Considerations for LGBTQ Children and Youth in Foster Care

Exploring Normalcy as It Relates to P.L. 113–183

Capacity Building
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Lesbian, gay, bisexual, transgender, and questioning (LGBTQ) children and youth deserve the same opportunities for growth and learning as their non-LGBTQ peers, yet they often face misunderstanding, discrimination, and rejection.

What is Normalcy?

The Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113–183) requires child welfare agencies to promote normalcy and well-being for children and youth in foster care. Normalcy means creating age-appropriate experiences for these youth and taking other steps to support healthy development.

P.L. 113–183 defines "age or developmentally appropriate" activities as:

"Activities or items that are generally accepted as suitable for children of the same chronological age or level of maturity or that are determined to be developmentally appropriate for a child, based on the development of cognitive, emotional, physical, and behavioral capacities that are typical for an age or age group."[1]

LGBTQ youth require the same opportunities for growth and learning as their non-LGBTQ peers; however, they often face misunderstanding, discrimination, and rejection that threatens normalcy. These challenges ultimately may limit development or lead to a higher risk of mental and physical health issues.

Know the Letters

L esbian
G ay
B isexual
T ransgender
Q uestioning

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[1] Social Security Administration. 2014. *Compilation of the Social Security Laws, P.L. 113–183, Approved September 29, 2014 (128 Stat. 1919): Preventing Sex Trafficking and Strengthening Families Act of 2014 (sec. 111(1)).* Retrieved from https://www.ssa.gov/OP_Home/comp2/F113-183.html

Creating Normalcy for LGBTQ Children and Youth

Research shows that adults who respond to LGBTQ children and youth with accepting behaviors promote a greater sense of well-being as compared to those that respond with rejecting behaviors.[2] Child welfare systems promote accepting behaviors by:

- Training staff to be comfortable discussing sexual orientation, gender identity, and gender expression (SOGIE)[3]
- Creating emotionally and physically safe spaces for LGBTQ children and youth[4]
- Training staff to be familiar with sexuality and gender terminology and concepts[5]
- Developing policies that address normalcy considerations for LGBTQ children and youth[6]
- Encouraging LGBTQ youth to participate in decision-making bodies that can inform improvement efforts[7]
- Including SOGIE in nondiscrimination policies[8]
- Displaying symbols that represent the LGBTQ community[9]

LGBTQ Normalcy Principles

- Exploring sexual orientation, gender identity, and gender expression is a normal part of human identity development.
- Young people who identify as LGBTQ or gender non-conforming are as "normal" as their heterosexual and cisgender peers.[10]
- Providing normalcy for LGBTQ children and youth requires creating safe spaces for them and providing services that directly address sexuality,gender-based needs, and the "coming out process."
- It is best practice for child welfare agencies to support LGBTQ children and youth in accessing the highest quality opportunities to meet their needs.

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[2] Substance Abuse and Mental Health Services Administration. 2014. *A Practitioner's Resource Guide: Helping Families to Support Their LGBT Children*. Retrieved from https://store.samhsa.gov/shin/content/PEP14-LGBTKIDS/PEP14-LGBTKIDS.pdf

[3] National Resource Center for Permanency and Family Connections. (n.d.). *Twenty Things Supervisors Can Do to Support Workers to Competently Practice with LGBTQ Children, Youth, and Families*. Retrieved from http://nrcpfc.org/is/downloads/TwentyThingsSupervisorsNeedtoKnow_Practice_with_LGBTQ_CYF.pdf

[4] Girl's Best Friend Foundation & Advocates for Youth. 2005. *Creating Safe Space for GLBTQ Youth: A Toolkit*. Retrieved from http://www.advocatesforyouth.org/storage/advfy/documents/safespace.pdf

[5] Ibid.

[6] American Institutes for Research. 2015. *Improving Policies and Practices for LGBTQ Children and Youth: A Strategic Planning Tool*. Retrieved from http://www.tapartnership.org/docs/LGBT_Improved_Support_Tool.pdf

[7] Ibid.

[8] Ibid.

[9] Ibid.

[10] American Psychological Association. 2016. *Lesbian, Gay, Bisexual, Transgender*. Retrieved from http://www.apa.org/topics/lgbt/index.aspx

Table 1. Examples of LGBTQ Youth Normalcy Considerations

Normal Childhood/ Adolescent Activities	Examples of Additional Considerations for LGBTQ Youth
Field trips, camps, and sleepovers	Should the "same-sex only sleepovers" rule be modified for gay, lesbian, and bisexual youth? If so, how? Will transgender youth be allowed to stay with friends who share their gender identity rather than their sex assigned at birth? Are facilities equipped to keep transgender and gender non-conforming youth safe and comfortable? How will you keep the rules fair and consistent between LGBTQ and non-LGBTQ youth?
Sports and extracurricular activities	Will an out, gay boy be safe and accepted on the football team? What will be his experience regarding coaches, team members, parents of team members, and fans? What about a transgender boy in the same situation?[11] How are sports teams and other clubs monitored for LGBTQ inclusivity?
Dating, prom, etc.	What are the rules for non-LGBTQ youth in terms of dating, sexual activity, prom attendance, etc.? For example, are they allowed to invite a significant other to their foster home? Do the same rules apply for LGBTQ youth? Can youth bring a same-sex date to the prom and/or wear clothes of their choosing based on their gender identity? What will those experiences be like for LGBTQ youth in their particular school, community, or home?
Community groups and faith-based practices	Are the community groups and communities of faith in your area open and affirming to LGBTQ youth? Are there LGBTQ-specific services, support groups, and peer groups for youth? If youth need to travel longer distances to access LGBTQ-inclusive services and supports, they may require additional funds or later curfews.
Independent living skills (employment and housing)	LGBTQ people are not protected from discrimination under housing and employment laws in many States.[12] How should LGBTQ youth be educated about potential job[13] and housing[14] discrimination?
Long-term relationships with parental figures, mentors, and trusted adults	What opportunities do young people have to create long-term, stable relationships with adults? How do you ensure the same opportunities for LGBTQ youth?[15]

[11] Students who attend schools that receive Federal funding are protected under Title IX, which prohibits discrimination based on sex. The U.S. Department of Education and the U.S. Department of Justice have concluded that this includes individuals who are transgender or who do not conform to sex stereotypes. In other words, schools and educational programs are expected to treat students according to their gender identity just as they would all other students of that gender, in terms of educational programs and other activities offered by the institution. Source: Transgender Law Center. 2014. *Big News! DOE Guidance Says Transgender Students Protected Under Federal Law*. Retrieved from http://transgenderlawcenter.org/archives/10249

[12] Human Rights Campaign. 2016. *Maps of State Laws and Policies*. Retrieved from http://www.hrc.org/state_maps
[13] Human Rights Campaign. (n.d.). *GEN EQ: Guide to Entering the Workforce*. Retrieved from http://hrc-assets.s3-website-us-east-1.amazonaws.com//files/assets/resources/GenEQ_guide_entering_workforce.pdf
[14] Lambda Legal. (n.d.). *Resources for LGBTQ Youth By State*. Retrieved from https://www.lambdalegal.org/sites/default/files/publications/downloads/fs_resources-for-lgbtq-youth-by-state_1.pdf

[15] Child Welfare Information Gateway. 2016. *Permanency for LGBTQ Youth*. Retrieved from https://www.childwelfare.gov/topics/permanency/specific/youth/lgbtq/