

# CWLA

# Best Practice

# Guidelines

Serving LGBT Youth In Out-Of-Home Care



Legal Services for Children  
[www.lsc-sf.org](http://www.lsc-sf.org)

National Center for Lesbian Rights  
[www.nclrights.org](http://www.nclrights.org)



# Best Practice Guidelines

## Model Standards Project

- Create model professional standards governing the care of LGBT youth in out-of-home care
- Collaboration of National Center for Lesbian Rights and Legal Services for Children
- National Advisory Committee
- Youth Focus Groups



# Best Practice Guidelines

Directed to both child welfare and juvenile justice agencies

- Overlap in population served
- Youth development approach that promotes youth competencies and connects them to families and communities
- Lack of scholarship or guidance for juvenile justice professionals serving LGBT youth



# Best Practice Guidelines

Address sexual orientation and gender identity

- All youth need same essential opportunities and supports, but transgender youth confront unique challenges
- Child welfare and juvenile justice professionals need to understand and distinguish SO and GI
- Existing scholarship focuses on LGB youth
- Lack of understanding jeopardizes gender nonconforming youth



# LGBT Youth in Out-of-Home Care

- Self-awareness of SO and GI
- Pathways into state care
- Mistreatment in out-of-home care



# Creating an Inclusive Organizational Culture

- Create and maintain an inclusive organizational culture in which the inherent worth and dignity of every person is respected and every person is treated fairly
- Comprehensive approach based on core values consistently reinforced



# Creating an Inclusive Organizational Culture

An environment in which LGBT youth feel safe exploring and disclosing emerging identities

- Promotes well-being
- Builds self-esteem
- Helps adolescents learn self-care
- Provides personnel and caregivers with information essential to developing appropriate, individualized services



# Creating an Inclusive Organizational Culture

## Nondiscrimination policy

- Prohibit all forms of harassment and discrimination, including jokes, slurs, name-calling
- Apply to all agency personnel, providers and caregivers
- Protect agency personnel, caregivers and providers as well as youth
- Include a formal grievance policy
- Promptly respond to violations of policy



# Creating an Inclusive Organizational Culture

Training, training, training

- Initial and ongoing for all professionals and caregivers
- Reinforces agency's commitment
- Replaces myths and misconceptions with practical, research-based information
- Provides tools and support to walk the talk



# Family-Centered Approach

- Work with LGBT youth in the context of their families and support the development of permanent adult connections
- Develop services that strengthen and support the families of LGBT youth while protecting the youth's safety



# Family-Centered Approach

- Understanding contemporary LGBT youth and their families
- Increase family communication and understanding
- Decrease family rejection
- Repair and preserve family connections when possible
- Create and support permanent connections for youth who cannot reconcile with family



# Family-Centered Approach

## Promote Family Acceptance and Reconciliation

- Prevention services
- Intensive home-based services
- Education services
- Reunification services



# Family-Centered Approach

## Permanent Connections for LGBT Youth

- Develop strong agency focus on permanence
- Working closely with LGBT youth
- Reducing reliance on group care
- Training and support for permanent families



# Promoting Positive Adolescent Development

- Support healthy integration of sexual orientation and gender identity
- Prohibit practices that pathologize or criminalize same sex orientation or gender nonconformity
- Apply rules equally
- Provide positive social and recreational outlets



# Promoting Positive Adolescent Development

## Positive Development and Expression of Gender Identity

- Validate each youth's core gender identity as defined by the youth
- Do not force youth to dress, behave or express themselves in narrowly proscribed ways
- Use name and pronoun preferred by youth
- Avoid unnecessarily segregating activities by gender



# Collecting and Managing Confidential Information

- Create a safe space to come out
- Confidentiality laws protect the youth, not the agency
- Work with the youth to determine when and to whom to disclose information, including mandated disclosure
- Anticipate consequences and ensure safety
- Adopt written confidentiality policies and provide training and support



# Ensuring Appropriate Homes for LGBT Youth

Make individualized placement decisions

- Involve the youth in the process
- Place LGBT youth with families whenever possible
- Do not automatically place LGBT youth in specialized group homes
- Ensure that the family is accepting and supportive



# Ensuring Appropriate Homes for LGBT Youth

Increase and diversity placement options

- Recruit caregivers, providers and staff who commit to providing sensitive, affirming care
- Reach out to LGBT families, inclusive faith communities and diverse inclusive community organizations



# Ensuring Appropriate Homes for LGBT Youth

## Support Caregivers of LGBT Youth

- Provide initial and ongoing training to all caregivers
- Respond promptly to questions, concerns, and problems that arise in a placement
- Avoid assuming that the youth is the “problem” or that a change in placement is necessary
- Convene team decision making meeting to identify solutions



# LGBT Youth In Institutional Settings

## Housing and Classification of LGBT Youth

- Make individualized housing and classification decisions
- Work with youth to identify most appropriate housing assignment
- Do not automatically classify LGBT youth as sex offenders
- Do not isolate or segregate LGBT youth “for their protection”
- Do not prohibit LGBT youth from having roommates or house them with hostile or homophobic youth



# LGBT Youth In Institutional Settings

## Protecting the safety of transgender youth

- Do not assign youth to male or female housing according to anatomical or birth gender
- Consider the youth's preference and be flexible
- Ensure private bathroom and shower facilities



# LGBT Youth In Institutional Settings

## Programmatic protections

- Develop and implement nondiscrimination policy
- Provide initial and ongoing training
- Use small facilities with multiple housing options
- Utilize group care for the shortest time necessary and transition to less restrictive settings
- Ensure sufficient numbers of staff and close supervision
- Engage youth in constructive programming
- Promptly intervene to address disrespect or discrimination

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# Providing Appropriate Health Services

- Ensure that trained and sensitive health care providers offer competent and sensitive health assessment and treatment to LGBT youth
- Provide comprehensive health assessment from a nonjudgmental provider as soon as possible
- Assessment should include interview to identify possible risks, health guidance information and routine exam
- Provide comprehensive, inclusive sexuality education



# Providing Appropriate Mental Health Services

Mental health providers should address

- Disclosure and integration of SO or GI
- Sexual behavior and risk reduction
- Use of substances to manage low self-esteem
- Effects of discrimination
- Availability of support systems



# Providing Appropriate Mental Health Services

- Mental health providers should not
  - Utilize any method or intervention designed to change the youth's SO or GI
  - Require youth to participate in sex-offender treatment solely based upon the youth's SO or GI



# Health and Mental Health Services for Trans Youth

- Use providers who understand gender identity disorder and the professional standards of care for transgender people
- Permit transgender youth to continue to receive all transition related treatment
- Provide any necessary authorization for medically necessary transition-related treatment



# Ensuring Safe Schools for LGBT Youth in Care

- Respond to harassment in schools
- Notify school officials and follow up
- Meet with the youth's teacher
- Contact police if youth has been injured
- Contact school board or appropriate state agency



# Best Practice Guidelines

## How to use the guidelines

- Assess agency readiness
- Develop policies and practices governing care of LGBT youth in care
- Create training materials
- Create agency-wide strategic plan
- Provide guidance to personnel and caregivers serving individual LGBT youth



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Thank you

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