

THE MODEL STANDARDS PROJECT

CREATING INCLUSIVE SYSTEMS FOR LGBT YOUTH IN OUT-OF-HOME CARE

by

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I. INTRODUCTION

On any given day, well over half a million children and youth nationally are living away from their families and in the custody of the foster care or juvenile justice systems. It is estimated that lesbian, gay, bisexual, and transgender (“LGBT”) youth represent somewhere between 4% and 10% of this population.¹ Many young people are in out-of-home care solely as a result of their LGBT identity, including those who have been rejected, neglected or abused by their families of origin, those who have been forced to live on the streets and engage in illegal behavior to survive, and those who have been labeled “sex offenders” because their behavior is perceived as deviant or perverse.

In the last several years, professional literature has acknowledged the presence of LGBT youth in the child welfare and juvenile justice systems and has begun to document the unique challenges confronting these youth. Innovative programs have been developed to serve LGBT youth in out-of-home care,² although explicitly inclusive and specialized services are still rare. The literature has also begun to identify the many ways in which public systems fail LGBT youth in their care.³ However, there has been no organized effort to reach professional consensus on the standards that should govern the care and treatment of LGBT youth who rely on public systems to provide for them. Although there are well-accepted professional standards governing child welfare and juvenile justice services,⁴ these standards do not adequately address the unique needs of LGBT youth.

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II. THE MODEL STANDARDS PROJECT

In 2002, staff members at Legal Services for Children⁵ and the National Center for Lesbian Rights⁶ launched the Model Standards Project (“MSP”), a multi-year, national project to develop and disseminate model professional standards for serving LGBT youth in out-of-home care.⁷ The project was developed in response to numerous calls that staff members had received from across the country relating the experiences of LGBT youth in foster care and juvenile justice settings, and requesting guidance about appropriate responses. The goal of the MSP is to develop a practice tool to highlight the needs of LGBT youth in out-of-home care and to improve services and outcomes. The standards build upon the work of the pioneers in the field, incorporate the experiences of LGBT youth involved in these systems, and reflect a shared understanding of how systems could be more responsive to these youth.

With the help of a national Advisory Committee,⁸ the Model Standards staff⁹ developed a draft set of standards and “piloted” them in several presentations and conference workshops around the country. Incorporating the input of workshop attendees and our Advisory Committee members, project staff revised and amplified the draft standards. The Child Welfare League of America will publish the standards with comprehensive commentary as part of their Best Practices Guidelines series in June of 2006.¹⁰

In section III of this article, we summarize the main recommendations contained in the standards. In section IV, we describe two distinct models for implementing the standards in local jurisdictions in California.

III. IMPROVING SERVICES TO LGBT YOUTH IN STATE CARE

A. Creating an Inclusive Organizational Culture

The most critical aspect of improving services to LGBT youth in public custody is creating an organizational culture in which the worth and human dignity of every person is respected, and in which every person is accepted and treated fairly and equally. An inclusive and respectful environment benefits all youth by encouraging young people to explore their own identities and to accept and value differences in others. It also makes it safe for LGBT youth to disclose information about their sexual orientation or gender identity. This information, in turn, helps caregivers and direct care staff provide individualized and sensitive services.

Concrete strategies for creating a safe and inclusive environment include: prohibiting the use of slurs or jokes based upon race, culture, religion, gender, gender identity, sexual orientation or any other individual difference; displaying posters or other symbols indicating an LGBT-friendly environment; using respectful and inclusive language that does not assume youth have a specific sexual orientation or gender identity; creating opportunities for dialogue with youth about all forms of diversity, including sexual orientation and gender identity; promptly intervening when youth behave disrespectfully toward their peers based upon sexual orientation, gender identity or other differences; and treating youth fairly by avoiding double standards.

To maintain a safe and inclusive environment for LGBT youth, agencies should require all staff, caregivers, and service providers to undergo training on the needs and care of LGBT youth and the resources available to serve them. Training should be mandatory and ongoing and incorporated into the general training requirements. In addition to formal training, supervisors and managers should use general and clinical supervision and regular performance evaluations as opportunities to discuss these issues and assess the competency of caregivers and direct care staff.

Child welfare and juvenile justice agencies, departments, and institutions should also adopt written policies prohibiting harassment and discrimination on the basis of actual or perceived sexual orientation or gender identity. A policy that explicitly includes sexual orientation and gender identity makes it clear to youth that anti-LGBT harassment and discrimination is unacceptable behavior that will not be tolerated. It also gives staff members the support they need to feel confident about responding to anti-LGBT harassment.¹¹

Policies prohibiting harassment and discrimination should apply at all levels of an agency, department, or institution – from administrators to staff to caregivers. It should also apply to private providers who contract with the agency or department to serve youth in out-of-home care. In order to enforce and monitor compliance with the policy, child welfare and juvenile justice agencies should also adopt grievance procedures. Departments and institutions should keep records of each complaint and its resolution. The department should also appoint an oversight body or individual (i.e. an ombudsperson) to review the grievance records regularly to identify potential problems, patterns, or need for additional training. Finally, departments, agencies, and institutions should ensure that all youth are aware of the policy by posting it prominently in all offices and facilities, and including it in all handbooks or other materials given to youth.

B. Recruiting and Supporting Competent Caregivers and Staff

Many child welfare and juvenile justice systems suffer from a chronic shortage of competent staff, caregivers, and service providers. Existing personnel are often overburdened and may even be inadequately supported. Failure to adequately support caregivers and staff contributes to “failed placements,” subjecting youth in out-of-home care to repeated rejections and multiple transitions. LGBT youth are particularly vulnerable to multiple placements, and often experience repeated rejections and placement changes.

Agencies can maximize continuity of care and minimize transitions by increasing the number of competent caregivers and providing them with the tools to provide excellent care. Recruitment staff should adopt creative strategies to enlarge and diversify the pool of potential staff, caregivers and providers, and all individuals providing care to children should receive training on the needs and care of LGBT youth. Child welfare and juvenile justice agencies should also provide support services designed to retain competent staff and caregivers. In addition, agencies should respond promptly and constructively to problems that arise in placements and provide access to a dispute resolution process to any youth, caregivers, or staff members that were involved. Follow-up training, additional supervision, and technical assistance should also be provided to any staff member who violates the non-discrimination policy. Agencies should not hesitate to sanction staff, caregivers, or contractors who continue to violate the nondiscrimination policy.

C. Promoting Healthy Adolescent Development

Exploration and expression of identity is a crucial aspect of healthy adolescent development. This normal process is interrupted, often with tragic results, if LGBT youth are punished or discouraged from exploring or expressing their sexual orientation or gender identity. Systems serving youth should adopt policies and practices that support and encourage healthy, safe, age-appropriate exploration and expression for all youth.

Child welfare and juvenile justice agencies should ensure that rules regarding sexual or gender-related behavior and expression are applied equally to all youth. Youth who engage in same-sex sexual behavior should not be penalized when the same contact with a person of a different gender would not result in

punishment. While there are legitimate reasons to define appropriate limits on sexual behavior, rules should be applied equally to all youth regardless of whether the interaction occurs between youth of the same or different genders. Youth should have some means available to appropriately express their sexual orientation or gender identity, whether verbally, through their social activities or through non-sexual expression such as clothing, jewelry, books, posters, etc.

When working with transgender and gender nonconforming youth, child welfare and juvenile justice systems should respect a youth's gender identity and expression, including calling transgender and gender nonconforming youth by the name and pronoun that they go by as well as allowing them to dress in accordance with their gender. This is essential in order for transgender and gender non-conforming youth to develop into healthy and mature adults and can prevent violence and harassment against transgender youth by encouraging other youth to treat transgender youth with respect.

Staff and caregivers should also ensure that LGBT youth have knowledge of and access to social and recreational services and events consistent with their interests and geared toward the community with which they identify. Similarly, staff and caregivers should not force youth to participate in activities or groups that demonize or discriminate against LGBT youth, or that simply decline to acknowledge their existence.

Child welfare and juvenile justice systems should provide parity in the social and recreational activities to which youth have access. For instance, if heterosexual youth are encouraged and permitted to attend the high school prom, LGBT youth should be allowed to attend the gay prom. Any limitations on a youth's social interactions should be equally applied and rationally related to the youth's safety or best interest.

D. Respecting Privacy and Confidentiality

Generally speaking, information regarding a youth under the jurisdiction of the juvenile court, in both the child welfare and juvenile justice systems, is confidential. This includes information regarding the sexual orientation or gender identity of the youth. With some exceptions, federal and state laws prohibit disclosure of confidential information.

In the course of serving youth, case managers may become aware of their client's sexual orientation or gender identity. In limited circumstances, disclosure may be legally required to protect the young person's safety or to establish the basis for juvenile court jurisdiction. Even when it is not legally required, disclosure of the young person's sexual orientation or gender identity in a court report or to caregivers or facility staff may be helpful to better serve him or her. However, disclosure may also be detrimental if not carefully controlled.

Systems serving youth should adopt policies and practices that resolve this tension by focusing on the interests of the young person. Case managers should carefully consider the purpose, nature, and consequences of any contemplated disclosure. Unless disclosure is legally required, no one should disclose information regarding the sexual orientation or gender identity of a youth unless that person can identify a direct benefit to the youth. The information disclosed and the means of disclosure should be limited to that necessary to achieve the specific beneficial purpose. Finally, case managers should balance the potential negative consequences of disclosure against the benefits and actively engage young people in discussion about these issues.

E. Providing Appropriate Placements

Child welfare and juvenile justice agencies must identify appropriate placements for youth who cannot live with their families. Placement staff should be aware of the needs of individual LGBT youth prior to making placement decisions. In particular, staff should ensure that potential caregivers or facility staff understand and practice non-discriminatory, inclusive treatment. LGBT youth should be actively involved in selecting a placement.

Placing agencies should have a range of placement options available in order to make individualized decisions for LGBT youth, including LGBT-supportive foster families. Several jurisdictions have also developed specialized group homes to serve LGBT youth. This is an important resource, especially for LGBT youth who prefer a group setting or when other appropriate, supportive placements are not available. However, placement staff should not assume that every LGBT youth needs or wants to be placed in group care. Nor should the existence of specialized group homes circumvent the agencies' obligation to place youth in the least restrictive, most family-like setting appropriate to meet each youth's individual needs. As with all children, placement of LGBT youth with a family enhances opportunities for permanence, as well as contact with siblings and other family members.

When placement in congregate or institutional care is necessary to meet the needs of an individual LGBT youth or is required by the court, staff should work with LGBT youth to make appropriate housing decisions within the facility. In particular, staff should be aware that LGBT youth are at increased risk of being subjected to hostility, harassment, violence, and sexual assault. However, facility staff should not rely on administrative segregation, isolation, or other automatic housing designations to protect the safety of LGBT youth. These policies only serve to punish, rather than protect, LGBT youth. Rather, the safety of residents is best assured through adequate numbers of trained staff to ensure close supervision, an emphasis on interaction and relationships between residents and staff, and high quality programming that engages youth in meaningful activities.

Intake staff should be sensitive to the safety and unique challenges confronting transgender youth placed in group care. In most facilities, a youth's gender is the primary factor in designating a housing unit, roommate, bathroom facilities, clothing, and even programs and activities. Most facilities automatically classify youth according to their biological gender, which is generally consistent with their gender identity. However, this practice poses serious dilemmas for transgender youth whose gender identity is different from their anatomic gender: it requires them to dress, shower, and use bathroom facilities with youth whose gender identity and expression is different from theirs, and subjects them to humiliation, embarrassment, significant psychological trauma, and unnecessary risk of harm.

Housing determinations for transgender youth should be made on an individualized basis, and the young person's emotional and physical well-being should be the central consideration. Intake staff should consider a youth's gender identity and safety concerns, as well as input from mental health or health providers with whom the youth is working. In most cases, the young person should be housed according to his or her gender identity. It may be important as well to provide him or her with a single occupancy room or additional privacy for showering.

F. Providing Sensitive Support Services

Youth who enter out-of-home care are at high risk of having serious health problems due to inadequate access to health care and lack of connection with an adult who attends to and monitors their health care on a consistent basis. LGBT youth face distinct and serious health challenges, including an increased risk for substance abuse, sexually transmitted disease, sexual assault, and in the case of young gay males, eating disorders. Transgender youth may present distinct medical concerns related to their medical and hormonal gender transition.

Unfortunately, many health care providers fail to provide sensitive medical care to lesbian and gay youth.¹² LGBT youth often decline to disclose their sexual orientation or gender identity out of fear of discrimination. When gay or lesbian youth disclose their sexual orientation, some providers minimize or deny their concerns on the ground that same-gender sexual behavior is simply a “phase” that adolescents will pass through. Other providers are ignorant of the health issues faced by LGBT youth, and do not recognize the relevance of sexual orientation or gender identity to the youth’s health status.

Child welfare and juvenile justice systems should ensure that competent, sensitive health assessments and treatment are available to all youth, including LGBT youth. In particular, youth entering state care should receive a comprehensive health assessment as soon as possible. The assessment should include an interview to identify possible risks, the distribution of health guidance information, and a routine physical examination.¹³ The interview with the young person should be inclusive of LGBT issues, and the interviewer should be careful to avoid assumptions and to use inclusive language.

In addition, LGBT youth need to have access to supportive, inclusive, and nonjudgmental mental health services. Many youth in out-of-home care are in need of mental health services as a result of their marginalized status. This need is heightened for LGBT youth in state custody, who often face societal discrimination and rejection in addition to the general demands of adolescence and the trauma of being separated from their families.

Research has demonstrated that lesbian and gay youth commonly suffer from the effects of chronic stress associated with harassment, coming out to family and friends, and having their sexual orientation discovered.¹⁴ Chronic stress can lead to increased levels of depression and anxiety. Research also confirms that the risk of suicide is significantly higher for lesbian and gay youth.¹⁵ It is important that LGBT youth have access to mental health providers who can give them appropriate non-judgmental support services. LGBT youth should never be subjected to “reparative” therapy or other interventions designed to change one’s sexual orientation or gender identity.¹⁶

In the educational arena, LGBT youth, and those perceived to be LGBT, also face pervasive harassment and discrimination. In order to fulfill their custodial role, child welfare and juvenile justice agencies are obligated to ensure that youth in their custody receive appropriate educational services. To ensure the safety of LGBT youth and to maximize the continuity and success of the educational services they receive, these systems must scrutinize and closely monitor educational placements. Case managers must take seriously any report of harassment or violence in the schools and must hold schools accountable for appropriate protections for LGBT students.

IV. LOCAL IMPLEMENTATION EFFORTS

Since the drafting of the model standards, the MSP staff has been involved in efforts to implement the standards in California communities. MSP staff focused implementation efforts in California, in part because of the location of our offices but also because of the opportunities presented by the passage of the Foster Care Non-Discrimination Act (“AB 458”). Effective January 2004, AB 458 prohibits discrimination in the foster care system based upon actual or perceived sexual orientation or gender identity.¹⁷ AB 458 also requires initial and ongoing training on these issues for all group home administrators, foster parents and licensing personnel.¹⁸

The implementation efforts in California utilize two distinct strategies that could be replicated in other parts of the country. The first approach involves a multidisciplinary task force in the San Francisco Bay Area. The second approach incorporates implementation of the standards into a larger, pre-existing child welfare reform effort in selected counties.

A. Out of Home Youth Advocacy Council (OHYAC)

In the fall of 2003, in preparation for the Foster Care Nondiscrimination Act to go into effect, Legal Services for Children, Family Builders by Adoption,¹⁹ and the National Center for Lesbian Rights began conversations about organizing a San Francisco Bay Area collaborative to address the needs of LGBT youth and families involved in the child welfare system. Together, they conceived of and launched the Out of Home Youth Advocacy Council (“OHYAC” or “The Council”) in December of 2003. Since this time, using the passage of the non-discrimination law as a springboard, OHYAC has been advancing the concepts laid out in the Model Standards throughout the San Francisco Bay area.

OHYAC is a multi-disciplinary collaborative of individuals and organizations who are working to improve care and outcomes for LGBT youth in Bay Area foster care. The Council has members from a wide range of organizations and agencies that serve or advocate for youth and families including: Bay Area county child welfare departments, foster family agencies, individual judges and lawyers, legal organizations, social work education organizations, and foster youth empowerment organizations. To date, over 70 individuals (social workers, youth, trainers, administrators) have joined the OHYAC e-mail membership list in order to get more involved in the work of the Council.²⁰

In line with the goals and methods of the model standards, OHYAC members have been working to establish adequate training for Bay Area foster care providers and child welfare workers on working with LGBT youth and families as well as on their responsibilities under the California Foster Care Nondiscrimination Act. Over the last year and a half, OHYAC members have completed numerous trainings and workshops throughout the state. Because of the huge need for training, OHYAC is putting together a training curriculum and a trainer’s manual. In addition, OHYAC was successful at getting the California Department of Social Services to release an all county letter describing the training requirements of AB 458.

To further support Bay Area foster care providers, OHYAC has also created written resources that can serve as tools for providers working with LGBT youth. OHYAC members have put together a number of fact sheets on AB 458 and LGBT youth which can be used as a quick reference; an LGBT Youth Resource Directory for the Bay Area which assists providers in locating services for the LGBT youth on their caseloads; and hate free zone posters which can be put on the walls of offices and facilities to make the environment more welcoming

to LGBT youth. OHYAC has also published a “Know Your Rights” Guide for LGBT youth in California Foster care which the Council has distributed to youth and providers throughout the state. Over the next year, OHYAC will continue distributing these resources through its website and a tool-kit for providers in the Bay Area.

OHYAC understands that in order to effectuate lasting change at a local level, the interests of LGBT youth and families need to also be included in mainstream statewide foster care initiatives, conferences, and trainings. With this in mind OHYAC has developed alliances with key statewide child welfare initiatives and organizations including the California Department of Social Services, the Child Welfare Redesign, the California Permanency for Youth Project, the Statewide Foster Care Ombudsman’s Office, the Child Welfare Directors Association, the Judicial Council of California, and the Family to Family Initiative. OHYAC members have been invited to speak at many of the conferences and events put on by these groups and the Council has been able to utilize the groups’ mailing lists to distribute OHYAC resources.

OHYAC’s most significant alliance to date has been with the California Youth Connection (CYC). CYC is a youth empowerment organization that promotes the participation of foster youth in policy development and legislative change to improve the California foster care system. CYC has become a vital part of OHYAC, allowing the Council to connect with current and former foster youth in order to get our resources into the hands of those who need them and to involve the voices of youth in the development of OHYAC resources and trainings. Through collaboration with CYC, OHYAC has also organized a group of youth trainers made up of current and former LGBT foster youth. These youth trainers have completed two “Know Your Rights” trainings for other LGBT foster youth and they have participated in numerous trainings for providers.

Local collaborative efforts similar to OHYAC are coming together in cities across the country. Los Angeles County has had a task force on ending homophobia in foster care since 2002 and similar task forces have recently started in Wisconsin, Colorado, and New York City. Using the concepts described in the model standards, advocates and providers involved with groups like OHYAC can bring together the multiple stakeholders involved in the provision of foster care, and make lasting on-the-ground improvements for LGBT youth and families involved with the child welfare system.

B. California Family to Family Initiative

In response to the ongoing and serious challenges facing child welfare systems across the country, the Annie E. Casey Foundation has developed a reform initiative called “Family to Family.” The goals of the initiative are to improve screening to determine children’s needs and safely preserve families; to bring children in group care back to their neighborhoods; to invest in communities and become a neighborhood resource for children and families; and to provide permanent families for children in a timely manner. The foundation’s role in the initiative is to provide financial resources to support systems innovations and to provide technical assistance in participating jurisdictions. California has elected to participate in Family to Family, and 28 counties are currently involved in the initiative.

The tools and strategies recommended in the model standards are consistent with those employed by Family to Family.²¹ For example, both the standards and the initiative emphasize improved identification of the needs of individual children and youth, developing community collaborations to better serve children and their families, recruitment, training and support of resource families, and reducing the use of congregate or

group care. Moreover, the Annie E. Casey Foundation has been supportive of the MSP from its inception, and has supported development, publication, and dissemination of the standards. For these reasons, the MSP staff approached the foundation about working in selected Family to Family sites in California to implement the standards as part of ongoing child welfare reform efforts.

In early 2005, MSP staff attended the California statewide convening of the Family to Family sites, and presented a workshop on the model standards. Shortly thereafter, MSP staff followed up with a letter to the site coordinators inviting interested counties to participate in a process to incorporate the ideas and strategies contained in the standards into their local Family to Family implementation efforts. The letter asked interested counties initially to commit to the principles underlying the standards, to designate a point person, and to identify any efforts to implement AB 458. To demonstrate an ongoing commitment, counties were also asked to complete an agency readiness survey and to integrate implementation of the standards into the county's existing Family to Family structure. In return, MSP staff agreed to provide technical assistance including developing LGBT training materials, helping to define the roles and responsibilities of public and private partners, consulting on individual cases, and assisting in diagnosing and troubleshooting barriers to serving LGBT foster youth.

At the writing of this article, several counties have expressed an interest in participating and the MSP staff is working with Family to Family consultants to select at least three counties for ongoing implementation efforts. The exact nature of these efforts will likely differ depending on the characteristics of the county, the existence of community resources for LGBT youth, and the extent to which county agencies have begun to address issues related to serving LGBT youth and their families.

V. CONCLUSION

The recommendations generated by the MSP provide a practical tool for child welfare and juvenile justice agencies to improve services to LGBT youth in their care. These recommendations challenge agencies to look at their program as a whole and incorporate appropriate services for LGBT youth and families throughout. They suggest that agencies make a cultural shift, rather than merely tacking on specialized services for LGBT youth. With the help of local multidisciplinary task forces and broader system reform efforts, child welfare and juvenile justice agencies can make this cultural shift to LGBT-inclusive programming and become the supportive system that LGBT youth in state care need to develop into healthy and happy adults.

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ENDNOTES

- ¹ See Urban Justice Center, *Justice for All? A Report on Lesbian, Gay, Bisexual and Transgendered Youth in the New York Juvenile Justice System*, (May 2001)[hereinafter *Justice for All?*]; 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)[hereinafter *Youth in the Margins*].
- ² Notable pioneers in the effort to provide appropriate services to LGBT youth in state custody are Gay and Lesbian Social Services (GLASS), www.glassla.org in Los Angeles and Green Chimneys www.greenchimneys.org in New York City. The founders of these organizations, Teresa DeCrescenzo, MSW, LCSW and Gerald Mallon, DSW, respectively, serve on the Advisory Committee of the Model Standards Project.
- ³ See Child Welfare League of America, *Serving Gay & Lesbian Youths: The Role of Child Welfare Agencies* (1991); *Youth in the Margins*, *Id.* at note 1; *Justice for All?* *Id.* at note 1; DeCrescenzo, T. and Mallon, G., *Serving Transgender Youth: The Role of Child Welfare Systems* (2000).
- ⁴ Relevant professional standards include the Standards of Excellence for Child Welfare Services promulgated by Child Welfare League of America, <http://www.cwla.org/programs/standards/default.htm>, Standards for Health Services in Juvenile Detention and Confinement Facilities promulgated by the National Commission on Correctional Health Care, <http://www.nccchc.org/pubs/catalog.html#34>, the ABA Standards of Practice for Lawyers Who Represent Children in Abuse and Neglect Cases promulgated by the American Bar Association, <http://www.abanet.org/child/catalog/books.html> and Standards for Juvenile Detention Facilities promulgated by the American Correctional Association http://www.aca.org/store/bookstore/view.asp?Product_ID=121.
- ⁵ Legal Services for Children, Inc. (LSC), founded in 1975, provides direct legal representation and social work services to children and youth in the San Francisco Bay Area. LSC's mission is to provide free legal and social services to children and youth in order to stabilize their lives and help them realize their full potential. www.lsc-sf.org
- ⁶ NCLR is a national legal resource center with a primary commitment to advancing the rights and safety of lesbian, gay, bisexual, and transgender people and their families through a program of litigation, public policy advocacy and public education. NCLR was founded in 1977 and serves more than 4,500 clients each year, including youth clients, in all fifty states. www.nclrights.org.
- ⁷ The MSP has been supported at different stages by the Kevin Mossier Foundation, the Stuart Foundation, the Annie E. Casey Foundation, the Evelyn and Walter Haas, Jr. Fund, the Tides Foundation, and an anonymous donor.
- ⁸ The National Advisory Committee is made up of approximately 40 individuals with direct experience in the public systems serving youth, including professionals from child welfare, juvenile justice, public health and mental health systems; academics and researchers; young people with systems experience; funders with an interest in LGBT issues; and advocates and community organizers. The Advisory Committee met for two days in San Francisco, and helped the project staff identify the important issues and the proposed content of the standards and have provided additional direction throughout.
- ⁹ The members of the MSP staff are: Shannan Wilber, Carolyn Reyes, Kayniee Lopez, Van Lam, and Allyson Bogie from Legal Services for Children, and Shannon Minter, Courtney Joslin, and Jody Marksamer from the National Center for Lesbian Rights.
- ¹⁰ *Best Practice Guidelines: Serving LGBT Youth in Out-of-home Care* is available for purchase through CWLA. To order: Call 1-800/407-6273 (9 a.m. - 5 p.m. EST) or visit www.cwla.org/pubs ISBN# 1-58760-095-1, Stock Number: 1095, Price: \$14.95.
- ¹¹ Adoption of a non-discrimination policy does not infringe on the individual rights of agency employees nor does it force employees to change their personal beliefs about homosexuality or gender roles. Providers and staff members are free to hold any beliefs they choose, so long as they adhere to and enforce the facility's non-discrimination policy.
- ¹² See Ryan, C. and Futterman, D., *Lesbian and Gay Youth: Care and Counseling*, Adolescent Medicine, Vol. 8, No 2 (1997), p. 231.
- ¹³ *Id.* at pp. 285-292.
- ¹⁴ *Id.* at p. 266.
- ¹⁵ *Id.* at pp. 267-269.
- ¹⁶ The American Academy of Pediatrics, American Counseling Association, American Association of School Administrators, American Federation of Teachers, American Psychological Association, American School Health Association, Interfaith Alliance Foundation, National Association of School Psychologists, National Association of Social Workers, and National Education Association are but a few of the professional organizations that oppose the practice of "reparative therapy." See Just the Facts Coalition, *Just the Facts About Sexual Orientation & Youth: A Primer for Principals, Educators and School Personnel*.

¹⁷ AB 458 §1 (d); Cal. Welfare & Inst. Code § 16001.9(a)(22); Cal. Welfare & Inst. Code § 16013(a).

¹⁸ Cal. Health & Safety Code § 1522.41(c)(1)(H); Cal. Health & Safety Code § 1529.2 (b)(3)(F); Cal. Health & Safety Code § 1563 (c)(5).

¹⁹ Family Builders by Adoption was established in 1976 in Oakland, CA to serve children with special needs who were waiting in public agency foster care for adoptive placements. Family Builders' mission is based on the belief that every child has the right to grow up in a permanent nurturing family, regardless of age, race, ethnicity, gender, religion, sexual orientation, or medical, physical or emotional condition. In 1984 Family Builders, originally part of a larger child welfare agency, became a separate licensed, non-profit foster care and adoption agency.

²⁰ For more information about OHYAC visit www.ohyac.org.

²¹ For an overview of the Family to Family initiative, see <http://www.aecf.org/initiatives/familytofamily/overview.htm>.