



# Advancing Healthy Outcomes

## Eight Ways to Promote the Health and Well-Being of LGBTQ+ Youth Involved with Child Welfare through FFPSA

The [Family First Prevention Services Act \(FFPSA\)](#)<sup>1</sup> marks a substantial movement toward child welfare reform by beginning to bring child welfare financing into alignment with what research tells us is best for children and families: keeping children in their homes whenever safe and possible—and when children have to be placed in foster care—ensuring they are in the most family-like, least restrictive setting that will meet their needs. Systems have long struggled in achieving these goals and data clearly indicate not all children and families are served well. Children and youth who identify as lesbian, gay, bisexual, transgender, or queer/questioning (LGBTQ+)<sup>2</sup> experience both disproportionate involvement with child welfare, and once involved, disparate outcomes including placement instability and longer stays in foster care.<sup>3</sup>

Through FFPSA there is a significant opportunity for child welfare systems to address existing disproportionalities and disparities for LGBTQ+ children, youth and families. Specifically, systems should implement strategies that promote keeping families together, healthy adolescent development and well-being, and successful transitions to adulthood. Further in order to promote optimal well-being, there is an opportunity to ensure system reform strategies recognize and affirm the multidimensional identities of youth and families including race, ethnicity, sexual orientation, gender identity and expression, and immigration status. Successful implementation of these strategies will in turn support state efforts in achieving an equitable child welfare system with better outcomes and improved well-being for all children, youth and families.

- 1. Ensure Prevention Services are Responsive to the Needs of LGBTQ+ Children, Youth, and Families.** Current research shows that LGBTQ+ youth are more likely to be removed from their homes due to conflicts with their caregivers. Given these trends, states must assess gaps in their current service continuum and implement prevention services to meet these youth's needs. States should assess which evidence-based programs have been found to be effective to address these needs and, where there is a gap, states should invest in building the evidence for promising and innovative approaches to ensure solutions have a strong fit with the experiences of LGBTQ+ youth and families. While evidence is being built for programs that are not yet eligible for title IV-E reimbursement, states should ensure state, local, or philanthropic dollars are available to ensure families have access to these services as part of the prevention continuum.
- 2. Adopt and Use a Broad Definition of Family.** Children and youth do best when they are with family and able to stay connected to their home, community, and school. For LGBTQ+ parents, often extended family or the family of an ex-partner are not considered when caseworkers explore kin. States should ensure all family relationships that are meaningful to a youth and family are included in the exploration for kin and that kinship navigator programs are well versed in identifying and serving LGBTQ+ families. Many states already use a broad definition of family when identifying possible placements and extended supports for youth. In order to ensure FFPSA has the intended outcomes of supporting both youth in their families and community and kin caregivers, all states must adopt and use a broad definition of family.



### 3. Implement Policies to Prevent Overplacement of LGBTQ+ Youth in Congregate Care Settings.

States must implement policies and procedures to ensure an accurate assessment of youth needs and to reduce inappropriate placements in congregate care settings. Research has highlighted that LGBTQ+ youth are disproportionately placed in congregate care settings compared to their heterosexual peers. When youth exhibit behaviors as a result of being rejected due to their sexual orientation and/or gender identity, systems are not always equipped to identify or address the feelings of rejection. In these situations a youth's behavior may become pathologized—resulting in a more restrictive, less family-like placement. States must implement policies to ensure those conducting needs assessments are able to identify root causes related to rejection and identify community-based services that are able to meet the youth's need.

Research also suggests that LGBTQ+ youth are disproportionately identified as being at-risk of experiencing commercial sexual exploitation (CSEC). FFPSA exempts the assessment requirements for Qualified Residential Treatment Programs (QRTPs) for youth who are identified to meet the requirements for an independent living program or need a specialized setting related to being pregnant or parenting or having been/are at-risk of CSEC. While there may be valid reasons to utilize these services in some cases, it could lead to LGBTQ+ youth and youth of color being placed in congregate care facilities unnecessarily. Policies must be in place to ensure an accurate assessment of the needs of these youth to prevent their unnecessary placement in these settings—which both prevent them from having the opportunity to reside in a family-based foster home, and more broadly, increase disparities.

### 4. Focus on Recruitment and Retention of Affirming Foster Parents.

FFPSA prioritizes keeping children in their homes, and when that is not possible, placement in the most family-like setting. It also places new requirements on the use of congregate care and promotes reducing it as a placement unless absolutely necessary. As states work to reduce reliance on congregate care they must intentionally work to reduce existing disparities for LGBTQ+ youth and ensure appropriate, affirming placements are available as part of the foster home array. Specifically, states should implement targeted recruitment and retention strategies for foster parents who are able to provide safe, stable, and affirming homes to LGBTQ+ youth. This will increase the family resources available and ensure that all children and youth in foster care are in safe and supportive homes.

In addition to recruiting new foster parents, it is important to retain foster parents who are providing caring and affirming homes. Providing foster parents with access to necessary supports is a critical retention

strategy. Given the unique needs of LGBTQ+ youth, states will need to implement targeted supports for foster parents in caring for them. These services may include support on how to best promote healthy, adolescent development and affirm a youth's sexual orientation and gender identity. States should also provide guidance to caregivers that includes how to identify behaviors often related to a youth being rejected for their sexual orientation and gender identity and strategies to help youth process these experiences in healthy ways. Providing these resources to caregivers will improve retention and also help reduce unnecessary placements in overly restrictive congregate care settings.

### 5. Develop and Implement Training and Guidance for Caseworkers, Caregivers, and Service Providers on LGBTQ+ Affirming Practice.

FFPSA makes significant changes to the structure of child welfare and provides the opportunity for states to reimagine their programs and practice. In order to meet the mandates of this bill, as well as take advantage of the opportunities it provides, states will need to invest in significant training and guidance. In doing this, states should engage staff and stakeholders within the community, including LGBTQ+ youth and families, to develop guidelines for affirming practice focused on promoting better outcomes for LGBTQ+ youth and families. Youth in care who identify as LGBTQ+ often have had to grapple with the combined effects of trauma, stigma, and the risk of rejection due to their sexual orientation and gender identity. These guidelines should be inclusive and outline foundational principles guiding practice including: affirming practice to support all aspects of a youth's and parent's identity, support for birth parents in developing healthy, affirming relationships with their children, and expectations for foster parents and congregate care providers. States should ensure all staff and stakeholders are trained on these standards and that coaching is available on an ongoing basis.

### 6. Implement Non-Discrimination Policies.

The changes that are required through FFPSA are significant. Non-discrimination policies ensure that as states make changes to their prevention service array, and to their practice with families, they do so in a way that responsibly serves all of the families that are involved with child welfare. When children and families come into contact with the child welfare system, it is the responsibility of service providers—whether they are state, county, community-based, or faith-based—to provide services and supports in ways that promote health and well-being. Non-discrimination laws ensure that these supports are available to everyone who needs them and that decisions are made in ways that protect a youth and family's best interest. Anything less obstructs system efforts and requirements to promote well-being.



**7. Utilize Performance-Based Contracting to Ensure Providers are Affirming.** To meet the mandates and increase the provision of prevention services included in FFPSA, states must identify and contract with community-based organizations to provide prevention services, kinship navigator services, family-based foster care, QRTPs, and specialized congregate care facilities. States are entrusted to make decisions about service referrals and placements in ways that promote the best possible outcomes for the developmental health and security of the youth involved with child welfare. In addition to non-discrimination policies, systems should utilize performance-based contracting to ensure all providers—including those providing placements and prevention services—are affirming of the identities of the youth and families they serve, particularly LGBTQ+ youth and families. Performance-based contracting can be an effective strategy to promote family preservation and timely permanency by ensuring that agency staff are considering every possible, qualified option to ensure a caring home for children and youth by serve birth, foster, and adoptive parents regardless of their

race, ethnicity, SOGIE, or religion. Additionally, performance-based contracts should include expectations around training to ensure non-discrimination and accountability mechanisms for all contracted child-welfare providers.

**8. Ensure Accountability Mechanisms Are Effective in Addressing Discrimination Concerns.** Through increasing the prevention service continuum and reforming the existing placement array, states must ensure these providers operate in ways that affirm the identities of all the youth and families they serve. States must establish a meaningful accountability structure that includes an ombudsperson and youth bill of rights. In order for these functions to be helpful, they should be easily accessible, responsive, and have the ability to lead to real change. For example, an ombudsperson must have the authority to enact meaningful solutions on both a case-by case and systemic level. In addition, states must have human resource policies in place to support affirming practice by all state and contracted partners and providers.

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## Endnotes

<sup>1</sup><https://cssp.org/wp-content/uploads/2018/10/Family-First-Prevention-Services-Act-of-2018.pdf>

<sup>2</sup>We use the term LGBTQ+ expansively in the broadest sense possible. There are many other acronyms that reflect the diverse range of sexual orientations, gender identities and gender expressions. However, we use LGBTQ+ to be uniform and brief. Language is constantly evolving, and so is this acronym. Through our work with youth and families we know that these categories are not always the most welcoming or appropriate terms. For example, youth may identify as gender queer or gender fluid. The term gender expansive is also frequently used in the field. Some youth with tribal affiliation identify as two spirited.

<sup>3</sup>Martin, M., Down, L., & Erney, R. (2016). *Out of the Shadows: Supporting LGBTQ youth in child welfare through cross-system collaboration*. Washington, DC: Center for the Study of Social Policy. Available at: <https://cssp.org/resource/out-of-the-shadows/>.

