



# LGBTQ+ YOUTH EXPERIENCES IN THE CHILD WELFARE SYSTEM: WHAT WE KNOW

## STATE OF KNOWLEDGE SHEET

### *LGBTQ+ youth\* report worse experiences within the Child Welfare System.*

- **LGBTQ+ youth in the child welfare system (CWS) report being more likely to experience discrimination, harassment, and victimization** from caseworkers, foster parents, program staff, and/or peers.<sup>1-8</sup>
- **LGBTQ+ youth in the CWS are more likely to experience longer length of stays<sup>9-11</sup> as well as placement instability, including:**
  - Being **placed in group homes** rather than foster homes.<sup>10, 12, 13</sup>
  - Experiencing **multiple placements** during foster care,<sup>1, 13-15</sup> and
  - Being **placed in restrictive settings**, such as congregate care or isolation.<sup>13, 16-19</sup>
- Placement Instability is troubling, because youth in permanent adoptive households have better outcomes, including higher educational achievement, higher income, lower rates of substance abuse, and lower rates of homelessness.<sup>20</sup>
- **LGBTQ+ youth in the CWS may have less access to supportive adult relationships.**
  - Even when caseworkers and foster parents are well-intentioned, lack of knowledge about LGBTQ youth's needs can hamper their ability to promote their emotional, social and academic development and health.<sup>21, 22</sup>
- **LGBTQ+ youth in CWS may lack access to appropriate affirming, trauma-informed therapeutic and treatment services, including:**
  - Limited access to clinically competent LGBTQ+ physical and mental health care.<sup>23, 24</sup>
  - Exposure to stigmatizing school climate, including lack of anti-bullying policies and programs.<sup>25-28</sup>
  - Lack of knowledgeable care for transgender and gender non-binary youth.<sup>15, 23, 24</sup>
  - Political debates around evidence-based care, school policy, and child welfare for LGBTQ+ youth exacerbate this challenge in many states.<sup>29, 30</sup>

## Social Drivers of Inequity: Discriminatory Laws and Policies

- **Lack of Anti-Discrimination State Policies**
  - As of March 2023, only 27 states and the District of Columbia explicitly included sexual orientation and gender identity in nondiscrimination protections specific to the child welfare system.<sup>31</sup>
- **State Religious Exemption Policies**
  - As of August 2023, 13 states permit state-licensed child welfare agencies to refuse to place and provide services to children and families, including LGBTQ+ people and same sex couples, if doing so conflicts with their religious beliefs.<sup>32, 33</sup>

\*We use the term LGBTQ+ to be inclusive of the range of sexualities and genders. However, we want to acknowledge that not every study cited is comprehensive in how they define and include different identities. Therefore, the acronyms used in each citation correspond to the populations included in each study. We also use the term "youth" as an umbrella category to include individuals up to the age of 25. We acknowledge that the literature cited does not uniformly define the age range of "youth" in this manner.



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**Health Justice Framework:** We conceive of Health Justice for LGBTQ+ youth as involving the application of human rights principles to public health needs; moreover, human rights principles require guarantees of non-repetition of harms, which leads health justice approaches to seek system-level reforms. Another rights principle guides us to prioritize meaningful participation of the persons most affected by the inequity in seeking solutions.

## Social Drivers of Inequity: Discriminatory Laws and Policies, cont.

- **State Laws Prohibiting Gender-Affirming Medical Care for Youth**
  - As of March 2023, 30 states have restricted access to gender affirming care or are currently considering laws that would do so. These laws prevent CWS-involved LGBTQ+ youth from receiving the gender affirming health care they need.<sup>34</sup>
- **Lack of LGBTQ+ Affirming Policies within State CWS Programs**
  - As of March, 2023, only 13 states had system-wide policies/trainings designed to prevent discrimination and provide appropriate services to protect LGBTQ+ youth.<sup>31</sup>
  - Only fourteen states have statutory or regulatory guidance regarding placement of transgender youth in out-of-home care in accordance with their gender identities.<sup>31</sup>
- **Lack of LGBTQ+ Affirming Institutional Practices**
  - Most out-of-home care placements and facilities are sex-specific. Their regulations may reference a youth's sex assigned at birth or misperceived rather than their actual gender identity, leading to inappropriate placements for transgender youth.<sup>6</sup>
  - Numerous studies demonstrate a lack of implementation of best practices for LGBTQ+ youth.<sup>3, 6, 15, 35, 36</sup>
  - Hiring and assessment of CWS staff and of foster parents' readiness to care for LGBTQ+ youth may not include screening for bias against LGBTQ+ people.<sup>22</sup>
- **Significant risk among LGBTQ+ youth for restrictive placements**
  - **Peer victimization** can lead CWS to place LGBTQ+ youth in inappropriately restrictive settings on the grounds of protecting their personal safety instead of focusing on stopping the victimization.<sup>3, 13, 18, 37</sup>
  - **Stigma and negative bias may lead CWS staff** to perceive LGBTQ+ youth as "problematic," leading to inappropriately restrictive placements and mislabeling as "difficult cases."<sup>18</sup>
  - This may decrease a young person's chance to achieve placement in foster care or eventual adoption.<sup>38</sup>
- **The number of foster parents available or willing to accept LGBTQ+ youth is limited** in comparison to the need.<sup>39</sup> Conflicts and fear of repeated abuse in non-affirming foster placements may lead youth to run away.<sup>15, 40-44</sup>
- **Placement permanency is even less likely among LGBTQ+ youth of color.**
  - LGBTQ+ youth of color are even more likely than other LGBTQ+ youth to be placed in congregate care settings.<sup>45</sup>
  - LGBTQ+ youth of color often experience simultaneous biases based not only on sexual orientation or gender identity but also on race.<sup>6, 46, 47</sup>



# LGBTQ+ YOUTH EXPERIENCES IN THE CHILD WELFARE SYSTEM: WHAT WE DON'T KNOW

## STATE OF KNOWLEDGE SHEET

- **The full scope of the problem:** While existing data show alarming disparities in child welfare experience among LGBTQ+ youth, lack of systematic demographic data collection limits knowledge about the full extent of disparities they experience, their causes, and solutions.
- Similarly, while existing data reveal especially pressing disparities among LGBTQ+ youth of color in the CWS, lack of systematic data monitoring hinders efforts to help abused and neglected youth in greatest need.
- Not enough is known about how to prevent harm and promote positive outcomes for LGBTQ+ youth once they are involved in the CWS, including how to:
  - Reduce violence and victimization perpetrated against youth by staff and other adults.
  - Improve access to employment and safe, affordable housing.
  - Support successful transition to adulthood once youth exit child welfare.

Organizations such as the Annie E. Casey Foundation, True Colors United, the Center for the Study on Social Policy, and The Jim Casey Youth Opportunities Initiative are working on answering these questions, and notable pilot projects include:

- getREAL in Allegheny County: <https://cssp.org/resource/getreal-in-allegheny-county/>
- R.I.S.E. Initiative (Recognize, Empower, Support, Intervene): <https://rise.lgbtcenter.org/>
- Waltham House: <https://thehome.org/waltham-house>
- NYC LGBT Foster Care Project: <https://www.nyc.gov/site/acs/about/for-families.page>
- Youth Acceptance Project: <https://familybuilders.org/programs-services/youth-acceptance-project/>
- <https://www.casey.org/lgbtq-programming/>
- The National Quality Improvement Center on LGBTQ2S Children and Youth in Foster Care (QIC-LGBTQ2S): [Child Welfare Work & Resources – The National SOGIE Center](#)

Further implementation and evaluation research should be done to expand these programs and promote positive outcomes.

## RESEARCH RECOMMENDATIONS

- Monitor outcomes for CWS-involved youth by sexual orientation, gender identity and race/ethnicity, along with other key demographic factors.
- Conduct developmental research to fully understand the trajectories of LGBTQ+ youth in the child welfare system, including possible differences between LGBTQ+ and non-LGBTQ+ youth.
- Study LGBTQ+ youth who are involved in multiple systems, particularly child welfare and juvenile justice, but also homeless services and the educational system.
- Examine the needs of foster and adoptive families and agencies.
- Understand whether and how agencies are taking steps to improve services to LGBTQ+ youth.
- Use participatory research methodologies that empower LGBTQ+ youth in the CWS and their support networks to participate in developing research about their own experiences.

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