CWLA

Best Practice Guidelines

Serving LGBT Youth In Out-Of-Home Care

Legal Services for Children
www.lsc-sf.org

National Center for Lesbian Rights
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

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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

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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

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LGBT Youth in Out-of-Home Care

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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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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