



# Equitable Treatment of LGBTQ+ Youth in Foster Care: A Policy Analysis

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# Graduate Project



- Presentation is a summarization of my graduate project that was finalized at California State University, Fresno in May of 2023.
- Project is a policy analysis of two California Assembly Bills that effect LGBTQ+ foster youth.
- For the analysis, the McInnis-Dittrich model was used to analyze the strengths and weaknesses of the two policies and to make recommendations.

# Who am I?

- I have been a Fresno County child welfare social worker for 9 years.
- I have worked in areas such Permanency Planning, Emergency Response, Assessment/Adoptions, Meeting Facilitation, and am currently a social worker for Intensive Services Foster Care (ISFC).
- I am a member of the SOGIE taskforce with Fresno County DSS.
- I have plans of eventually earning my hours to become a Licensed Clinical Social Worker (LCSW).

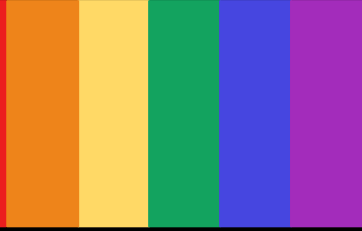


# Vocabulary used in this presentation



- **Bisexual:** The term bisexual means a man or woman who is emotionally, romantically, and sexually attracted to both men and women.
- **Gay:** The term gay is used to mean a man or woman who is emotionally, romantically, and sexually attracted to the people of the same gender; some use the term only to identify gay men.
- **Gender Identity:** Gender identity means one's inner sense of oneself as male or female.
- **Gender Expression:** Gender expression is the communication of one's gender through behavior and appearance that is culturally associated with a particular gender.
- **Lesbian:** A lesbian is a woman who is emotionally, romantically, and sexually attracted to women.

# Vocabulary used in this presentation cont.

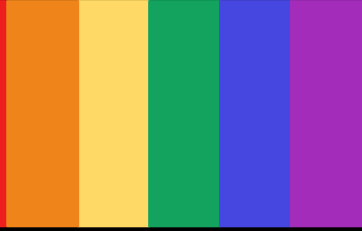


- **LGBTQ+**: This is an acronym used to identify people who fall under the label of Lesbian, Gay, Bisexual, Transgender, or Queer/Questioning.
- **Queer**: Queer is an umbrella term for individuals who do not identify as heterosexual or cis-gender. Queer includes lesbian, gay, bisexual, transgender, pansexual, omnisexual, and identities that do not fall under dominant notions of sexuality and gender.
- **Sexual Orientation**: Sexual orientation is defined by whom a person is emotionally, romantically, and sexually attracted to. Sexual orientation is independent of gender identity.
- **SOGIE**: Acronym for Sexual Orientation, Gender Identity, and Expression.
- **Transgender**: Transgender is an umbrella term that describes people whose gender identity differs from expectations associated with the sex assigned to them at birth. Transgender people may be heterosexual, bisexual, gay, lesbian, or any other sexual orientation.

# Why is this important?

- Knowing the number of LGBTQ+ youth in foster care is difficult because youth may not be forthcoming with the information due to past rejection.
- LGBTQ+ youth are overrepresented in foster care at a rate of 1.5 to two times that of the general population (Wilson & Kastanis, 2015).
- LGBTQ+ foster youth experience unique challenges that non-LGBTQ+ foster youth do not experience or they experience them at a higher rate.
  - Microaggressions, more frequent hospitalizations, double standards, more placement changes, negative academic outcomes, rejection from family members and caregivers.
- New care providers receive 12 hours of pre-service training through the Resource Family Approval (RFA) process (CDSS, 2016).
  - Pre-service trainings cover a multitude of topic, but only a small portion is related to SOGIE.

# Why is this important? Local perspective – Fresno



- 2019 - The Human Rights Campaign (HRC) - Fresno ranked 55 out of 100 (4<sup>th</sup> lowest in California).
  - Fresno lacks protections for gender identity expression
  - No human rights commission
  - No LGBTQ liaison to city hall or the police department
  - Lacks leadership on LGBTQ issues (Sheeler & Sheehan, 2019).
- 2015 - Study in Fresno and Santa Barbara
  - Lack of LGBTQ+ community resources in Fresno
  - Care provider's religious beliefs interfered with their willingness to accept LGBTQ+ youth
  - Social workers felt that they only had “basic” training on LGBTQ+ issues (Center for the Study of Social Policy, 2015).

# ***Challenges Experienced by LGBTQ+ Foster Youth***



- Overrepresented in the child welfare system (Dettlaff, et al., 2018).
- Rejection while in care had negative results (Mountz & Capous-Desyllas, 2020).
  - More placement changes
  - Lack of connection to LGBTQ+ community
  - General feeling that they are unequipped to begin their adult lives
- Double standards while in care (Woronoff & Estrada, 2006).
- Overrepresented in the homeless population and more likely than heterosexual youth to engage in high risk behavior (Ecker, 2016).

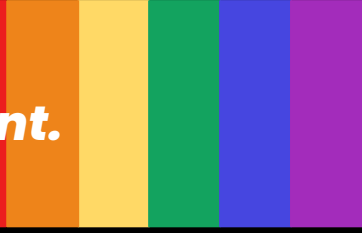


# ***Efforts to Decrease Disparities of LGBTQ Youth***



- Data Collection
  - Youth in foster care may be reluctant to provide their SOGIE data for a multitude of reasons (Center for the Study of Social Policy, 2015).
  - Child welfare agencies need to be collecting SOGIE data for the youth they serve to know the prevalence and outcomes of LGBTQ+ youth in the system (Dettlaff, et al., 2018).

# ***Efforts to Decrease Disparities of LGBTQ Youth*** cont.



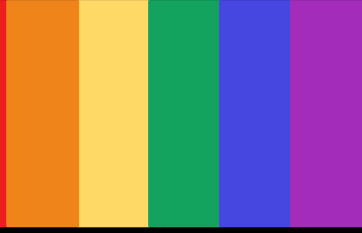
- Affirming Behaviors are needed
  - Real need for foster parents who embody affirming behaviors (Mountz & Capous-Desyllas, 2020).
  - Open to new things, open to new ideas, and respected the youth's difference (McCormick, Schmidt, & Terrazas, 2016).
    - Youth can look past shortcomings if care providers can accept their sexual orientation
  - Providing education to caregivers on the effects that rejection has on a youth has previously been effective in helping caregivers change their behaviors (Ryan et al., 2009).

# Family Acceptance Project (FAP)



- Training model developed to help care providers and families develop accepting behaviors.
- FAP helps families decrease rejecting behaviors and increase accepting behaviors.
- FAP utilizes a strengths-based approach that accessed families' own cultural and religious values.
- (Ryan, 2019)

# Recognize, Intervene, Support, and Empower (RISE)



- Training to combat anti-gay, anti-transgender, and heteronormative biases. (Weeks, et al., 2018).
- Helps address anti-gay and anti-transgender bias at the systems/organizational and individual levels, barriers to permanency, and absence of evidence-based practices targeting heterosexism and anti-transgender bias (Lorthridge, et al., 2017).
- Help public and child welfare agencies become more welcoming and competent while servicing LGBTQ+ youth in care (Weeks, et al., 2018).
- Defines competency as having knowledge of LGBTQ+ issues, using affirmative language, and being able to identify and address biased statement (Weeks, et al., 2016).

# ***Efforts to Decrease Disparities of LGBTQ Youth*** cont.

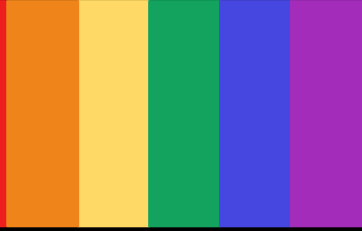


- Qualitative interviews with LGBTQ+ youth provides insight (Mountz, Capous-Desyllas, & Perez, 2019).
  - Youth felt more comfortable when placed with LGBTQ+ care providers or providers that had affirming behaviors.
  - There is a need for agencies to increase efforts to recruit foster parents who are LGBTQ+ or have affirming behaviors.
  - There is a need for more recruitment of LGBTQ+ therapists, as many LGBTQ+ youth only want to speak to a therapist that understands their identity and/or orientation.
  - Child welfare agencies should do more extensive screenings of foster parents to see if they exhibit LGBTQ+ affirming behaviors.

# Policy Analysis

- Two Policies were analyzed using the McInnis-Dittrich model
  - The California Foster Care Non-Discrimination Act (AB 458)
  - The LGBT Disparities Reduction Act (AB 959)
- McInnis Dittrich model uses an acronym of “ANALYSIS” to analyze policies (Cabral, 2013)
  - Approach
  - Need
  - Assessment
  - Logic
  - Your Reaction
  - Support
  - Innovation
  - Social Justice

# **Approach – *The California Foster Care Non-Discrimination Act (AB 458)***



- Prohibits discrimination in the California Foster Care System on basis of actual of sex, sexual orientation, gender identity, etc. (National Center for lesbian rights, n.d.).
- The law mandates:
  - Specific trainings are provided to care providers.
  - All youth who are experiencing foster care have right to be free from discrimination
  - All care providers are to receive initial and ongoing training regarding foster youth's rights to have fair and equal access to services and to be free from discrimination based on perceived sexual orientation or gender identity

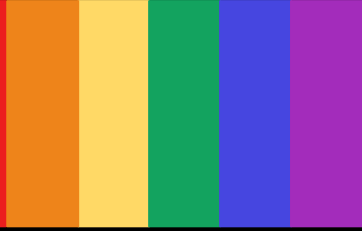
# **Approach – *The LGBT Disparities Reduction Act* (AB 959)**

A vertical rainbow flag graphic with stripes of orange, yellow, green, blue, and purple.

- Mandates that human services agencies collect SOGIE data during regular data collection (Chiu, n.d.)
  - Highlights disparities in populations.
  - Previously has been a lack of data collection regarding LGBTQ+ community in child welfare systems.
  - All County Letters (ACL's) provide instructions to child welfare departments



# Need – Why are these policies needed?



## **The California Foster Care Non-Discrimination Act**

- LGBTQ+ youth have a right to not be discriminated against.
- There is a need for care providers and social workers to be culturally competent with LGBTQ+ youth so that they can be supported.
- There is a need for clear guidelines regarding discrimination.

## **The LGBT Disparities Reduction Act**

- There is a need for SOGIE information to be collected.
- There is a need for disparities to be identified due to LGBTQ+ youth having many risk factors

# Assessment – Strengths

## **The California Foster Care Non-Discrimination Act**

### Strengths

- Mandatory - foster youth have equal services.
- Care providers/social workers receive ongoing training when it comes to SOGIE/gender identity training.

## **The LGBT Disparities Reduction Act**

### Strengths

- Collection of SOGIE data
- Helped create best practice guidelines on how to have conversations around SOGIE

# Assessment – Weaknesses

## **The California Foster Care Non-Discrimination Act**

### Weaknesses

- No definition of what constitutes discrimination
- No method of enforcement
- Minimal amount of SOGIE training hours

## **The LGBT Disparities Reduction Act**

### Weaknesses

- Difficult to implement - lack of compliance
- Difficult to enforce

# Logic – Connection Between Need & Policy

## The California Foster Care Non-Discrimination Act

- Fails to address need of LGBTQ+ youth
  - Not descriptive enough to protect the youth
  - Does not dictate enough training requirements

## The LGBT Disparities Reduction Act

- Meets the need of LGBTQ+ youth
  - Previously there was no SOGIE data
  - Now agencies are tracking this data so resources and services can be issued
  - Identifies hardships

# Your Reaction – Author's reaction

## The California Foster Care Non-Discrimination Act

- Purposely broad in its language for agencies to interpret on case-to-case basis.
- Fails to be very protective.
- Children are found new placements of “more accepting” homes instead of addressing issue.

## The LGBT Disparities Reduction Act

- Not as effective as it can be.
- Not a lot oversight regarding whether important SOGIE conversations are occurring.
- Many social workers choose not to have SOGIE conversations.
  - Leave SOGIE marked “Unknown”

# Support – Financial Support

- This policy analysis does not go into deep analysis regarding funding.

# Innovation – Provisions to implement policy



## The California Foster Care Non-Discrimination Act

- RFA Written Directives should start mandating that care providers participate in lengthy acceptance trainings
  - i.e., RISE trainings
- Language needs to be changed
  - Lobbying needed at the state level

## The LGBT Disparities Reduction Act

- Make it essential for Human Services supervisors to have conversations with staff regarding efforts to document SOGIE

# Social Justice – Are these policies just?



Social Justice policies focus on “issues of poverty, unemployment, discrimination” and should “promote knowledge about oppression and cultural and ethnic diversity” (NASW, n.d.).

## **The California Foster Care Non-Discrimination Act**

- Does not define discrimination as it relates to LGBTQ+ youth.
- Does not mandate extensive trainings to ensure that care providers can meet the unique needs of LGBTQ+ youth.

## **The LGBT Disparities Reduction Act**

- Lacks a mandate to ensure staff are identifying SOGIE clients.



# Thank You!

Thank you CCASSC for this Student Stipend opportunity!

Any Questions?



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