender identity.<sup>12</sup>

**6 IN ADDITION TO THE REQUIRED TRAININGS, WHAT OTHER STEPS CAN SERVICE PROVIDERS TAKE TO ENSURE THEY COMPLY WITH THE NONDISCRIMINATION REQUIREMENTS?**

Foster care programs should adopt and enforce written anti-harassment/anti-discrimination policies that explicitly prohibit harassment and discrimination on the basis of actual or perceived sexual orientation or gender identity. Both the policy and the forms for filing complaints under the policy should be readily available to foster youth.

Programs should also provide anti-bias training for youth and any other persons involved in the foster care system who are not mandated to receive training under the law, including child welfare workers and other group home staff. All facilities should have information and materials about LGBTQ issues available for staff and youth.

**7 ARE FOSTER PARENTS REQUIRED TO TAKE IN A FOSTER CHILD WHO IS LGBTQ EVEN IF THEY FEEL THAT HOMOSEXUALITY IS MORALLY WRONG?**

Foster parents are free to hold any beliefs they choose about homosexuality. Foster parents and relative caregivers are not paid employees of the state. Instead, they care for foster children in their own homes and are permitted under current practice to decide on an individual basis whether to accept and retain an individual child in their care. But once a foster parent or relative caregiver accepts a child into their home, they have a legal responsibility to provide care to the child without discrimination on the basis of actual or perceived sexual orientation, gender identity, HIV status, and other protected categories.

Because a change in living environment is traumatic for any child, if a foster parent or relative caregiver cannot fulfill their responsibility of caring for a particular child, then they should notify the child's social worker and seek additional training, counseling, or other assistance with the goal of keeping the child in the home. Only as a last resort should a foster parent or relative caregiver request that a child be removed from their home.

## Appendix D

### National Center for Lesbian Rights *LGBTQ Youth in the California Foster Care System: A Question and Answer Guide*<sup>9</sup>

#### 8 HOW DO WE PROTECT LGBTQ YOUTH IN FOSTER CARE FROM HARASSMENT AND DISCRIMINATION AND STILL RESPECT THE RELIGIOUS AND CULTURAL DIVERSITY OF FOSTER PARENTS AND YOUTH?

It does not violate any person's religious beliefs or disrespect any person's cultural background to teach young people or adults that violence, name calling, and other harassment are wrong and to ensure that all youth are treated equally. Everyone is free to hold any beliefs they choose regarding homosexuality and gender, so long as they do not harass, threaten, or discriminate against foster youth because of their sexual orientation or gender identity. Developing an atmosphere of respect for diversity in all foster care placements provides the necessary space for all foster youth to feel comfortable and safe.

In addition, it does not violate the religious freedom of staff or administrators to require that staff appropriately respond to violence, discrimination, and harassment.

**Adopting and enforcing inclusive anti-harassment and non-discrimination policies and training all staff on these non-discrimination requirements will help service providers ensure that all of their youth are provided with the safe and affirming placements to which they are entitled.**

#### LGBTQ YOUTH IN THE CALIFORNIA FOSTER CARE SYSTEM A QUESTION AND ANSWER GUIDE

##### ENDNOTES

<sup>1</sup> According to the U.S. Department of Health and Human Services, Administration on Children, Youth, and Families, and the Children's Bureau on September 30, 2003 there were 523,000 kids in foster care in the United States. The median age for these kids was 10.9 years old. Approximately 50% or 258,470 were over the age of 11. Statistics available at: [http://www.acf.dhhs.gov/programs/cb/stats\\_research/afcars/tar/report10.htm](http://www.acf.dhhs.gov/programs/cb/stats_research/afcars/tar/report10.htm) (last visited May 31, 2006).

<sup>2</sup> According to the Child Welfare Research Center Child Welfare Services report, there were 79,065 children in foster care in California on January 1, 2006. Of these children, 37,915 were over the age of 11. Statistics available at: [http://cssr.berkeley.edu/CWSCMSreports/Pointintime/fostercare/childwel/frequencies/data/CWF\\_PAO\\_jan2006\\_o.html](http://cssr.berkeley.edu/CWSCMSreports/Pointintime/fostercare/childwel/frequencies/data/CWF_PAO_jan2006_o.html) (last visited May 31, 2006).

<sup>3</sup> See Lambda Legal Defense and Education Fund, *Youth in the Margins: A Report on the Unmet Needs of Lesbian, Gay, Bisexual, and Transgender Adolescents in Foster Care* 11 (2001).

<sup>4</sup> *Id.*

<sup>5</sup> See Urban Justice Center, *Justice for All? A Report on Lesbian, Gay, Bisexual and Transgendered Youth in the New York Juvenile Justice System* 16 (2001) (citing Joint Task Force of New York City's Child Welfare Administration and the Council of Family and Child Caring Agencies, *Improving Services for Gay and Lesbian Youth in NYC's Child Welfare System: A Task Force Report*, (1994)).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> Cal. Welfare & Inst. Code § 16001.9(a)(22).

<sup>10</sup> See, e.g., *Doe v. Yunits*, 2000 WL 33162199, at \* 3-4 (Mass. Super.), *aff'd sub nom. Doe v. Brockton Sch. Comm.*, No. 2000-J-638 (Mass.App.2000).

<sup>11</sup> Cal. Health & Safety Code § 1522.4(c)(1)(H); Cal. Health & Safety Code § 1529.2(b)(3)(F); § 1529.2(b)(4)(F); Cal. Health & Safety Code § 1563(c)(5).

<sup>12</sup> Cal. Welfare & Inst. Code § 16003(a)(1).

## Appendix D

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### National Center for Lesbian Rights *LGBTQ Youth in the California Foster Care System: A Question and Answer Guide*<sup>9</sup>

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[NCLRIGHTS.ORG](http://NCLRIGHTS.ORG)

#### THE NATIONAL CENTER FOR LESBIAN RIGHTS—

**YOUTH PROJECT** has been advocating for LGBTQ youth in schools, foster care, juvenile justice settings, and the mental health system since 1993. The Project provides direct, free legal information to youth, legal advocates, and activists through a toll-free line; advocates for policies that protect and support LGBTQ youth in these different arenas; and litigates cases that are creating new legal protections for youth in schools, foster care, juvenile justice, and other settings.

#### FOR MORE INFORMATION, CONTACT:

Jody Marksamer, Staff Attorney  
415.392.6257 x308  
jmarksamer@nclrights.org  
Toll-free Legal Helpline: 1.800.528.6257

National Center for Lesbian Rights  
870 Market Street, Suite 370  
San Francisco, CA 94102  
info@nclrights.org



### In the System and in the Life Case Studies

In 2003, Youth Communications, a New York City-based organization dedicated to raising awareness of foster youth by working with them to write stories about their experiences in care, published a collection of stories written by LGBTQ foster youth. This collection, entitled *In the System and in the Life: A Guide for Teens and Staff to the Gay Experience in Foster Care*, contains nearly two dozen stories, all written by LGBTQ foster youth, that address a wide range of their experiences in care.

The following case studies have been excerpted from some of the stories that appear in the *In the System* book. Each case study (as do all of the stories in the book) is accompanied by a set of discussion questions designed to provide child welfare practitioners and foster youth with an opportunity to gain a better understanding of the particular challenges facing LGBTQ foster youth and to develop strategies to better address their needs.

#### *Case Studies*

#### **What Would You Do If I Was Gay?**

By Gina

I remember sitting on the couch next to my dad watching the news on TV when I was about 10 years-old. There was a report about a gay and lesbian parade going on in New York City. I did not know what it meant to be gay. I asked my father and he told me, "That's when two men or two women love each other like a boy and girl do." "Why would someone want to do that?" I asked. Without looking at me, he answered, "Well, they can't help it. Gay people are just born like that, like having brown eyes." "Oh," I said, thinking that it sounded really weird. But then I became worried. What if I turned out to be gay? So I said to my dad, "What would you do if I was gay, Daddy?" He jumped up and looked at me and said, "Why?" "I was just wondering," I answered, sorry that I had asked at all. "Well, you would still be my daughter," he said, sitting down again. But for some reason his answer didn't make me feel any better.

A few years later, during my freshman year in high school, I met Jennifer. We became very close, but I knew the way I felt about her was very different from the way I felt about my other close friends. Soon I began to realize that I liked her as more than just a friend. It was very scary for me to think about because I'd heard how the girls in school would talk about "lezzies" and the disgusting things they did.

That summer, because I couldn't handle the feelings I was having, I ended my friendship with Jennifer. But I still felt like I had to tell someone. I decided on my friend Linda, who I looked up to like an older sister. Sitting in her room one day I sort of hinted around the subject, afraid that she was going to squeal the minute I What brought it up. Finally, I just spit it out: "Linda, what would you think if I, uh, said that I, um, well if I liked, like, another girl?" I was very embarrassed, very ashamed of what I had told her and very afraid of her reaction. But she said, "That's not gross at all. Do you want to talk?" Linda made me feel much better and helped me find a support group where I could talk about what I was feeling.

## Discussion Questions:

1. Gina's father says he would still accept her if she were gay. But Gina writes, "But for some reason, his answer didn't make me feel any better." Why do you think she felt that way?
2. When Gina realized how attracted she was to Jennifer, she ended the relationship. Why do you think she did that?
3. Have you ever had to end a friendship because you couldn't be yourself around that person? If so, and if you had to do it over, would you still end the friendship? Why or why not?
4. Was your coming out experience similar to or different from Gina's?
5. Linda and a support group helped Gina accept herself. Have you ever participated in a support group?
6. Has a friend ever helped you through a difficult time? How?
7. What other things come up for you from reading Gina's story?

## Don't Be Ashamed Of Who You Are

By Lorraine

There are gays and lesbians in group homes (and everywhere) who have to face being called "faggot," "dyke," and "queer." Threatened by homophobes (people who are afraid of gays), they have to stay "in the closet" for fear of what people will think of them. But 19 year-old Delores, one of my good friends, is not afraid to say she's a lesbian. She has taught me that phrases like "homophobia," "straight people," and "in the closet" are ridiculous. We live in the same group home. Delores is a great friend to hang out with. Here's my interview with her:

Q: How long have you been in foster care?

A: Since I was 15.

Q: What are the best aspects of the group home?

A: *I don't have to be home any more. Coming to this group home was a relief for me.*

Q: How old were you when you found out you were a lesbian?

A: Nineteen.

Q: How did the group home residents react when you told them you were a lesbian?

A: They were like, "Oh, OK. Next. We've known for so long." But I think it's really sad how when some people find out you're a lesbian, that is all they think of you.

Q: What does the term "in the closet" mean?

A: It means different things for different people. But ultimately what it means is that you know you're a lesbian or gay or bisexual and you keep it a secret. But I think it all comes down to shame.



Q: So you weren't afraid to reveal your identity?

A: At first I was a little bit afraid 'cause I was afraid of what they were going to think. I was also ashamed that I was Dominican and so dark. But then it hit me, "Delores, you are who you are. Don't be afraid of it. Don't be ashamed of who you are."

### Discussion Questions:

1. Think about a time when you had trouble accepting something about yourself—your appearance, your weight, being lonely, etc. Why was it hard to accept that aspect of yourself? Did you eventually become more comfortable with that part of you? Why or why not?
2. For Delores, going into foster care is a relief from the abuse she suffered at home. Do you think it's more common for youth to feel relief or anxiety when going into care? Why?
3. The group home residents were accepting of Delores after she tells them she's gay. If you've come out, was your coming out experience in foster care similar or different from hers? How?
4. If you're not gay, how have youth in your group home, foster home, or agency reacted to kids who have come out?
5. Delores says learning to accept herself as a dark-skinned Dominican helped prepare her for the discovery that she's gay. How is accepting your race or ethnicity similar to accepting your sexuality? How is it different?
6. What other things come up for you from reading Lorraine and Delores's story?

### Too Shy to Say Hi

By Eugene

I'm sitting in a corner of a mostly gay café when I notice a cute guy sitting across from me. Hoping that he's glancing at me too, I look again. Our eyes meet, but I quickly turn away. I'm feeling nervous, so my stomach tightens. Still, I take a chance and look back. He's still looking! Taking this as a sign, I walk over to sit next to him and say... well, that's when I get stuck. It doesn't matter though because in reality I'm still sitting in my chair, too shy to approach my admirer.

I've had a few experiences like that, unsure of myself and too afraid of rejection to make the first move. There are gay spots where some guys will go up to people and ask them out immediately. Sometimes I wish I had the guts to do that. Some of my insecurities hinder my ability to approach guys. Throughout my life, there have been people who said they would be there for me but then they left. I'm also insecure about my body and feel unattractive most of the time.

When I see someone I'm attracted to, a series of thoughts runs through my head. I ask myself: "What happens if he says yes? Will we hit it off as friends? If we started dating and it gets serious, will it last? Is he ready for an actual relationship?" After these initial questions, I begin to wonder if he's feeling and thinking the same things I am. And a lot of these guys aren't interested in each other's feelings. Instead, the hook-ups are for fun, for a one-night stand. I don't have a problem with others having

casual sex, but I'm not looking for that. I want someone who wants to become close friends before anything serious begins, so that when there are hard times we will still have a bond that's be hard to break.

### Discussion Questions:

1. Think of a time you were attracted to someone but were too shy to talk to them or to make your feelings known. Why weren't you able to talk to that person? How did it feel to be around him or her? Were you able to make your feelings known? Why or why not?
2. Eugene has a lot of anxieties and insecurities about approaching guys. He says he feels unattractive, worries about being rejected, and doesn't want just a one-night stand. Which of his worries about dating do you relate the most to? Why?
3. Dating is stressful for everyone. What might make it even more stressful for gay teens?
4. Whether you're gay or straight, how hard is it for you to approach people you're interested in dating? What might make it easier?
5. What other things come up for you from reading Eugene's story?

### Gay On The Block...Gay In The Group Home

By Jeremiah

Because I'm 6'6" and hefty, people often think I should be a ballplayer of some sort. But once you get to know me, I'm no ballplayer. In my old neighborhood, *guys would* always call me out of my house to play basketball, knowing that was not what I liked to do. When I missed a shot they would ridicule me and call me "faggot."

It's true. I'm gay. I act a little bit feminine. When I'm happy, I like to guy shoes. I also like to read romances and family-oriented books. My favorite book is *Mama* by Terry McMillan. It's about a divorced black woman with five kids who's having problems being accepted into society. In fact, I've been different my whole life. I first realized I was homosexual at an early age because when I was around 5 or 6 I would see boys and think, "How cute." My favorite toy was Christmastime Barbie. I would never do anything that boys did, such as sports, play fighting or singing to rap music.

I could never understand why anyone would harass me for that. I used to think, "So what if I'm gay? So what if I'm different? Accept me or don't because I'm just me." I couldn't understand why boys wanted to bother to fight me when they didn't know a damn thing about me. But they did. I think those boys did what they did because of their own insecurities, because they wanted to prove that they were manly.

One night I went alone to catch a bus to go to a party. I was wearing dark jeans and a matching jacket. My mother had spent a lot of money on that outfit. All of a sudden a partially-opened bottle of urine hit me and got all over me. Some straight guys think doing something like that to a gay guy is creative. They all hurried away and I screamed and cried because of all the money my mother had spent on the outfit. Then I felt the same way as always—puzzled as to why I had to be their victim. I thought the world was against me and that no one cared.



One person who helped me survive was my grandma, who raised me. From my grandma I learned strength, courage, patience, love, heartfulness and to treat all people the same no matter what. She grew up in a time when blacks weren't accepted and woman weren't allowed to vote. My grandma saw so much—the Great Depression, both world wars, segregation, lynchings, civil rights. Some people who have lived through hard times grow closed and bigoted. By my grandma had a strong sense of herself and that made her open-minded to different things in life. She encouraged me to do what I thought was right and what would make me happy and she told me that she would always love me.

Three months after I came into foster care because she was ill, I received a call from her. She said, "I love you dear, and don't let no one turn you around." Shortly after that she died. I loved her dearly and I miss her.

### **Discussion Questions:**

1. Think of a time when someone in your life supported you during a rough time. What did that person do and why did it help? Why do you think they supported you?
2. According to Jeremiah, why did the boys in the neighborhood tease him? In general, why do you think some people pick on gays and lesbians?
3. Have you ever suffered the kinds of abuse that Jeremiah suffered in his neighborhood? If so, how did you survive it?
4. Why was Jeremiah's grandmother so open-minded toward his being gay?
5. What does his grandmother tell him to make him feel better about himself?
6. Is there someone in your life who provides the kind of support that Jeremiah's grandmother did? Have you ever provided that kind of support to someone else? How?
7. What other things come up for you from reading Jeremiah's story?

### **Trapped!**

By Mariah

Being transgender isn't always easy, especially when you're in a straight group home and you're the only one. I'm a guy but I've felt like a female my whole life. And when I dress the part I look a lot like a female, too. I'm 14 years-old and before my grandmother told me, at around age 6, I didn't know I was a boy. I felt and thought like a girl. I liked to wear my hair in a pony tail and I liked dressing in girls' clothes. When I was growing up, everyone knew me and my family and they didn't bother me.

But when I went into foster care it was a different story. The first group home I was in was terrible and so were a lot of the other group homes I've been in. I had at least two fights a day. The boys did stupid things like throw rocks at me or put bleach in my food. Once I was thrown down a flight of stairs and I've had my nose broken twice. Often the staff were bad, too. They would stand there while the kids jumped me and one time one of the staff jumped me with the kids. Another staff even told me to kill myself to be out of my misery.

After these things happened I would make fierce, nasty faces or I would just ignore people. And later, when I got to go to my room, sometimes I'd just sit there and cry or I'd read a book or listen to music to block things out of my head. I used to think, "What's so bad about me?"

I was bouncing around from group home to group home. But then at one home there were staff and kids who made me feel really good about myself. Some staff taught kids that they should respect me, and that helped the kids to be more open-minded. I was even able to date openly. Everything changed and I finally felt safe and content.

### **Discussion Questions:**

1. Think of a time when you felt completely alone with no family or friends who could understand or support you. Why did you feel so alone? What was most difficult about it? Were you eventually able to feel connected to people again? Why or why not?
2. Mariah felt different as a child because of her gender expression. Did you ever have feelings of being different as a child? What were the feelings like? How did you deal with them?
3. What was your reaction to the way staff treated Mariah? How could they have treated her better?
4. Why do you think some people have trouble accepting transgender people?
5. How do you feel about transgender people? Do you know anyone who identifies as transgender or whose gender expression crosses lines society has established? Do you know how they've been treated by others? By you?
6. Are there aspects of your own gender that you would feel comfortable expressing if you felt safe in doing so? What sorts of things might make you feel safe enough to express your gender identity in ways not typically associated with your biological sex?
7. What other things come up for you when you read Mariah's story?

### **Kicked Out Of My Foster Home Because I was Gay**

By Shameek

During my first four years in foster care I was in nine group and foster homes. My ninth home was different from the others because I had just "come out" as a gay person and I was worried about being accepted by my new foster mother, Sharon. When I first moved in with Sharon and her two biological daughters, I kept to myself. I felt close to Sharon but not close enough to tell her that I was gay.

Before I moved in with Sharon I came out to my social worker and she thought Sharon would be an excellent foster parent for me because Sharon had once been in the system, was young, and could probably accept my sexual identity.



One night at a gay club I was introduced to Bridgette. We only said hello but I thought about her throughout the rest of the night and continuously through the week. The next week I ran into Bridgette at another gay club. We danced, drank and at the end of the night we exchanged numbers. After two weeks of talking on the phone we went out. She took me to get my hair done and brought me flowers.

Sharon, who had been so worried because I didn't have any friends, became so happy I now had Bridgette that she encouraged me to see more of her. But even though I was sure I was gay, I felt like I still had to hide it from my foster mother. One time Bridgette and I went out and she brought me flowers. When I got home, Sharon said to me, "You told me that you were going out with Bridgette, but you went with a guy and he brought you flowers." Nervously, I agreed with her, wondering how long this charade would last.

Somehow or other Sharon eventually found out that Bridgette was gay and assumed that I was gay also. To this day I don't know how she found out, but after she found out, she told my social worker that she didn't want me in her house anymore because she was afraid I would try something with her 12 year-old biological daughter. I immediately became angry because I would never invade her daughter's privacy like that.

The moving didn't bother me because I had moved nine times before that and had learned not to get close to anyone. I didn't want to stay in Sharon's home if she didn't trust me.

In the meantime, I noticed Bridgette had started to drift away. I asked her why our relationship was ending and she explained that it was because she had destroyed my relationship with my mother. I was ashamed of being in foster care, so I had told Bridgette that Sharon was my real mother. Now I couldn't tell her that Sharon was my foster mother because Bridgette would think that I didn't trust her enough to tell her the truth in the beginning.

But since that incident, I have been honest at the beginning of my relationships. I tell them that I'm in foster care. I'm presently in kinship care with my grandmother. She doesn't know I'm gay because she wouldn't accept it due to her religious beliefs. I can't afford to have her kick me out because I'm 19 and there is no place for me to go.

As for Sharon, I think she was wrong for making me leave because of my sexuality. I think agencies should warn prospective foster parents who are willing to take teenagers that they might have a gay teen in their home, and should give them training in how to deal with those types of situations. No one should have to live a lie for fear of being moved.

## Discussion Questions:

1. Think of a time when you had to hide something about yourself because of fear of what others might think. What did you have to hide? How did it feel to hide it? How did it affect your emotions and your relations with others? Did you eventually stop hiding? Why or why not?
2. Why does Shameek's social worker think Sharon will be a good foster mother for her?
3. What might Shameek's social worker have done differently in order not to put Shameek in a situation where she felt like she had to hide her sexuality?
4. If you were in Shameek's shoes, how would you have handled the situation with Sharon? With Bridgette?
5. Shameek felt like she had to hide both her sexual identity and her foster care identity. Which do you think is harder to hide? Why? What is similar about being gay and being in foster care? What is different about them?
6. Do you think it's fair that someone feels as though they have to hide parts of themselves in order to have a place to live? What do you think about that?
7. Do you think it's difficult for people who learn to hide parts of themselves to have honest and trusting relationships as they get older? Why?
8. What other things come up for you when you read Shameek's story?



## Appendix F

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### Foster Parent Survey

One of the biggest barriers to ensuring the safety, well-being and permanency for lesbian, gay, bisexual, transgender or questioning (LGBTQ) youth is that there are simply not enough foster and adoptive parents willing to care for them. Please take a moment to complete this survey so that we may increase the pool of parents who are willing to provide these youth with a safe, stable and loving home. Thank you!

1. Would you be willing to care for a lesbian, gay, bisexual, transgender or questioning (LGBTQ) youth?

Yes\_\_\_ No\_\_\_

2. Have you ever attended a training about LGBTQ youth in out-of-home care?

Yes\_\_\_ No\_\_\_

2.A. If yes, do you feel as though you were given sufficient information to be able to provide a safe and stable home for LGBTQ youth?

Yes\_\_\_ No\_\_\_

3. Would you be willing to attend training about LGBTQ youth in out-of-home care, even if you've attended training on these issues in the past?

Yes\_\_\_ No\_\_\_

4. Are you currently aware of, or connected to, supportive resources for LGBTQ youth?

Yes\_\_\_ No\_\_\_

4.A. If yes, please list these resources. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. What types of support do you think you would need in order to provide a safe and stable home for LGBTQ youth?

\_\_\_\_\_

\_\_\_\_\_

If you are willing to care for LGBTQ youth, please provide your contact information:

\_\_\_\_\_

\_\_\_\_\_

## Appendix G

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### **Lesbian, Gay, Bisexual, Transgender and Questioning (LGBTQ) Youth in Out-of-Home Care**

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**“Every child and youth who is unable to live with his or her parents is entitled to a safe, loving and affirming foster care placement, irrespective of the young person’s sexual orientation, gender identity or gender expression.”**

**Bryan Samuels, former Commissioner,  
U.S. Administration on Children, Youth and Families**



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