



**State Policies Concerning LGBTQ Youth** *(research current as of September 2014\*)*

Areas Covered: Public accommodations, social services (general), child welfare (specific services and programs), foster care (including child care centers, housing and training), juvenile detention/services, school and educational facilities and social worker guidelines

Alabama		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	<i>Ex Parte H.H.</i> , 830 So.2d 21 (Alabama 2002)	Case on child custody and LGBTQ caregivers: “The common law adopted in this State and upon which our laws are premised likewise declares homosexuality to be detestable and an abominable sin. Homosexual conduct by its very nature is immoral, and its consequences are inherently destructive to the natural order of society. Any person who engages in such conduct is presumptively unfit to have custody of minor children under the laws of this state.”
	Ala. Code 1975 § 24-8-4, “Unlawful discriminatory housing practices”	The Alabama Fair Housing Laws do not protect against discrimination on the basis of sexual orientation or gender identity.
Social Services (general)	AL ADC 660-1-1-.05 “Nondiscrimination in Programs”	The Department of Human Resources does not include sexual orientation or gender identity in its nondiscrimination policy for the provision of services.

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<b>Child Welfare (specific services and programs)</b>	AL ADC 660-5-34.02, “Protective Services as Specialized Social Services”	<p>Included in the list of abuse/neglect, and thus requires mandatory Child Abuse/Neglect reporting:</p> <ul style="list-style-type: none"> <li>• “Bizarre Discipline is extreme or aberrant disciplinary actions, events, and/or devices, used in an attempt to set behavioral standards or to modify behavior, which are manifestly over-reactive to the child's behavior and the disciplinary situation; and which place the child at risk of serious harm.”</li> <li>• “Failure to provide supervision, care, and/or guidance, that protects children from serious physical harm or sexual abuse”</li> <li>• “Mental Abuse/Neglect is extreme or aberrant behavior that directly results in severe impairment to a child's functioning. This allegation is based on a mental health professionals' written evaluation after the mental health professional is informed in writing of the Department's definition of mental abuse/neglect. The written evaluation must specify that the cited behavior fits within the department's definition in order for the allegation definition to be indicated.”</li> </ul>
	Alabama Department of Human Resources, Food Assistant Division discrimination policy (found at <a href="http://dhr.alabama.gov/services/Food_Assistance/Food_Assistance_Division.aspx">http://dhr.alabama.gov/services/Food_Assistance/Food_Assistance_Division.aspx</a> )	While the policy listed on the website does not specifically prohibit discrimination on the basis of sexual orientation or gender identity, the policy does say that “The eligibility rules and benefits amounts, based on income and household size, are determined by regulations issued by the United States Department of Agriculture (USDA), Food and Nutrition Service. USDA is an equal opportunity provider and employer.” To be in accordance with current USDA policy, a program must not discriminate on the basis of sexual orientation or gender identity. For the full USDA policy, please visit: <a href="http://www.usda.gov/wps/portal/usda/usdahome?navid=NON_DISCRIMINATION">http://www.usda.gov/wps/portal/usda/usdahome?navid=NON_DISCRIMINATION</a> .
	Alabama Department of Human Resources, “Your Rights” (found at <a href="http://dhr.alabama.gov/services/child_support_services/Your_Rights.aspx">http://dhr.alabama.gov/services/child_support_services/Your_Rights.aspx</a> )	The nondiscrimination policy for state-provided child support services does not include sexual orientation or gender identity.
<b>Foster Care (including child care centers, housing and training)</b>	AL ADC 660-5-37-.04 “Program”	<p>Regulations for Foster Care: “Clothing shall be stylish, properly fit, clean, and of good quality and appearance...the clothing shall not be different from clothes worn by children in the community. Children shall have a part in the selection of their clothes.”</p> <p>“Punishment...Harsh and humiliating punishment, including corporal punishment, physical or emotional abuse, is prohibited. Verbal abuse of a child and derogatory remarks about a child or his/her family is prohibited. Punishment shall not be administered by peers.”</p>
	AL ADC 660-5-37-.02 “Personnel”	“Any child care facility accepting referrals from the Department of Human Resources shall be certified by the Department as being in compliance with all laws pertaining to non-discrimination” (only includes Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 and the ADA; does not include LGBTQ status)

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	AL ADC 950-1-10-.06 “Training requirements”	Training requirements for staff at Comprehensive Youth Centers does not specifically include LGBTQ sensitivity training, but does encourage “attendance in specialized workshops and child care conferences.”
<b>Juvenile Detention Facilities</b>	AL ADC 950-1-6-.07 “Juvenile Services”	Does not include sexual orientation or gender identity in its nondiscrimination policy for residential facilities and programs.
	AL ADC 950-1-3-.10, “Ethical Standards”	Service providers who provide treatment to juvenile sex offenders “will deliver services in a manner that maintains the dignity and worth of the client. Furthermore, providers should be knowledgeable about, sensitive to, and competent to practice with diverse ethnic, racial, social, and cultural groups.”
	AL ADC 950-1-6-.05, “Physical Standards”	Juvenile residential facilities are required to have “written, policy, procedure, and practice [that] specify that juveniles are not subjected to corporal or unusual punishment, humiliation, mental abuse, or punitive interference with the daily functions of living, such as eating or sleeping.”
<b>School and Educational Facilities</b>	AL ADC 290-3-3-.50 “School Counseling”	Prospective school counselors shall demonstrate “knowledge of counselor’s roles in eliminating biases, prejudices, and processes of intentional and unintentional oppression and discrimination.”  Counselors must also demonstrate “knowledge of multicultural counseling issues, as well as the impact of ability levels, stereotyping, family, socioeconomic status, gender, and sexual identity, and their effects on student achievement.”
	AL ADC 290-3-3-.03 “Alabama Quality Teaching Standards”	Teachers have to have “knowledge of cultural, ethnic, gender, linguistic, and socioeconomic differences and how these may affect individual learner needs, preferences, and styles.”
<b>Social Worker Guidelines</b>	AL ADC 850-X-9-.01 “Standards of Professional Conduct and Ethics”	“The social worker shall act to prevent practices that are inhumane or discriminatory against any person or group of persons.” However, the list of specifically barred discriminatory practices does not include discrimination on the basis of sexual orientation or gender identity.

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Alaska		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
<b>General Non Discrimination</b>	Alaska Stat. Ann. § 18.80.230 (West), “Unlawful practices in places of public accommodation”	Does not specifically prohibit discrimination on the basis of sexual orientation or gender identity in service and access to public accommodations
<b>Social Services (general)</b>	7 AK ADC 105.400 “Grounds for sanctioning providers” (Medicaid)	The nondiscrimination policy for Medicaid providers does not specifically bar discrimination on the basis of sexual orientation or gender identity.
	7 AK ADC 12.534 “Civil rights of recipients of services”	Providers of social services are not specifically barred from discriminating on the basis of sexual orientation or gender identity.
<b>Child Welfare</b>	7 AK ADC 12.534 “Patients rights”	Patients in Home Health Agencies <sup>1</sup> have the right to “appropriate and professional quality home health care services...provided without discrimination based on race, creed, color, religion, sex, national origin, sexual preference, age, or diagnosis, but an agency may limit its practice to the provision of care or services for patients with a specific disease or diagnosis without violating this paragraph.”
<b>Foster Care (including child care centers, housing and training)</b>	15 AK ADC 154.755 “Equal opportunity”	Grant programs (including homeless assistance grants and multifamily affordable housing development grants) are not specifically barred from discriminating on the basis of sexual orientation or gender identity
	“Your Life – Your Future”: Insider Info on Residential Programs from Youth Who Have Been There”	“Any youth [in residential programs] who is lesbian, gay, bisexual, transgender, questioning, intersex or two-spirit (LGBTQI2-S) has the right to be safe and treated with dignity and respect.”
<b>Juvenile Detention Facilities</b>	7 AK ADC 52.435 “Religious Activity”	“Participation in religious services conducted at a facility is voluntary.”
	7 AK ADC 52.080, “Resident Cleanliness and Grooming”	“Residents may adopt any hairstyle or length, if it is kept clean. However, when health-care personnel find that the length or style presents a health or sanitation problem, or the superintendent or superintendent's designee determines that the haircut or style identifies the juvenile as a gang member, the facility may require the resident to trim or cut the resident's hair or wear a hair net or other covering to alleviate the problem.”
	7 AK ADC 52.140, “Staff performance”	“The superintendent shall adopt a list of acts of staff that are prohibited. The list must include the use of unnecessary force on a resident, providing a resident with contraband, carrying a concealed weapon while on duty, sexual contact with a resident, and gross disrespect or harassment of a resident.”

<sup>1</sup> The definitions section of this statute defines a “home health agency” as “a public or private entity that is primarily engaged in the provision of skilled nursing care and therapeutic services, but not the treatment of mental illness, in a patient’s home.”

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<b>School and Educational Facilities</b>	Alaska Department of Education, “Sample Issues and Areas to Consider when Developing Local Policies for Harassment, Intimidation, and Bullying” (found at <a href="http://www.eed.alaska.gov/tls/schoolsafety/Docs/Sample_Issues_and_Areas.pdf">http://www.eed.alaska.gov/tls/schoolsafety/Docs/Sample_Issues_and_Areas.pdf</a> )	<p>“Districts should consider providing definitions of the terms based on Alaska law and further developing definitions and conditions, such as:</p> <p>Alaska law defines “harassment, intimidation, or bullying” to mean an intentional written, oral, or physical act, when the act is undertaken with the intent of threatening, intimidating, harassing, or frightening the student, and</p> <p>(A)physically harms the student or damages the student’s property</p> <p>(B)has the effect of substantially interfering with the student’s education</p> <p>(C)is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or</p> <p>(D)has the effect of substantially disrupting the orderly operation of the school;</p> <p>Harassment, intimidation, and bullying of students by other students, school officials, faculty, staff, and volunteers who have direct contact with students will not be tolerated in the school district. The school district prohibits harassment, bullying, intimidation, hazing, or any other victimization based on personal characteristics including real or perceived race, sex, creed, color, national origin, religion, marital status, disability, sexual orientation, physical appearance, and/or personality characteristics. This policy is in effect while students are on property within the jurisdiction of the school district; while on school owned and/or school operated vehicles; and while attending or engaged in school sponsored activities. If after an investigation a student is found to be in violation of this policy, the student shall be disciplined by measures up to and including suspension and expulsion.”</p>
	20 AK ADC 10.020, “Code of ethics and teaching standards”	<p>The code of ethics and teaching standards for educators includes:</p> <ul style="list-style-type: none"> <li>• An educator “may not deliberately distort, suppress, or deny access to curricular materials or educational information in order to promote the personal view, interest, or goal of the educator”</li> <li>• An educator “may not expose a student to unnecessary embarrassment or disparagement”</li> <li>• An educator “may not harass, discriminate against, or grant a discriminatory advantage to a student on the grounds of race, color, creed, sex, national origin, marital status, political or religious beliefs, physical or mental conditions, family, social, or cultural background, or sexual orientation; shall make reasonable effort to assure that a student is protected from harassment or discrimination on these grounds; and may not engage in a course of conduct that would encourage a reasonable student to develop a prejudice on these grounds.”</li> <li>• An educator “shall accord just and equitable treatment to all students as they exercise their educational rights and responsibilities.”</li> <li>• An educator “shall take reasonable precautions to distinguish between the educator’s personal views and those of any educational institution or organization with which the educator is affiliated.”</li> </ul>
<b>Social Worker Guidelines</b>	12 AK ADC 18.150 “Social worker code of ethics”	Alaska has adopted the Code of Ethics of the National Association of Social Workers, which states that “Social workers should not practice, condone, facilitate, or collaborate with any forms of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical disability.” <sup>2</sup>

<sup>2</sup> See the Code of Ethics of the National Association of Social Workers, section 4.02 “Discrimination”

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Arizona		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
<b>General Non Discrimination</b>	A.R.S. § 41-1442, “Discrimination in places of public accommodation; exceptions”	The general nondiscrimination policy for public accommodations does not include sexual orientation or gender identity in its list of prohibited forms of discrimination.
<b>Social Services (general)</b>	AZ ADC R9-21-201, “Civil and Other Legal Rights”	The Department of Health Services grants clients with serious mental illness “the right to be free from unlawful discrimination by the Department or by any mental health agency on the basis of race, creed, religion, sex, sexual preference, age, physical or mental handicap or degree of handicap; provided, however, classifications based on age, sex, category or degree of handicap shall not be considered discriminatory, if based on written criteria of client selection developed by a mental health agency and approved by the Department as necessary to the safe operation of the mental health agency and in the best interests of the clients involved.”
	A.A.C. R9-20-1202 “Standards for a Level 4 Transitional Agency”	Clients of a Level 4 Transitional Agency <sup>3</sup> have the right “to receive services...without discrimination based upon race, national origin, religion, gender, sexual orientation, age, disability, marital status, diagnosis, legal status, or method of payment” (the same is true for a Level 1 Transitional Agency).
<b>Child Welfare (specific services and programs)</b>	DCYF <sup>4</sup> Policy and Procedure Manual, Chapter 5: Section 34, “Independent Living Services & Supports” (found at <a href="https://extranet.azdes.gov/dcyfpolicy/#05_Child_Permanency/35_37_Independent%20Living/05_35_il_implementing_services_support.htm">https://extranet.azdes.gov/dcyfpolicy/#05_Child_Permanency/35_37_Independent%20Living/05_35_il_implementing_services_support.htm</a> )	<p>“All youth in out of home care who are age 16 and older shall have an Independent Living plan which supports their individual transition to adulthood including the development of daily living skills, and complements other services being provided towards attainment of the assigned permanency goal... The department shall make every effort to ensure a diverse array of services and resources are identified to assist teens to address their needs, including any special needs or concerns related to their sexual orientation and/or gender identity.”</p> <p>Procedural policies include detailed descriptions of proper documentation, interviews, and question guidelines for providing for LGBTQ youth and any discrimination they may face or experience.</p>
	DCYF Policy and Procedure Manual, Chapter 5: Section 36, “Independent Living Subsidy Program” (found at <a href="https://extranet.azdes.gov/dcyfpolicy/#05_Child_Permanency/35_37_Independent%20Living/05_35_il_implementing_services_support.htm">https://extranet.azdes.gov/dcyfpolicy/#05_Child_Permanency/35_37_Independent%20Living/05_35_il_implementing_services_support.htm</a> )	“The Independent Living Subsidy is available to eligible youth in foster care and to young adults who are residents of Arizona and have signed a voluntary agreement for continued care after age 18, but may not extend past the youth’s 21st birthday... The department, in determining eligibility for Independent Living Subsidy, shall not discriminate based on the youth’s race, national origin, ethnicity, religious or spiritual beliefs, gender or perceived gender identity, gender expression, sexual orientation, child-bearing or parenting status, or for youth age 18 and older, marital status.”

<sup>3</sup> A “Level 4 transition agency” is an “agency that provides accommodations where a client receives support to assist the client in managing a crisis situation, or an opportunity to enhance the client’s independent living skills.” AZ ADC R9-20-101, “Definitions.”

<sup>4</sup> Division of Children, Youth, and Families

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	<a href="#">olicy/#05_Child Permanency/35_37_Independent%20Living/05_37_independent_subsidy_program.htm)</a>	
<b>Foster Care (including child care centers, housing and training)</b>	DCYF Policy and Procedure Manual, Chapter 4: Section 5, “Placement Needs of Children in Out-of-Home Care” (found at <a href="https://extranet.azdes.gov/dcyfpolicy/#04_Out_of_Home_Care/04_05_placement_needs_children_OOH_care.htm">https://extranet.azdes.gov/dcyfpolicy/#04_Out_of_Home_Care/04_05_placement_needs_children_OOH_care.htm</a> )	“The department shall complete an individual assessment of the placement needs for every child who requires out-of-home care prior to placement in out-of-home care.” This assessment should include a “thorough consideration of the characteristics of the child: age, gender, religion, primary language, perceived or identified sexual orientation and gender identity”
	DCYF Policy and Procedure Manual, Chapter 4: Section 7, “Placing Children in Out-of-Home Care (found at <a href="https://extranet.azdes.gov/dcyfpolicy/#04_Out_of_Home_Care/04_08_placing_children_in_OOHC.htm">https://extranet.azdes.gov/dcyfpolicy/#04_Out_of_Home_Care/04_08_placing_children_in_OOHC.htm</a> )	At the time of placement, the provider must be given information concerning the child’s sexual orientation.
	A.R.S. Ann. § 8-529 “Children in foster care; rights”	Children in foster care have the right to “live in a safe, healthy, and comfortable placement where the child can receive reasonable protection from harm and appropriate privacy for personal needs and where the child is treated with respect.” Children in foster care only have a right to personal possessions at home “that are not offensive to the foster family and to acquire additional possessions within reasonable limits, as planned and discussed with the child’s foster parent, placement worker and caseworker, and based on caregiver ability.” Also, if the child who is in foster care is at least 16 years old, the child has the right to “request a court hearing for a court to determine if the child has a capacity to consent to medical care that is directly related to an illness, disease, deformity, or other physical malady.”
<b>Juvenile Detention Facilities</b>	State of Arizona Juvenile Detention Standards, Section II D I, “Juvenile Rights” (found at <a href="http://azcourts.gov/Portals/29/JJSD%20Publication%20Reports/DetentionStandards04202011.pdf">http://azcourts.gov/Portals/29/JJSD%20Publication%20Reports/DetentionStandards04202011.p</a> df)	D1.1: “The director of juvenile court services shall develop written policies and procedures to assure the rights of juveniles while in secure care, including, but not limited to...freedom from discrimination: Juveniles shall not be subjected to discrimination based on race, national origin, religion, gender, sexual orientation, physical or mental disability.”

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<b>School and Educational Facilities</b>	A.A.C. R7-2-1308 “Unprofessional and Immoral Conduct”	Individuals certified by the State Board of Education are prohibited from discriminating or harassing “any pupil or school employee on the basis of race, national origin, religion, sex, including sexual orientation, disability, color, or age.”
<b>Social Worker Guidelines</b>	A.A.C R4-6-404, “Clinical Supervision for Clinical Social Worker Licensure”	“During the supervised work experience required in R4-6-403, an applicant for clinical social worker licensure shall demonstrate satisfactory performance in the following areas: assessment, diagnostics, individual and group psychotherapy, referrals, personal integrity, appropriate use of supervision, insight into client's problems, objectivity, ethics, concern for welfare of clients, responsibility, boundaries, recognition of own limits, and confidentiality by having the applicant's clinical supervisor submit a performance evaluation on forms available from the agency.”
	A.R.S. § 32-3251, “Definitions”	<p>The definition of “unprofessional conduct” for Behavioral Health Professionals (which includes social worker) includes:</p> <ul style="list-style-type: none"> <li>• “Any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession or that constitutes a danger to the health, welfare or safety of a client.”</li> <li>• “Failing or refusing to maintain adequate records of behavioral health services provided to a client”</li> <li>• “Providing behavioral health services that are clinically unjustified or unsafe or otherwise engaging in activities as a licensee that are unprofessional by current standards of practice.”</li> <li>• “Terminating behavioral health services to a client without making an appropriate referral for continuation of care for the client if continuing behavioral health services are indicated.”</li> </ul>

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Arkansas		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	A.C.A § 21-12-103, “Discrimination”	State agency officers are not specifically barred from discriminating on the basis of sexual orientation or gender identity.
Social Services (general)	Ark. Admin Code 016.14.2-1009 “Equal Opportunity/Affirmative Action Policy”	The Arkansas Department of Human Services Equal Opportunity/Affirmative Action Policy does not include sexual orientation.
	AR ADC 016.14.3-3400, “Scope of Discriminatory Practices Prohibited”	The DHS does not prohibit its employees from discriminating on the basis of sexual orientation or gender identity when providing services to clients.
	Ark. Code. Ann. § 9-4-106, “Arkansas Domestic Peace Act”	Requires every domestic violence shelter to develop and implement a written nondiscrimination policy to provide services without regard to race, religion, color, age, marital status, national origin, ancestry, or sexual preference.”
Child Welfare (specific services and programs)	AR ADC 016.15.4-I-B, “Child Welfare Delivery System”	The Division of Child and Family Services nondiscrimination policy does not prohibit discrimination based on sexual orientation or gender identity in regards to the provision of services.
Foster Care (including child care centers, housing and training)	AR ADC 016.15.3-5, “Approval, Training, & Support of Foster Homes”	“Households that contain an adult, who is cohabiting with a sexual partner outside of a marriage which is valid under the constitution and laws of this state, may not participate in foster care. This prohibition applies equally to cohabiting opposite-sex and same-sex individuals. Additionally, there may not be any other adults in the home cohabiting with a sexual partner outside of a marriage which is valid under the constitution and laws of this state.”
	Arkansas DCFS Foster Parent Handbook, “Responsibilities of foster parents to DCFS, the child, and the child’s family” (found at <a href="http://humanservices.arkansas.gov/dcfs/DCFSpublications/PUB-030.pdf">http://humanservices.arkansas.gov/dcfs/DCFSpublications/PUB-030.pdf</a> )	<p>Foster parents must provide children with clothing that is “clean, well-fitted, seasonal, appropriate to age and sex, and comparable to community standards.”</p> <p>Foster parents must also “allow foster children to acquire and keep personal belongings.”</p> <p>Prohibited forms of punishment include:</p> <ul style="list-style-type: none"> <li>• Cruel, severe, or humiliating actions</li> <li>• Humiliation in public</li> <li>• Denial of meals, clothing, or shelter</li> </ul>

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	Arkansas DCFS Foster Parent Handbook, “Training” (found at <a href="http://humanservices.arkansas.gov/dcfs/DCFSpublications/PUB-030.pdf">http://humanservices.arkansas.gov/dcfs/DCFSpublications/PUB-030.pdf</a> )	“As foster parenting is far too complex to be covered in one course, DCFS will provide opportunities for training of prospective foster parents and training related to the special needs of children in out-of-home placements. An individualized training plan will be developed taking into consideration the age and characteristics of children for whom the foster parent has expressed preferences.”
<b>Juvenile Detention Facilities</b>	ACT 1055 H.B. 1848, “Children And Minors—Juvenile Code—Amendments”	Classifies a child who “has been a victim of human trafficking as a result of threats, coercion, or fraud” as a “dependent juvenile.” If a parent “knew or should have known the child was a victim of human trafficking as a result of threats, coercion, or fraud, the child is not a dependent juvenile but may be dependent-neglected.” If there is an open dependency-neglect proceeding, the custodian of the juvenile shall not make the following decisions without receiving “express court approval”: <ul style="list-style-type: none"> <li>• Consent to the removal of bodily organs, unless the procedure is necessary to save the life of the juvenile</li> <li>• The amputation of any body part</li> </ul>
	A.C.A § 9-27-349, “Compliance with federal acts”	Juvenile detention facilities in Arkansas are governed by the Federal Juvenile Justice Act of 1974, which does not specifically prohibit discrimination on the basis of sexual orientation or gender identity.
	Arkansas Juvenile Detention Facilities Standards (found at <a href="http://www.dfa.arkansas.gov/offices/criminalDetention/Documents/juvenileStandards.pdf">http://www.dfa.arkansas.gov/offices/criminalDetention/Documents/juvenileStandards.pdf</a> )	The list of enumerated juvenile rights in detention does not specifically prohibit discrimination on the basis of sexual orientation or gender identity.  Rights include: <ul style="list-style-type: none"> <li>• “Equal access for male and female juveniles to all programs and services offered at a facility housing both sexes”</li> <li>• “Participation in religious services and religious counseling on a volunteer basis”</li> <li>• “Not to be subject to corporal or unusual punishment, humiliation, mental abuse or punitive interference with daily functions of living such as eating or sleeping.”</li> <li>• “To determine length and style of their hair, except in individual cases where such restrictions are necessary for reasons of health and safety”</li> <li>• “To keep facial hair, if desired, except in individual cases where such restrictions are necessary for reasons of health and safety”</li> <li>• “To wear personal clothing or combinations of their own and facility clothing consistent with facility guidelines”</li> </ul>
<b>School and Educational Facilities</b>	AR ADC 005.15.17-4.00 “General Guidelines and Minimum Requirements”	School districts and officials are not specifically barred from discriminating on the basis of sexual orientation or gender identity.
<b>Social Worker Guidelines</b>	AR ADC 120.00.1-XI, “Definition of Unprofessional Conduct”	The Arkansas definition of “unprofessional conduct” for social workers does not include denying services because of sexual orientation or gender identity. However, the definition does include “intentionally or recklessly causing physical or emotional harm to a client.”

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California		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	CA CIVIL § 51, “Unruh Civil Rights Act; equal rights; business establishments; violation”	<p>“All persons within the jurisdiction of this state are free and equal, and no matter what their sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, or sexual orientation, are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.”</p> <p>The definition of “sex” includes “but is not limited to, a person’s gender. “Gender expression” means a person’s gender-related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.”</p> <p>“Sexual orientation’ means heterosexuality, homosexuality, and bisexuality.”</p>
Social Services (general)	“Your Rights Under California Welfare Programs,” pamphlet published by the California Civil Rights Bureau (found at <a href="http://www.dss.cahwnet.gov/cdsweb/entres/forms/English/pub13.pdf">http://www.dss.cahwnet.gov/cdsweb/entres/forms/English/pub13.pdf</a> )	“Under state law, welfare agencies may not provide you aid, benefits or services that is different from aid provided to others on the basis of race, color, national origin (including language) ethnic group identification, age, disability, religion, sex, sexual orientation, political affiliation, marital status, or domestic partnership.”
Child Welfare (specific services and programs)	22 CA ADC §86065, “Personnel Requirements”	Transitional Housing Placement Program personnel must all receive training that “shall address the child’s right to have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.”
Foster Care (including child care centers, housing and training)	Ca. Health & Safety Code § 1529.2, “Foster Care Nondiscrimination Act”	All foster children have a right to “fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.”
	Cal. Welf. & Inst. Code § 16001.9 “Rights of children in foster care”	Foster children have a right “to have caregivers and child welfare personnel who have received instruction on cultural competency and sensitivity training relating to, and best practices for, providing adequate care to lesbian, gay, bisexual, and transgender youth in out-of-home care.”
	Cal. Health & Safety Code §1592.2 , “Programs to supplement community college training; preplacement and postplacement training; waivers	Foster family agencies are required to provide training for certified foster families that includes “instruction on cultural competency and sensitivity relating to, and best practices for, providing adequate care to lesbian, gay, bisexual and transgender youth in out-of-home care.”

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	Cal. Welf. & Inst. Code §16003, “Relative caregiver or nonrelative extended family member caregiver; orientation and training programs”	Sensitivity training concerning LGBT youth is also required for “relative or nonrelative extended family member caregivers into whose care the county has placed a foster child.”
<b>Juvenile Detention Facilities</b>	15 CA ADC § 1324, “Policy and Procedures Manual”	Juvenile detention facilities administrators must “develop, publish, and implement a manual of written policies and procedures that address...a non-discrimination provision that provides that all minors within the facility shall have fair and equal access to all available services, placement, care, treatment, and benefits, and provides that no person shall be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.”
<b>School and Educational Facilities</b>	5 CCR § 4900, “Purpose,”	“All educational programs and activities under the jurisdiction of the State Board of Education receiving or benefiting from state or federal financial assistance shall be available to all qualified persons without regard to sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.”
	5 CCR § 4910, “General Definitions”	<p>“Gender’ means sex, and includes a person’s gender identity and gender related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.”</p> <p>“Sexual orientation’ means actual or perceived heterosexuality, homosexuality, or bisexuality.”</p>
<b>Social Worker Guidelines</b>	16 CCR § 1807, “Human Sexuality Training”	Clinical social workers (as well as marriage and family therapists and professional clinical counselors) are required to undergo 10 hours (minimum) of Human Sexuality Training coursework. This coursework must “include the study of physiological-psychological and social-cultural variables associated with sexual identity, sexual behavior, or sexual disorders.”
<b>Pupil rights: sex-segregated school programs and activities</b>	AB 1266 added this language to Education Code section 221.5	A pupil shall be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with his or her gender identity, irrespective of the gender listed on the pupil’s records

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Colorado		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	3 CCR 708-1:81, “Sexual Orientation Discrimination Rules”	<p>1.1: Statement of Purpose: “The Rules in this section have been adopted to contribute to the elimination of discrimination on the basis of sexual orientation, inclusive of transgender status, in employment, housing, public accommodations, and advertising.”</p> <p>1.8: Sexual Orientation Harassment: “Unlawful harassment is severe or pervasive conduct that creates an environment that is subjectively and objectively hostile, intimidating, or offensive on the basis of sexual orientation. Prohibited conduct includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Asking unwelcome personal questions about an individual’s sexual orientation</li> <li>• Intentionally causing distress to an individual by disclosing to others the individual’s sexual orientation</li> <li>• Using offensive names or terminology regarding an individual’s sexual orientation or</li> <li>• Deliberately misusing an individual’s preferred name, form of address, or gender related pronoun.</li> </ul> <p>An individual alleging harassment based upon sexual orientation must take advantage of any corrective or remedial measures made available by a covered entity, unless pursuing such a complaint would be futile or impractical. A covered entity shall initiate a reasonable investigation and take prompt and effective remedial action, if appropriate.”</p> <p>1.5 “Pre-Employment &amp; Other Inquiries: “Any inquiry in connection with prospective employment, housing, public accommodations, or advertising, that expresses directly or indirectly any limitation, specification, or discrimination as to sexual orientation shall be unlawful.”</p> <p>1.10: Dress &amp; Grooming Standards: “Covered entities may prescribe standards of dress or grooming that serve a reasonable business or institutional purpose, provided that they shall not require an individual to dress or groom in a manner inconsistent with the individual’s gender identity.”</p> <p>1.11: Gender-Segregated Facilities: while nothing in the Act prohibits segregation of facilities on the basis of gender, “all covered entities shall allow individuals the use of gender-segregated facilities that are consistent with their gender identities.” Facilities covered by the regulation include, but are not limited to, “restrooms, locker rooms, dressing rooms, and dormitories.” “In gender-segregated facilities where undressing in the presence of others occurs, covered entities shall make reasonable accommodations to allow access consistent with an individual’s gender identity.”</p>
Social Services (general)	California Department of Social Services, “FAQs for Clients/Recipients” (found at	The protective bases of discrimination referred to by the Department of Social Services are “race, color, national origin, age, religion, marital status, sex, sexual orientation, disability, and political affiliation.”

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	<a href="http://www.cdss.ca.gov/civilrights/PG597.htm#7">http://www.cdss.ca.gov/civilrights/PG597.htm#7</a>	
<b>Child Welfare (specific services and programs)</b>	12 CO ADC 2509-3:7.2002., “Human Immunodeficiency Virus (HIV) Policy”	<p>Children and youth in the legal custody of social services shall be tested for HIV based on the following risk factors:</p> <ul style="list-style-type: none"> <li>• “Specific medical reasons for testing related to the well-being of the child or youth”</li> <li>• “Authority to test based on legal mandates or the informed consent of the client or those authorized to make medical decisions for the client”</li> </ul> <p>“Mandatory pre and post test counseling shall include age appropriate information regarding the illness, assistance in dealing with psycho and social issues, information about safer sex and a risk-reduction plan...In the event a child refuses to consent to testing for HIV, the medical care provider shall be requested to provide counseling to the child.”</p> <p>“Section 25-4-1405(6) C.R.S. allows for minors to be examined and treated for HIV infection without the consent of the parent or guardian. Further, if the minor is age 16 or older, the results of the examination or treatment need not be divulged to the minor's parent or guardian, or to any person, unless necessary under reporting requirements of Title 25 or Title 19, C.R.S.”</p>
<b>Foster Care (including child care centers, housing and training)</b>	12 CO ADC 2509-8:7.721.7., “Non-Discrimination”	Host families are not specifically barred from discriminating on the basis of sexual orientation or gender identity, but “any form of religious or cultural intervention used by the host family home to control or change a youth’s behavior, or treat or heal a medical condition, must be approved, in writing, by the legal guardian(s) of the youth prior to the use of the intervention.”
	C.R.S.A. § 19-7-101, “Protections for Youth in Foster Care—Legislative Declaration”	<p>Children in foster care have the right to “have fair and equal access to available services, placement, care, treatment, and benefits based on his or her treatment plan and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group, national origin, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.”</p> <p>Children in foster care also have the right “to be free to contact the child protection ombudsman, county department of social services, or the department of human services regarding any questions, concerns, or violations of the rights set forth in this article, to speak to representatives of those offices privately, and to be free from threats or punishment for making complaints.”</p>
	12 CO ADC 2509-8:7.714.3. “Religion, Rights and Grievance Procedures”	Every child in a 24-hour child care facility “has the right to the same consideration for care and treatment as anyone else regardless of race, color, national origin, religion, age, sex, political affiliation, sexual orientation, financial status or disability.”
<b>Juvenile Detention Facilities</b>	Colorado Department of Human Services Division of Youth Corrections, Policy Manual, Policy C 13.1, “Basic Rights and Responsibilities of Residents” (found at	The Division of Youth Corrections’ facilities nondiscrimination policy now includes sexual orientation and gender identity.

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	<a href="http://www.colorado.gov/cdhsdyc/CPolicies/C-13-1.pdf">http://www.colorado.gov/cdhsdyc/CPolicies/C-13-1.pdf</a>	
	Colorado Department of Human Services Division of Youth Corrections, Policy Manual, Policy 13.5, “Rights, Responsibilities of Residents Regarding Personal Appearance” (found at <a href="http://www.colorado.gov/cdhsdyc/P-13-5.pdf">http://www.colorado.gov/cdhsdyc/P-13-5.pdf</a> )	<p>“Juveniles have the right to determine the basic length and style of their hair within the limitations of the established guidelines of the facility, except in individual cases where additional specific restrictions are necessary for health or hygiene reasons.”</p> <p>But, “Hair length of committed male juveniles shall not exceed the bottom of the shirt collar,” and “hair of female juveniles shall be worn in a manner representative of the prevailing conventional hairstyles being worn within the general community.”</p> <p>“The Director of any detention center may choose to develop an incentive program allowing juveniles to dress in a manner that is considered conventional according to prevailing community standards.”</p>
<b>School and Educational Facilities</b>	1 CO ADC 301-37:2260.5-R-15.02, “Standards of Unethical Behavior”	Licensed educators may lose their license if they “provide or have [ever provided] professional services in a discriminatory manner regarding age, gender, sexual orientation, national origin, race, ethnicity, color, creed, religion, language, disability, socio-economic status, or status with regard to marriage.”
	Coy Mathis Case (found at <a href="http://mobile.nytimes.com/2013/06/24/us/agency-says-district-discriminated-against-transgender-student.html">http://mobile.nytimes.com/2013/06/24/us/agency-says-district-discriminated-against-transgender-student.html</a> )	The Colorado State Civil Rights Division found that telling a 6-year old transgender child that “she must disregard her identity while performing one of the most essential human functions [going to the bathroom] constitutes severe and pervasive treatment, and creates an environment that is objectively and subjectively hostile, intimidating or offensive.”
<b>Social Worker Guidelines</b>	C.R.S.A. § 12-43-403, “Social work practice defined”	<p>Social worker competency includes the ability to:</p> <ul style="list-style-type: none"> <li>• “Practice within the values and ethics of the social work profession and with an understanding of, and respect for, the positive value of diversity”</li> <li>• “Understand the forms and mechanisms of oppression and discrimination and the strategies and skills of change that advance social and economic justice”</li> </ul>

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Connecticut		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	C.G.S.A. § 46a-71 “Discriminatory practices by state agencies prohibited.”	<p>“All services of every state agency shall be performed without discrimination based upon race, color, religious creed, sex, gender identity or expression, marital status, age, national origin, ancestry, intellectual disability, mental disability, learning disability or physical disability including, but not limited to blindness.”</p> <p>“No state facility may be used in furtherance of any discrimination, nor may any state agency become party to any agreement, arrangement, or plan which has the effect of sanctioning discrimination.”</p> <p>“Each state agency shall analyze all of its operations to ascertain possible instances of noncompliance with this policy...and shall initiate comprehensive programs to remedy any defect found to exist.”</p>
	C.G.S.A. § 46a-81d, “Sexual orientation discrimination: Public accommodations”	“It shall be a discriminatory practice in violation of this section: (1) To deny any person within the jurisdiction of this state full and equal accommodations in any place of public accommodation, resort or amusement because of such person's sexual orientation or civil union status, subject only to the conditions and limitations established by law and applicable alike to all persons; or (2) to discriminate, segregate or separate on account of sexual orientation or civil union status.”
	C.G.S.A. § 46a-81i, “Sexual orientation discrimination: services of state agencies”	“All services of every state agency shall be performed without discrimination based upon sexual orientation.”
Social Services (general)	CT ADC § 17b-262-526, “Requirements for Provider Participation in the Connecticut Medical Assistance Program”	Medical providers in the Connecticut Medical Assistance Program are required to “abstain from discriminating or permitting discrimination against any person or group of persons on the basis of race, color, religious creed, age, marital status, national origin, sex, mental or physical disability, or sexual orientation.”
Child Welfare (specific services and programs)	CT ADC § 17a-147-31, “Referral Process”	Extended Day Treatment Programs <sup>5</sup> do not include sexual orientation or gender identity in its nondiscrimination policy.
	CT ADC § 17a-20-40, “Referral Process”	Outpatient Psychiatric Clinics for Children are required to “consider for admission all referrals regardless of race, sex, religion, sexual orientation, disabilities, or ethnic origin.”

<sup>5</sup> “Extended Day Treatment” is defined as “a supplementary care community-based program providing a comprehensive multidisciplinary approach to treatment and rehabilitation of emotionally disturbed, mentally ill, behaviorally disordered or multiply handicapped children and youth during the hours immediately before and after school while they reside with their parents or surrogate family, except any such program provided by a regional educational service center established in accordance with Section 10-66a of the Connecticut General Statutes.”

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<b>Foster Care (including child care centers, housing and training)</b>	C.G.S.A. § 4a-60, “Nondiscrimination and affirmative action provisions in contracts of the state and political subdivisions other than municipalities”	Every state contractor (including contracting for services and goods) must state in the contract that they “will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, intellectual disability, mental disability, or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved.”
	“LGBTQI Youth in Connecticut Foster Care Have Rights!” (pamphlet published by the Connecticut Department of Children and Families, found at <a href="http://www.ct.gov/dcf/lib/dcf/safe_harbor/pdf/children_rights_brochure.pdf">http://www.ct.gov/dcf/lib/dcf/safe_harbor/pdf/children_rights_brochure.pdf</a> )	<p>LGBTQI Youth in the Foster Care System rights include:</p> <ul style="list-style-type: none"> <li>• The right to “live in a safe, comfortable, home or facility, where you are treated with R-E-S-P-E-C-T.”</li> <li>• “If your foster parents will not accept your gender identity or sexual orientation and you feel unsafe, you have the right to request another placement”</li> <li>• “You have the right to attend activities for LGBTQI youth, like a gay prom, LGBTQI youth groups, and Gay-Straight Alliance (GSA) meetings. These activities can be included in your treatment plan to guarantee your involvement.”</li> <li>• “If other youth in your placement status and on your level can date, then you can too!”</li> <li>• “If you are being harassed or threatened by another youth or facility staff, your social worker must do something to stop it”</li> <li>• “No one can physically, sexually, or emotionally abuse you”</li> <li>• “You have the right to have friends and mentors outside of the foster care system, including LGBTQI youth and adults”</li> <li>• “You have the right to safe medical care that’s right for you”</li> <li>• “No one can harass you, tease you, or hurt you because of your inherent sexuality, gender identity, race, sex, physical or mental disability or because you are HIV positive.”</li> <li>• “You have the right to participate in religious activities, and you have the right to choose your religion and how you practice it. You also have the right <i>not</i> to participate in religious activities if you don’t want to.”</li> </ul> <p>The brochure also includes guides to filing grievances as well as contact information for LGBTQI resource organizations. For more information, please visit the link to the left.</p>
<b>Juvenile Detention Facilities</b>	The Connecticut Juvenile Justice System: A Guide for Youth and Families (developed in partnership with the Connecticut DCF, found at <a href="http://www.chdi.org/juvenilejusticeguide">http://www.chdi.org/juvenilejusticeguide</a> )	Children in detention have the “right to request a secure space or protection from violence if they feel threatened or endangered. Also, children have the right to be free from harassment or discrimination based on race, religion, sex, orientation, lifestyle, gender, or disability.”

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<b>School and Educational Facilities</b>	C.G.S.A. § 10-15c, “Discrimination in public schools prohibited. School attendance by five-year olds”	Public schools “shall be open to all children five years of age...and each child shall have, and shall be so advised by the appropriate school authorities, an equal opportunity to participate in the activities, programs, and courses of study offered in such public schools, at such time as the child becomes eligible to participate in such activities, programs and courses of study, without discrimination on account of race, color, sex, gender identity or expression, religion, national origin or sexual orientation.”
	Practice Guidelines for Delivery of School Social Work Services (found at <a href="http://ctserc.info/2-bts/Additional%20Resources/School%20Social%20Work%20Guidelines.pdf">http://ctserc.info/2-bts/Additional%20Resources/School%20Social%20Work%20Guidelines.pdf</a> )	“The State of Connecticut Department of Education is committed to a policy of equal opportunity/affirmative action for all qualified persons. The Department of Education does not discriminate in any employment practice, education program, or educational activity on the basis of race, color, religious creed, sex, age, national origin, ancestry, marital status, sexual orientation, gender identity or expression, disability (including, but not limited to, intellectual disability, past or present history of mental disorder, physical disability or learning disability), genetic information, or any other bias prohibited by Connecticut state and/or federal nondiscrimination laws.”
<b>Social Worker Guidelines</b>	Practice Guidelines for Delivery of School Social Work Services (found at <a href="http://ctserc.info/2-bts/Additional%20Resources/School%20Social%20Work%20Guidelines.pdf">http://ctserc.info/2-bts/Additional%20Resources/School%20Social%20Work%20Guidelines.pdf</a> )	<p>School social workers must have knowledge and understanding of “the broad range of experiences that shape a student’s approach to learning, such as socioeconomic status, gender, culture, disability, and sexual orientation.” They must also evaluate a student’s needs, taking into account factors such as “family dynamics, socioeconomics, culture, ethnicity, gender, sexual orientation, race, religion, and other factors.”</p> <p>School social workers must “provide leadership in identifying and disseminating research and best practice related to coordinated school health to ensure that the physical and mental health needs of all students are addressed, including, but not limited to: those who are at greater risk for chronic disease; Human Immunodeficiency Virus (HIV); other sexually transmitted diseases (STDs); and teen pregnancy. These students include, but are not limited to: youth of color; lesbian, gay, bisexual, transgender and questioning youth; youth identified with special needs; incarcerated youth; youth in alternative education programs; and youth who have been sexually abused.”</p> <p>School social workers must “nurture students’ lifelong respect and compassion for themselves and other human beings regardless of race, ethnic origin, gender, social class, disability, religion, or sexual orientation.”</p>
<b>Department of Children and Families</b>	"Non-Discrimination of LGBTQI Individuals" policy <a href="#">30-9</a> .	The Department shall not delay or deny mentoring services, or the placement of a child for adoption or into foster care, or discriminate against any person, including: children, youth and adolescents employees, agents of DCF and/or contracted individuals, biological, foster and/or adoptive parent(s), mentor(s), applicant(s) wishing to become a foster or adoptive parent(s) or mentor(s), who can meet all children’s needs on the basis of: gender identity/expression, marital/partner or cohabitation status or actual or perceived sexual orientation.

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Delaware		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	6 Del.C. § 4503, “Unlawful practices”	“No person being the owner, lessee, proprietor, manager, director, supervisor, superintendent, agent, or employee of any place of public accommodation, shall indirectly refuse, withhold from or deny to any person, on account of race, age, marital status, creed, color, sex, disability, sexual orientation, gender identity, or national origin, any accommodation, facilities, advantages or privileges thereof. A place of public accommodation may provide reasonable accommodations based on gender identity in areas of facilities where disrobing is likely, such as locker rooms or other changing facilities, which reasonable accommodations may include a separate or private place for the use of persons whose gender-related identity, appearance, or expression is different from their assigned sex at birth, provided that such reasonable accommodations are not inconsistent with the gender-related identity of such persons.”
Social Services (general)	16 Del. Admin. Code 5100-1006 “Guaranteeing Civil Rights and Non-Discrimination”	The Delaware Social Services manual does not include sexual orientation or gender identity in its nondiscrimination policy.
Child Welfare (specific services and programs)	Department of Services for Children Youth, and Their Families, State of Delaware, Division of Prevention and Behavioral Health Services Policy on Youth and Family Rights (found at <a href="http://kids.delaware.gov/pdfs/po1_pbh_cs008_YouthandFamilyRights_11-1-12.pdf">http://kids.delaware.gov/pdfs/po1_pbh_cs008_YouthandFamilyRights_11-1-12.pdf</a> )	Youth and family who receive services from the Division of Prevention and Behavioral Health Services “have the right to equal treatment with no discrimination because of race, national origin, ethnicity, gender, gender identity, sexual orientation, age, handicap, or religion.”
	Department of Services for Children, Youth, and Their Families, Departmental Policy, Conditions of Continued Employment – Standards of Conduct (found at <a href="http://kids.delaware.gov/pdfs/po1_dsc305_ContinuedEmployment_2012Aug.pdf">http://kids.delaware.gov/pdfs/po1_dsc305_ContinuedEmployment_2012Aug.pdf</a> )	<p>“No employee shall impose their personal values on a client.”</p> <p>“No employee shall use derogatory language in their written or verbal communications to or about clients, the client’s relatives, or other individuals with whom the client maintains a close personal relationship.”</p> <p>“All employees shall avoid unwarranted negative criticism of colleagues in communications with clients or with other professionals. Unwarranted negative criticism may include demeaning comments that refer to colleagues’ level of competence or to individuals’ attributes such as race, ethnicity, national origin, sex, sexual orientation, gender, age, political beliefs, religion, mental or physical disability.”</p>
	9 DE ADC 104-8.0, “Application Process”	The nondiscrimination policy for Large Family Child Care Homes does not include sexual orientation or gender identity.

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<b>Foster Care (including child care centers, housing and training)</b>	9 DE ADC 103-7.0, “Application Process”	The nondiscrimination policy for Family Child Care Homes does not include sexual orientation or gender identity.
	9 DE ADC 105-3.0, “General Provisions”	Residential treatment facilities “shall not require or coerce children to participate in religious services or activities, shall no discipline, discriminate against, or deny privileges to any child who chooses not to participate, and shall not reward any child who chooses to participate.”
<b>Juvenile Detention Facilities</b>	Delaware Division of Youth Rehabilitative Services, Policy No. 3.2, “Code of Ethics” (found at <a href="http://kids.delaware.gov/pdfs/po1_yrs_3.2_Code_of_Ethics.pdf">http://kids.delaware.gov/pdfs/po1_yrs_3.2_Code_of_Ethics.pdf</a> )	Professional Conduct guidelines for staff at DYRS juvenile facilities include: <ul style="list-style-type: none"> <li>• “The use of foul language or language that is discriminatory according to age, color, disability, ethnicity, gender, nationality, race, religion, or sexual preference is prohibited.”</li> <li>• “No staff will use his or her official position to promote any partisan political or religious purposes.”</li> <li>• “Staff will not discriminate against any juvenile, employee, or prospective employee on the basis of age, color, disability, ethnicity, gender, nationality, race, religion or sexual preference.”</li> </ul>
<b>School and Educational Facilities</b>	14 DE ADC 225, “Prohibition of Discrimination”	“No person in the State of Delaware shall, on the basis of race, color, religion, national origin, sex, sexual orientation, genetic information, marital status, disability, age or Vietnam Era veteran’s status be unlawfully excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving approval or financial assistance from or through the Delaware Department of Education.”
<b>Social Worker Guidelines</b>	24 DE ADC 3900-9.0, “Ethics”	A Licensed Clinical Social Worker “must not discriminate on the basis of age, sex, race, color, religion/spirituality, national origin, disability, political affiliation, or sexual orientation in the provision of services.”

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District of Columbia		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	D.C. Code § 2-1402.73, “Application to the District Government”	“Except as otherwise provided for by District law...it shall be unlawful discriminatory practice for a District government agency or office to limit or refuse to provide any facility, service, program, or benefit to any individual on the basis of an individual’s actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, disability, matriculation, political affiliation, source of income, or place of residence or business.”
Social Services (general)	D.C. Department of Human Services, General Rights of Applicants and Recipients (found at <a href="http://dhs.dc.gov/node/119092">http://dhs.dc.gov/node/119092</a> )	“No applicant/recipient shall be discriminated against in the application or recertification process, the provision of services, the receipt of benefits, or the fair hearings and grievance process on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, family responsibilities, matriculation, political affiliation, disability, source of income or place of residence or business.”
Child Welfare (specific services and programs)	29 DC ADC § 5618, “Non-Discrimination”	Medicaid Managed Care Program providers for children and youth with disabilities must “comply with all applicable laws, regulations, and orders that prohibit discrimination on the basis of race, age, sex, marital status, personal appearance, sexual orientation, family responsibilities, physical disability, education, political affiliation, source of income, and place of residence or business.”
	7 DC ADC § 402, “Non-discrimination and Equitable Services”	The Summer Youth JOBS program provides summer employment to DC youth between the ages of 14 and 21. “No person shall, on the grounds of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, family responsibilities, physical handicap, matriculation, political affiliation or belief be discriminated against, or denied employment as a participant, administrator, staff-person, in connection with any program under the [Summer Youth JOBS Act], except that where the Act specifies or limits the age range of the eligible population.”
	DC Child and Family Services Agency, Statement of Nondiscrimination (found at <a href="http://cfsa.dc.gov/publication/statement-nondiscrimination">http://cfsa.dc.gov/publication/statement-nondiscrimination</a> )	<p>“The DC Child and Family Services Agency (CFSA) upholds the letter and spirit of the DC Human Rights Act of 1977, as amended (DC Law 2-38, DC Official Code § 2-1401.01 et seq). CFSA and our employees, contractors, and other partners do not discriminate against anyone on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense, or place of residence or business.”</p> <p>The list of protected individuals includes:</p> <ul style="list-style-type: none"> <li>• Children, youth and families the Department services</li> <li>• Community members who report child abuse and neglect</li> <li>• Prospective and licensed foster parents</li> <li>• Prospective and approved adoptive parents</li> </ul>

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<b>Foster Care (including child care centers, housing and training)</b>	29 DC ADC § 2512, “Client Rights”	Clients of shelter and supportive housing for individuals and families “shall be able to access services within the Continuum of Care free from discrimination on the basis of race, color, religion, national origin, language, culture, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income and status as a victim of an intrafamily offense.”
	See also Child Welfare (specific services and programs, DC Child and Family Services Agency, Statement of Nondiscrimination)	
<b>Juvenile Detention Facilities</b>	DC Department of Youth Rehabilitation, “Your Rights” (found at <a href="http://dyrs.dc.gov/page/your-rights">http://dyrs.dc.gov/page/your-rights</a> )	Families and caregivers of youth who have been committed into DYRS custody have the right “to know that [families and youth] will be treated fairly regardless of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, genetic information, disability, matriculation, or political affiliation, and that each youth will be treated as an individual.”
<b>School and Educational Facilities</b>	5-E DC ADC § 1401, “Grounds for Adverse Action”	An employee of a public educational facility engages in adverse action (and may be fired, suspended, or demoted) when “he/she engages in verbal or physical conduct or communication relating to an individual’s actual or perceived race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, family responsibilities, political affiliation, disability, or source of income in a manner that denies or limits a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive environment for employees or others in the school environment such that it interferes with the employment duties of employees or the effective performance of the school-related functions of others.”
	5-B Dc ADC § B2502, “Grounds for Disciplinary Action”	DC Public School students who engage in “communicating slurs based on actual or perceived race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business including derogatory sexual language” are guilty of a Tier III behavior. Such behavior “may result in either on-site or off-site Suspension.”
	5-A DC ADC § 2824, “Policies and Procedures”	Employee policies of nonpublic special education schools and programs serving students with disabilities, funded by the District of Columbia, must include “a statement of equal employment/educational opportunities in regard to race, color, creed, religion, national origin, sex, sexual orientation and disability.”
<b>Social Worker Guidelines</b>	17 DC § 7011, “Standards of Conduct”	Licensed Social Workers must conform to the National Association of Social Workers Code of Ethics, which includes sexual orientation and gender identity or expression in its prohibited forms of discrimination.

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Florida		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	Fla. Stat. Ann. § 760.1, “Florida Civil Rights Act”	The Florida Civil Rights Act does not include sexual orientation or gender identity/expression in its nondiscrimination policy.
	<i>Freddette v. BVP Management Associates</i> , M.D.Fla. (1995)	Held that neither Title VII nor the Florida Human Rights Act support a claim of sexual discrimination among members of the same gender based on one’s sexual orientation or preference.
Social Services (general)	Department of Children and Families, CF Operating Procedure, No. 60-10, Chapter 2, “Informal Discrimination Complaint Procedure” (found at <a href="http://www.dcf.state.fl.us/admin/publications/cfops/060%20Personnel%20%28CFOP%2060-10,%20Chapter%202,%20Informal%20Discrimination%20Complaint%20Procedure.pdf">http://www.dcf.state.fl.us/admin/publications/cfops/060%20Personnel%20%28CFOP%2060-10,%20Chapter%202,%20Informal%20Discrimination%20Complaint%20Procedure.pdf</a> )	The general nondiscrimination policy of the Department of Children and Families does not include sexual orientation or gender identity in its nondiscrimination policy.
Child Welfare (specific services and programs)	65 FL ADC 65C-30.007, “Case Management Responsibilities”	“Normalcy for Adolescents and Teenagers in the Custody of the Department: The Services Worker and the licensed out-of-home caregiver shall provide “training and information, as appropriate to the child’s age and maturity level, concerning drug and alcohol use and abuse, teen sexuality issues, runaway prevention, health services, community involvement, knowledge of available resources, and in identifying legal issues, understanding his or her legal rights and accessing specific legal advice pertinent to him or her. These opportunities shall not be withheld as a form of discipline.”
	65 FL ADC 65C-31.005, “Transitional Support Services for Young Adults Formerly in Foster Care”	If a youth (aged 18-21) was formerly in foster care for at least 6 months, he or she has mandatory access to application for Transitional Support Services. “Service workers shall process a young adult’s request for assistance. If a young adult requests assistance in completing the application, the services worker shall provide the requested assistance. Each office of the department or its contracted service provider involved in serving young adults formerly in the custody of the department shall maintain application forms for the Road to Independence Scholarship, Transitional Support Services, and After care Support Services in a visible area and shall assist the youth with completing the application forms.”
	64 FL ADC 64B4-31.010, “Course Content”	Course requirements for Mental Health Counselors include “Social and Cultural Foundations” which means “multicultural and pluralistic trends including characteristics and concerns of diverse groups based on such factors as age, race, religious preference, physical disability, sexual orientation, ethnicity and culture, family patterns, gender, socioeconomic status, and intellectual ability.”

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<b>Foster Care (including child care centers, housing and training)</b>	65 FL ADC 65I-1.006, “Program Administration”	The nondiscrimination policy for emergency financial assistance for housing programs does not include sexual orientation or gender identity.
	65 FL ADC 65C-13.029, “Licensed Out-of-Home Team Member Roles”	<p>A child in out-of-home care “must be assisted in understanding and accepting who he or she is, and helped to deal with any feelings about his or her legal parents and the circumstances which brought him or her into out-of-home care.”</p> <p>“Children in out-of-home care shall be provided information as appropriate to their age and maturity level, concerning drug and alcohol use and abuse, teen sexuality issues, runaway prevention, health services, community involvement, knowledge of available resources, and in identifying legal issues. These opportunities shall not be withheld as a form of discipline.”</p> <p>“All children should be provided with their own clean, well-fitting, attractive clothing appropriate to their age, sex and individual needs, in keeping with community standards and appropriate to the season.”</p> <p>“All children must be allowed to bring, retain, and acquire personal belongings while in care. Licensed out-of-home caregivers must help each child protect and preserve possessions, which are important to the child.”</p> <p>“Licensed out-of-home caregivers shall not withhold meals, clothing, allowance, or shelter as a form of discipline.”</p> <p>“Licensed out-of-home caregivers shall not threaten a child with removal from the home or with a report to authorities as consequences for unacceptable behavior and shall not prohibit visitation with family and significant others as punishment.”</p>
<b>Juvenile Detention Facilities</b>	63 FL ADC 63D-9.002, “Detention Screening”	Juvenile Probation Officer Supervisors are required to ensure equality of treatment. Juvenile Probation Officers must not “discriminate based upon race, culture, gender, religion, ethnic origin, disability, sexual orientation, or socioeconomic status.”
<b>School and Educational Facilities</b>	6 FL ADC 6A-10.081, “Principles of Professional Conduct for the Education Profession in Florida”	<p>Licensed educators shall not:</p> <ul style="list-style-type: none"> <li>• “Intentionally suppress or distort subject matter relevant to a student’s academic program.”</li> <li>• “Intentionally violate or deny a student’s legal rights.”</li> <li>• “Harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.”</li> <li>• “Unreasonably deny a student access to diverse points of view.”</li> </ul> <p>Any violations “shall subject the individual to revocation or suspension of the individual educator’s certificate, or other penalties as provided by law.”</p>

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	6 FL ADC 6B-11.007, “Disciplinary Guidelines”	Harassment on the basis of any of the factors listed above shall result in a reprimand the first time, and a revocation after that.
Social Worker Guidelines	F.S.A., § 491.0065, “Requirement for instruction on HIV and AIDS”	Clinical social workers are required to “complete an education course acceptable to the board on human immunodeficiency virus and acquired immune deficiency syndrome.”
	64 FL ADC 64B25-28.015, “Examination for Certification”	The certification exam for certified master social workers includes a written theory examination that has a section on the “effects of culture, race, ethnicity, sexual orientation, and gender.”

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Georgia		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
<b>General Non Discrimination</b>	GA ADC 186-2-.02, “Discriminatory Conduct Under the Georgia Fair Housing Law”	The Georgia Fair Housing Act does not prohibit discrimination on the basis of sexual orientation or gender identity.
<b>Social Services (general)</b>	GA ADC 3501-1-.05, “Practice of Non-Discrimination”	The Department of Medical Assistance does not specifically prohibit discrimination on the basis of sexual orientation or gender identity.
	GA ADC 511-9-2-.18, “Standards of Conduct for Licensees”	Emergency medical Services providers are prohibited from discriminating “on the basis of national origin, race, color, creed, religion, gender, sexual orientation, age, economic status, physical, or mental ability in providing services.”
	Department of Human Services, Code of Professional Conduct for Individuals and Businesses Providing Interpretation and Translation Services (found at <a href="http://www.odis.dhr.state.ga.us/1000_adm/1700_Accessibility/1701_LEPSI/LEPSI%20Procedures%20Attachment%2017-%20Code%20of%20Professional%20Conduct.doc">http://www.odis.dhr.state.ga.us/1000_adm/1700_Accessibility/1701_LEPSI/LEPSI%20Procedures%20Attachment%2017-%20Code%20of%20Professional%20Conduct.doc</a> )	“Interpreters/translators shall always be neutral, impartial and unbiased. Interpreter/translators shall not discriminate on the basis of gender, disability, race, color, national origin, age, socio-economic or educational status, or religious, political, or sexual orientation. If the interpreter/translators are unable to perform in a given situation because of cultural issues, the interpreter/translator shall withdraw from the assignment without threat or retaliation.”
	Georgia Department of Human Services, Human Services/Personnel Policy #101, “Equal Employment Opportunity and Unlawful Discrimination” (found at <a href="http://www.odis.dhr.state.ga.us/1000_adm/1300_ohrmd/MANUAL/0101.pdf">http://www.odis.dhr.state.ga.us/1000_adm/1300_ohrmd/MANUAL/0101.pdf</a> )	“The Department of Human Services (DHS) is an equal opportunity employer, and does not discriminate on the basis of age, gender, color, disability, national origin, sexual orientation or political affiliation, race or religion. Division/office Directors and designees are responsible for ensuring compliance with this policy.”
<b>Child Welfare (specific services and programs)</b>	Commodity Food Assistance Programs (General Information, found at <a href="http://dfcs.dhs.georgia.gov/commodity-food-assistance-programs">http://dfcs.dhs.georgia.gov/commodity-food-assistance-programs</a> )	The Emergency Food Assistance Program does not specifically bar discrimination on the basis of sexual orientation or gender identity in its nondiscrimination policy. Nor does the Commodity Supplemental Food Program.

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	<p>“Understanding Medicaid: A Handbook About Medicaid Services in Georgia” (found at <a href="http://dfcs.dhs.georgia.gov/sites/dfcs.dhs.georgia.gov/files/imported/DHR-DFCS/DHR-DFCS_Medicaid/Understanding_Medicaid.pdf">http://dfcs.dhs.georgia.gov/sites/dfcs.dhs.georgia.gov/files/imported/DHR-DFCS/DHR-DFCS_Medicaid/Understanding_Medicaid.pdf</a>)</p>	The nondiscrimination policy for Georgia’s Medicaid program does not include sexual orientation or gender identity.
<b>Foster Care (including child care centers, housing and training)</b>	GA. Comp. R. & Reg. 290-2-6.08, “Children’s Rights”	Children in transitional care centers are granted the “right to voice grievances and complaints regarding treatment or care that is furnished without fear of retaliation, discrimination, coercion, or reprisal.” Additionally, “no religious beliefs or practices, or attendance at religious services, may be imposed upon any child.”
	IMPACT Training Program, Module 11, “Sexuality and Sexual Orientation” (found at <a href="http://dfcs.dhs.georgia.gov/sites/dfcs.dhs.georgia.gov/files/imported/DHR-DFCS/DHR-DFCS%20IMPACT/Mod11%20Handouts.pdf">http://dfcs.dhs.georgia.gov/sites/dfcs.dhs.georgia.gov/files/imported/DHR-DFCS/DHR-DFCS%20IMPACT/Mod11%20Handouts.pdf</a> )	IMPACT is a training program for potential resource families. IMPACT has a module devoted to sexuality and sexual abuse. The module emphasizes that sexual feelings are natural and should not be treated as taboo. It also discusses how parents should eventually “discuss, but not impose” their own morals and values once the child reaches adolescence and has gone through puberty.
<b>Juvenile Detention Facilities</b>	Georgia Department of Juvenile Justice, Policy No. 15.1, “Basic Rights and Responsibilities of Youth”	<p>The rights of youth in secure facilities and residential programs include:</p> <ul style="list-style-type: none"> <li>• The right “to be free of harassment because of race, religion, color, sex, gender, sexual orientation, age, national origin, or disability, pregnancy, childbirth, or related medical conditions”</li> <li>• The right to be “free from bullying”</li> <li>• The right “to have freedom in personal grooming and dress, except when it would conflict with facility requirements for safety, security, identification, or hygiene.”</li> <li>• The right to be “free from mental or verbal abuse, intimidation, threats, humiliation, or property damage.”</li> </ul>
<b>School and Education</b>	GA ADC 269-1, “Grant Programs”	Programs and services that benefit from grants provided by the Georgia Council for the Arts are prohibited from discriminating on the basis of sexual orientation.
	Georgia’s Plan & Procedures for Office of Civil Rights Compliance Reviews Handbook, distributed by the Georgia Department of Education, Career, Technical, and Agricultural Education, February 2013 (found at	The nondiscrimination policy for the Georgia Department of Education does not include sexual orientation or gender identity.

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	<a href="http://www.doe.k12.ga.us/Curriculum-Instruction-and-Assessment/CTAE/Documents/FY14-OCR-Handbook.pdf">http://www.doe.k12.ga.us/Curriculum-Instruction-and-Assessment/CTAE/Documents/FY14-OCR-Handbook.pdf</a>	
	GA ADC 505-3-.36, “Special Education Visual Impairments Program”	A school Special Education Visual Impairment Program shall “prepare candidates who demonstrate sensitivity for the culture, language, religion, gender, disability, socio-economic status, and sexual orientation of individuals.”
<b>Social Worker Guidelines</b>	GA ADC 505-3-5.1, “School Social Worker Program”	A certified school social worker program must “prepare candidates who understand the influence of socioeconomic status, gender, culture, disability, and sexual orientation on educational opportunities for students.”

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Hawaii		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	HRS §489-3, “Discriminatory practices prohibition”	Hawaii law bars “unfair discriminatory practices that deny, or attempt to deny, a person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation on the basis of race, sex, including gender identity or expression, sexual orientation, color, religion, ancestry, or disability.”
Social Services (general)	Department of Human Services, Services to the Public (Access Hawaii pamphlet, found at <a href="http://files.hawaii.gov/dhs/main/civil-rights-corner/DHS%20050%20Access%20Hawaii%200210.pdf">http://files.hawaii.gov/dhs/main/civil-rights-corner/DHS%20050%20Access%20Hawaii%200210.pdf</a> )	The general Department of Human Services nondiscrimination policy does not include sexual orientation or gender identity.
Child Welfare (specific services and programs)	Civil Rights Awareness Training, Focus on Food and Nutritional Services and SNAP Program (found at <a href="http://files.hawaii.gov/dhs/main/civil-rights-corner/FNS-113%20Civil%20Rights%20Awareness%20Training.pdf">http://files.hawaii.gov/dhs/main/civil-rights-corner/FNS-113%20Civil%20Rights%20Awareness%20Training.pdf</a> )	Food and Nutritional Services provides “children and low-income people access to food, a healthful diet, and nutrition education.” Clients are protected from discrimination on the basis of “race, color, national origin (includes LEP), age, sex, disability, religion, political beliefs, marital or family status, parental status, sexual orientation, and genetic information.”
	HI ADC § 17-1610-43, “Adoption Services”	The Department of Human Services is not specifically prohibited from delaying or denying adoption services on the basis of sexual orientation or gender identity.
Foster Care (including child care centers, housing and training)	HAR § 17-1625-40, “Clothing and personal belongings”	“A foster child's clothing shall be clean, of the right size and appropriate for the child's age, sex, and individual needs.”
	HAR § 17-1625-42, “Discipline and guidance”	<p>“Discipline and guidance shall be carried out with kindness and understanding”</p> <p>“No child shall be subjected to any physical punishment or action which would endanger the child’s physical, mental, or emotional well-being.”</p>

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<b>Juvenile Detention Facilities</b>	Office of Youth Services, In-Community Services, Outreach and Advocacy (found at <a href="http://humanservices.hawaii.gov/office/">http://humanservices.hawaii.gov/office/</a> )	The Office of Youth Services provides “early intervention case advocacy services for youth who have come or risk coming into contact with the law to minimize penetration into the juvenile justice system, including those who are at risk for engaging in unhealthy, risky behaviors such as street youth, unsheltered (homeless) youth, out-of-school youth, youth in foster care and group homes, pregnant and parenting teens, gay, lesbian, bisexual, and transgender (GLBT) youth, and youth who may be over-represented within the juvenile justice system as identified in the Disproportionate Minority Contact Report. Services include outreach to identify and engage with youth/family to develop trusting relationships; intake and assessment; creation of a youth/family driven service plan; support in accessing services and navigating the systems of care; circle of support approach (involving significant persons in the youth/family’s domain) to strengthen support system; attendant care services to receive youth who have been arrested/detained; and follow-up to assure services are fully secured.”
	<i>R.G. v. Koller</i> , 415 F.Supp.2d 1129 (D. Haw. 2006)	<ul style="list-style-type: none"> <li>• Hawaii case brought by LGBT youth in a juvenile detention facility who claimed that staff violated their equal protection rights by tolerating harassment</li> <li>• Plaintiffs made accusations of “a relentless campaign of harassment based on their sexual orientation that included threats of violence, physical and sexual assault, imposed social isolation, and near constant use of homophobic slurs.”</li> <li>• The court held that “This level of harassment and abuse in a juvenile facility, where the wards have not been convicted of crimes and are committed to the care of the state, falls below the minimum level of care required by the Due Process Clause...given the supervisors’ knowledge of the severity and the ongoing nature of the harassment and abuse plaintiffs faced from staff and other wards, the supervisory defendants’ failure to take any minimally adequate remedial measures constitutes deliberate indifference.”</li> <li>• Also held that institutes are required to adopt any professionally acceptable methods of maintaining order and safety.</li> </ul>
<b>School and Educational Facilities</b>	HI ADC §8-19-2, “Definitions”	<p>On the list of prohibited student conduct, “harassment” includes “a student who is harassing, bullying, including cyberbullying, annoying, or alarming another person by engaging in the following conduct that includes but is not limited to:</p> <ul style="list-style-type: none"> <li>• “Making verbal or non-verbal expressions that cause others to feel uncomfortable, pressured, threatened, or in danger because of reasons that include but are not limited to the person’s race, color, national origin, ancestry, sex, including gender identity and expression, religion, disability, or sexual orientation that creates an intimidating, hostile, or offensive educational environment or interferes with the education of a student, or otherwise adversely affects the educational opportunity of a student or students</li> <li>• “Name calling, making rude gestures, insulting, or teasing another person who feels humiliated, intimidated, threatened, or embarrassed</li> <li>• “Making repeated communications anonymously, or at extremely inconvenient hours, or in offensively coarse language on campus or, other department of education premises, on department of education transportation, or during a department of education sponsored activity or event on or off school property</li> <li>• “Causing fear as to prevent others from gaining legitimate access to or use of school buildings, facilities, services, or grounds such as, but is not limited to, restroom facilities</li> <li>• “Physically harming, physically restraining, threatening, or stalking, or a combination of the foregoing”</li> </ul>

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	HAR §8-19-14, “Policy on opening and inspection of student lockers”	“School lockers provided to the students on campus are subject to opening and inspection...by school officials at any time with or without cause, provided that searches are not because of the student’s race, color, national origin, ancestry, sex, gender identity and expression, religion, disability, or sexual orientation.”
<b>Social Worker Guidelines</b>	HRS § 467E-12, “Revocation, suspension, denial, or condition of licenses; fines”	A social worker may have their license suspended for “engaging in conduct or practice contrary to recognized standards of ethics for the social worker profession.”

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Idaho		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	Idaho Code, § 67-5909, “Acts Prohibited”	Idaho law does not include gender identity or sexual orientation in its general nondiscrimination statute for public accommodations.
Social Services (general)	Idaho Department of Health and Welfare, Nondiscrimination Statement (found at <a href="http://www.healthandwelfare.idaho.gov/default.aspx?tabid=1058">http://www.healthandwelfare.idaho.gov/default.aspx?tabid=1058</a> )	The Department of Health and Welfare does not include sexual orientation or gender identity in its list of prohibited forms of discrimination.
Child Welfare (specific services and programs)	IDAPA 16.04.06.995, “Non-Discrimination”	Adult and Child Development Centers <sup>6</sup> are not specifically prohibited from refusing service on the basis of sexual orientation or gender identity.
	IDAPA 16.03.04.861, “No Discrimination in Food Stamp Program”	The Department of Health and Welfare does not specifically prohibit discrimination on the basis of sexual orientation or gender identity in the administration of the Food Stamp Program.
Foster Care (including child care centers, housing and training)	“My Roadmap to Life in Foster Care: A Guide for Idaho Youth” (found at <a href="http://www.healthandwelfare.idaho.gov/Portals/0/Children/AdoptionFoster/FosterGuideFINAL_plain.pdf">http://www.healthandwelfare.idaho.gov/Portals/0/Children/AdoptionFoster/FosterGuideFINAL_plain.pdf</a> )	Prohibited forms of discrimination for youth in foster care include: <ul style="list-style-type: none"> <li>• “Denying [youth] necessary food, clothing, bedding, rest, toilet use, bathing facilities, or entrance to the foster home”</li> <li>• “Mental or emotional cruelty”</li> <li>• “Verbal abuse, ridicule, humiliation, profanity, threats, or other forms of degradation directed at [youth or families]”</li> <li>• “Threats of removal from home”</li> <li>• “Denial of necessary educational, medical, counseling, or social services”</li> </ul> Children in foster care are permitted to go on dates with the permission of the foster parents and the caseworker.
	IDAPA 16.06.02.450, “Necessary Clothing”	“A foster parent shall provide a child with sufficient, clean, properly fitting clothing appropriate for the child's age, gender, individual needs, and season. Clothing shall reflect cultural and community standards.”
Juvenile Detention Facilities	IDAPA 05.01.04.200, “Professional Responsibilities”	Juvenile Probation Officers are not specifically barred from discriminating against individuals on the basis of sexual orientation or gender identity.

<sup>6</sup> An Adult and Child Developmental Center is “a community facility of the Department of Health and Welfare the purpose of which is to provide for area, space, personnel and equipment for diagnostic and therapy services to children and adults with developmental disabilities.” ID ADC 16.04.06.003, “Definitions.”

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	IDAPA 05.01.02.255, “Rules and Discipline”	Secure Juvenile Detention centers are required to “insure juvenile offenders’ freedom from personal abuse, humiliation, mental abuse, personal injury, disease, property damage, harassment, or punitive interference with daily functions of living, such as eating or sleeping.”
<b>School and Educational Facilities</b>	School Safety/Discipline Manual, Section III: Harassment (found at <a href="http://www.sde.idaho.gov/sdfs/docs/Publications/Section3.pdf">http://www.sde.idaho.gov/sdfs/docs/Publications/Section3.pdf</a> )	<p>In schools, “harassing conduct of a sexual nature is prohibited by Title IX, regardless of the gender or sexual orientation of the involved persons. As a result, sexual harassment may be perpetrated by a male student against another male student, regardless of the sexual orientation of either individual.”</p> <p>Sexual harassment includes:</p> <ul style="list-style-type: none"> <li>• “Graffiti of a sexual nature”</li> <li>• “Rating another individual’s physical appearance”</li> <li>• “Displaying or distributing sexually explicit drawings, pictures, or written materials”</li> <li>• “Sexual gestures”</li> <li>• “Sexual or ‘dirty’ jokes”</li> <li>• “Spreading rumors about or rating other students as to sexual activity or performance”</li> </ul> <p>“Hostile environment harassment involves unwelcome sexually harassing conduct that is so severe, persistent, or pervasive that it affects a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment.”</p>
	Gifted and Talented Primary-age Students: Recommendations for Identification and Service” (found at <a href="http://www.sde.idaho.gov/site/gifted_talented/resources_manuals_docs/PrimaryAge.pdf">http://www.sde.idaho.gov/site/gifted_talented/resources_manuals_docs/PrimaryAge.pdf</a> )	“Federal law prohibits discrimination on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status in any educational programs or activities receiving federal financial assistance...it is the policy of the Idaho State Department of Education not to discriminate in any educational programs or activities or in employment practices.”
<b>Social Worker Guidelines</b>	IDAPA 24.14.01.450, “Statement of Public Policy and Code of Professional Conduct” (Rule 450)	“In providing services, a social worker shall not discriminate on the basis of age, gender, race, color, religion, national origin, mental status, physical disability, social or economic status, political belief, or any other preference or personal characteristic, condition, or status.”

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Illinois		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	775 ILCS 5/1-102, “Declaration of Policy” (Illinois Human Rights Act)	“It is the public policy of this State to secure for all individuals within Illinois the freedom from discrimination against any individual because of his or her race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation <sup>7</sup> , or unfavorable discharge from military in connection with employment, real estate transaction, access to financial credit, and the availability of public accommodations.”
Social Services (general)	Illinois Department of Human Services, “Your Civil Rights” (brochure, found at <a href="http://www.dhs.state.il.us/OneNetLibrary/27897/documents/Brochures/592.pdf">http://www.dhs.state.il.us/OneNetLibrary/27897/documents/Brochures/592.pdf</a> )	“Programs, activities and employment opportunities in the Illinois Department of Human Services are open and accessible to any individual or group without regard to age, sex, race, sexual orientation, ethnic origin or religion. The department is an equal opportunity employer and provider, and practices affirmative action and reasonable accommodation programs.”
Child Welfare (specific services and programs)	Services Delivered by the Department, March 13, 2009 – PT 2009.06, 302.Appendix K “Support and Well-Being of Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) Youths” (found at <a href="http://www.state.il.us/dcf/docs/ocfp/procedure/Procedures_302_Appendices.pdf">http://www.state.il.us/dcf/docs/ocfp/procedure/Procedures_302_Appendices.pdf</a> )	<p>“Youth who are lesbian, gay, bisexual, transgender, and questioning are protected by the Illinois Human Rights Act. They have many legal rights while in care, including the right to be free from verbal, emotional, and physical harassment in their placements, schools, and communities. The adults involved in their care have a legal and ethical obligation to ensure that they are safe and protected. These youth also have the right to be treated equally, to express their gender identity, and to have the choice to be open about their sexual orientation.”</p> <p>“Early consultation with LGBTQ Clinical Consultants improves the coordination of services for youth and their caregivers and can prepare and stabilize placements, preventing unnecessary disruptions. Ongoing training and education regarding sexual orientation, gender identity and gender expression is a requirement for all child welfare staff and is currently available as needed or requested through the LGBTQ Clinical Consultants and other community resources. While these procedures are aimed at youth for whom the Department has responsibility for placement and care, staff are reminded that the gender identity and sexual orientation of all people is protected by the Illinois Human Rights Act and that the diversity of all clients, parents, caregivers as well as other staff members must be respected and protected from discrimination.” See full document for detailed lists of policies and procedures.</p>

<sup>7</sup> “Sexual Orientation” means “actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person’s designated sex at birth.” 775 ILCS 5/1-103, “General Definitions.”

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	89 IL ADC 501.120, “General Grant Eligibility Requirements”	Partner Abuse Intervention programs that receive state funding must “provide services to eligible participants without regard to race, gender, sexual orientation, age, ethnicity, color, religion, disability, and national origin/ancestry. Participants cannot be required to become members of, or participate in, any organization, religion, political group, or community service program as a condition of receiving service.”
<b>Foster Care (including child care centers, housing and training)</b>	Services Delivered by the Department, March 13, 2009 – PT 2009.06, 302.Appendix K “Support and Well-Being of Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) Youths” (found at <a href="http://www.state.il.us/dcf/docs/ocfp/procedure/Procedures_302_Appendices.pdf">http://www.state.il.us/dcf/docs/ocfp/procedure/Procedures_302_Appendices.pdf</a> )	“Placement and Support Services: Most needs of Lesbian, Gay, Bisexual, Transgender and Questioning youths can be met through positive caregiver and family support, and community peer educational support groups. Placement decisions must be guided by the caregiver’s capacity to meet the unique and diverse needs of the individual. If a youth is known to be LGBTQ, the caseworker is responsible for determining prior to placement the caregiver’s attitudes and beliefs regarding sexual orientation, gender identity and gender expression. In no instance should an LGBTQ youth be placed with a caregiver who is opposed to sexual orientation, gender identity or gender expression that differ from the caregiver’s own. It is critical that the youth be placed in as safe environment as possible for the youth’s physical and emotional well-being. The youth’s worker, family, foster family members, or placement caregivers and peers may themselves need assistance in accepting and supporting the LGBTQ youth. The LGBTQ Clinical Consultant can provide education and identify resources that will support the youth in placement. Participation in education and support groups, such as Parents, Families and Friends of Lesbians and Gays (PFLAG), shall be encouraged.” See full document for detailed lists of policies and procedures.
<b>Juvenile Detention Facilities</b>	20 IL ADC 1910.150, “Elements of Juvenile Evaluation”	“Evaluation of juveniles who have committed sexual offenses shall be comprehensive and ongoing. The evaluator shall be sensitive to any cultural, language, ethnic, developmental, sexual orientation, gender, gender identification, medical, and/or educational issues that may arise during the evaluation.”
	20 IL ADC 702.100, “Clothing, Personal Hygiene, Grooming”	<p>“Hair combs for male youth and hair brushes for female youth are acceptable. They shall be furnished upon admission to youth without funds.”</p> <p>“C. Youth shall not be required to shave.</p> <ul style="list-style-type: none"> <li>i) Detained males shall be permitted to shave as often as necessary. Shaving equipment shall be made available.</li> <li>ii) Detained females shall be provided with shaving supplies appropriate for personal hygiene needs.”</li> </ul> <p>“Barber and beautician services shall be made accessible but must not violate required security measures. Hair shall be kept neat and clean.</p> <ul style="list-style-type: none"> <li>i) There shall be no standard hair length or style required.</li> <li>ii) Sideburns, mustaches, and beards are acceptable.”</li> </ul>

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	20 IL ADC 702.160, “Discipline”	“Corporal punishment is prohibited. Corporal punishment is defined as any deliberate action, planned or spontaneous, designed to purposely humiliate, demean, defile, harm, embarrass, psychologically intimidate or result in physical pain or discomfort of a youth.”
	20 IL ADC 702.240, “Religious Services”	“Youth shall not be required to attend, participate in or be exposed to religious services or discussions, or denied the same.”
<b>School and Educational Facilities</b>	23 IL ADC 1.240, “Equal Opportunities for all Students”	“No school system may exclude or segregate any pupil, or discriminate against any pupil on the basis of color, race, nationality, religion, sex, sexual orientation, ancestry, age, marital status, or physical or mental disability.”
	23 IL ADC 22.20, “Code of Ethics”	Illinois educators have the responsibility to “respect the inherent dignity and worth of each student by assuring that the learning environment is characterized by respect and equal opportunity for each student, regardless of race, color, national origin, sex, sexual orientation, disability, religion, language or socio-economic status.”
	23 IL ADC 24.100, “The Illinois Professional Teaching Standards Through June 30, 2013”	“The competent teacher demonstrates positive regard for individual students and their families regardless of culture, religion, gender, sexual orientation, and varying abilities.”
<b>Social Worker Guidelines</b>	23 IL ADC 23.140, “Standards for the School Social Worker”	<p>The list of qualities of a competent school social worker include:</p> <ul style="list-style-type: none"> <li>• “understands the broad range of backgrounds and experiences that shape student’s approaches to learning and helps create opportunities adapted to diverse populations of learners”</li> <li>• “understands how students’ learning is influenced by culture, family, community values, individual experiences, talents, gender, sexual orientation, language, and prior learning”</li> <li>• “understands and respects the impact of cultural, racial, ethnic, socioeconomic, and gender diversity and sexual orientation in the educational environment”</li> <li>• “designs intervention strategies appropriate to student’s culture, gender, sexual orientation, developmental stage, learning styles, strengths, and needs.”</li> </ul>
	68 IL ADC 1470.96, “Unethical, Unauthorized, and Unprofessional Conduct”	It is considered unethical and unauthorized conduct for a licensed social worker to discriminate “based on race, gender, religion, national origin, political affiliation, social or economic status, choice of lifestyle or sexual orientation.”

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Indiana		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	IC 22-9-1-3, “Definitions”	Indiana law does not include sexual orientation or gender identity in its list of prohibited discriminatory practices for public accommodations.
Social Services (general)	“Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity” (Federal Register Vol. 77, No. 23, pg. 5662, Indiana implications found at <a href="http://www.in.gov/ihcda/files/RED-12-20_Equal_Access_to_Housing_in_HUD_Programs_Regardless_of_Sexual_Orientation_or_Gender_Identity.pdf">http://www.in.gov/ihcda/files/RED-12-20_Equal_Access_to_Housing_in_HUD_Programs_Regardless_of_Sexual_Orientation_or_Gender_Identity.pdf</a> )	<p>“HUD-assisted and HUD-insured entities must make housing available without regard to actual or perceived sexual orientation, gender identity, or marital status.”</p> <p>“HUD-assisted and HUD-insured entities are prohibited from inquiring about the sexual orientation or gender identity of applicants and occupants for the purpose of determining eligibility for housing or otherwise making housing available.”</p>
Child Welfare (specific services and programs)	Family and Social Services Administration, Nondiscrimination Policy (found at <a href="http://www.in.gov/fssa/dfr/2999.htm">http://www.in.gov/fssa/dfr/2999.htm</a> )	“The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual’s income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)”
Foster Care (including child care centers, housing and training)	470 IAC 3.-1.1-37 “Requirements for admission to the home”	Indiana law does not include sexual orientation or gender identity in its child care nondiscrimination policy.
	Indiana Department of Child Services, Child Welfare Manual (found at <a href="http://www.in.gov/dcs/files/11_25_Collaborative_Care_Host_Homes.pdf">http://www.in.gov/dcs/files/11_25_Collaborative_Care_Host_Homes.pdf</a> )	Expectations of the Home Host Placement for youth in foster care will be discussed prior to placement. Expectations include “refraining from discriminating against the youth based on race, religion, national origin, gender, disability, or sexual orientation.”
Juvenile Detention Facilities	Indiana Department of Correction, Division of Youth Services, Principles of	“The juvenile justice process is respectful of age, abilities, sexual orientation, family status and diverse cultures and backgrounds – whether racial, ethnic, geographic, religious, economic, or other – and all are given equal protection and due process.”

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	Restorative Justice (found at <a href="http://www.in.gov/idoc/dys/2401.htm">http://www.in.gov/idoc/dys/2401.htm</a> )	
<b>School and Educational Facilities</b>	Indiana Department of Education Non-Discrimination Statements (found at <a href="http://www.doe.in.gov/sites/default/files/nutrition/civil-rights03non-discriminationfortheusdaandindiana.pdf">http://www.doe.in.gov/sites/default/files/nutrition/civil-rights03non-discriminationfortheusdaandindiana.pdf</a> )	The nondiscrimination statement for the Indiana Department of Education does not include sexual orientation or gender identity.
	Indiana Department of Education, Supporting Student Success New Program Assessment Rubric (found at <a href="http://www.doe.in.gov/sites/default/files/educator-effectiveness/new-program-rubric.docx">http://www.doe.in.gov/sites/default/files/educator-effectiveness/new-program-rubric.docx</a> )	The Indiana Department of Education New Program Assessment Rubric for educator’s clinical and field based experiences includes providing candidates with the opportunity to “participate with students of diversity in a variety of ways, including that of the candidate’s expected educational role, as well as opportunities to work with similarly diverse parents, administrators, and school staff.” The definition of “diverse” includes sexual orientation.
<b>Social Worker Guidelines</b>	IC 25-24.6-8-2.5, “Educational Requirements” (full social worker handbook found at <a href="http://www.in.gov/pla/files/IBH_HSLB_2012_Edition.pdf">http://www.in.gov/pla/files/IBH_HSLB_2012_Edition.pdf</a> )	A licensed marriage and family therapist must have graduate course credits in gender and sexual orientation.

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Iowa		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	I.C.A § 216.7, “Unfair practices—accommodations or services”	<p>“It shall be an unfair or discriminatory practice for any owner, lessee, sub lessee, proprietor, manager, or superintendent or any public accommodation<sup>8</sup> or any agent or employ thereof:</p> <ul style="list-style-type: none"> <li>• “To refuse or deny to any person because of race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability, the accommodations, advantages, facilities, services, or privileges thereof, or otherwise to discriminate against any person because of race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability in the furnishing of such accommodations, advantages, facilities, services, or privileges.</li> <li>• “To directly or indirectly advertise or in any other manner indicate or publicize that patronage of persons of any particular race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability is unwelcome, objectionable, not acceptable, or not solicited.”</li> </ul>
Social Services (general)	Iowa Code Ann. §19B.12, “Sexual harassment prohibited”	<p>“A state employee shall not sexually harass another state employee, a person in care or custody of the state employee or a state institution, or a person attending a state educational institution.”</p> <p>“An employee shall not discriminate against another state employee, a person in the care or custody of the employee or a state institution, or a person attending a state educational institution based on sex, or create an intimidating, hostile, or offensive working environment in a state work, educational, or correctional institution.”</p>
	IA ADC 441-7.1(17A), “Definitions”	The Department of Human Services definition of an “aggrieved person” does not include one who has been discriminated against on the basis of sexual orientation or gender identity.
	Iowa Department of Human Services, “Policy Regarding Discrimination, Harassment, Affirmative Action, and Equal Employment Opportunity” (found at <a href="http://www.dhs.state.ia.us/policyanalysis/PolicyManualPages/M">http://www.dhs.state.ia.us/policyanalysis/PolicyManualPages/M</a>	“It is the policy of the Iowa Department of Human Services (DHS) to provide equal treatment in employment and provision of services to applicants, employees, and clients without regard to race, color, national origin, sex, sexual orientation, gender identity, religion, age, disability, political belief, or veteran status.”

<sup>8</sup> “Public accommodation” includes “each state and local government unit or tax-supported district of whatever kind, nature, or class that offers services, facilities, benefits, grants, or goods to the public, gratuitously or otherwise.” I.C.A. § 216.2, “Definitions.”

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	<a href="#">anual_Documents/Letters/Circular/56Z-611-FO.pdf</a>	
<b>Child Welfare (specific services and programs)</b>	IA ADC 641-131.7(147A), “Complaints and investigations – denial, citation and warning, probation, suspension, or revocation of emergency medical care personnel certificates or renewal”	Emergency medical care providers shall not “practice, condone, or facilitate discrimination against a patient, student, or supervisee on the basis of race, ethnicity, national origin, sex, sexual orientation, age, marital status, political belief, religion, mental or physical disability, diagnosis, or social or economic status.”
	Iowa Department of Public Health “Care Planning, Principles and Services Manual Concerning Clients with HIV/AIDS (full manual found at <a href="http://www.idph.state.ia.us/adper/common/pdf/disease_prevention_immunization/case_management_standards.pdf">http://www.idph.state.ia.us/adper/common/pdf/disease_prevention_immunization/case_management_standards.pdf</a> )	The manual is a roadmap to a comprehensive system of care for clients with HIV/AIDS. It details the complications that sexual orientation and gender (among other factors) may create for clients attempting to navigate the social services system. Additionally, it states that “in Iowa, persons living with HIV/AIDS must receive services that are culturally and linguistically appropriate, free of discrimination based upon gender, age, sexual orientation, race, ethnicity, criminal history, substance use history, or ability to pay, with all known and perceived barriers minimized whenever possible.”
<b>Foster Care (including child care centers, housing and training)</b>	Iowa Foster Child and Youth Bill of Rights (found at <a href="http://www.dhs.state.ia.us/policyanalysis/PolicyManualPages/Manual_Documents/Forms/Comm437.pdf">http://www.dhs.state.ia.us/policyanalysis/PolicyManualPages/Manual_Documents/Forms/Comm437.pdf</a> )	Foster children have the right to be “who [they] are.” “Every child in foster care has the same rights belonging inherently to all children.”
	See also Social Services (general)	
<b>Juvenile Detention Facilities</b>	Iowa Code Ann. §19B.12, “Sexual harassment prohibited”	Sexual harassment at a juvenile detention center includes “dress requirements that bear no relation to the person’s employment responsibilities or institutional status” and “instances of sexual remarks or speech or graphic sexual displays directed at a person in the workplace or institution, who has clearly communicated the person’s objection to that conduct, and where the person is not free to avoid that conduct due to the requirements of the employment or the confines or operations of the institution.”

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School and Educational Facilities	Iowa Code Ann. §19B.12, “Sexual harassment prohibited”	“A state employee shall not sexually harass another state employee, a person in care or custody of the state employee or a state institution, or a person attending a <b>state educational institution.</b> ”
Social Worker Guidelines	IA ADC 645-282.2 (154C), “Rules of Conduct”	<p>A licensed social worker “shall not take unfair advantage of any professional relationship or exploit others to further the licensee’s personal, religious, political, or business interests.”</p> <p>A licensed social worker “shall take reasonable steps to avoid abandoning clients who are still in need of services. A licensee shall assist in making appropriate arrangements for continuation of services when necessary.”</p> <p>A licensed social worker “shall not practice, condone, or facilitate discrimination against a client, student, or supervisee on the basis of race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, mental or physical disability, diagnosis, or social or economic status.”</p>

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Kansas		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	K.S.A. 44-1002, “Definitions”	The Kansas Acts Against Discrimination definition of “unlawful discriminatory practice” does not include discrimination on the basis of sexual orientation or gender identity. Employment rights cover sexual orientation; general state agency policies do not.
Social Services (general)	Kansas Department for Children and Families, Prevention and Protection Services Policy and Procedures (found at <a href="http://content.dcf.ks.gov/PPS/robohlp/PPMGenerate/">http://content.dcf.ks.gov/PPS/robohlp/PPMGenerate/</a> )	The Kansas Department for Children and Families policy manual cites K.S.A. 44-1009(a)(3), which governs the nondiscrimination policies of state agencies. The policy does not cover sexual orientation or gender identity.
Child Welfare (specific services and programs)	Kansas Family Medical Assistance Manual, 1210.07, “Right to Equal Treatment” (found at <a href="https://khap.kdhe.state.ks.us/kfamam/">https://khap.kdhe.state.ks.us/kfamam/</a> )	The Kansas Family Medical Assistance Manual covers health care programs “For pregnant women, children and families.” “All clients have a right to equal treatment in similar circumstances and no person shall be denied benefits or be subject to discrimination on the basis of race, color, or national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status. The client has the right to file a discrimination complaint with either the Federal or the State agency.”
	Kansas Commodity Distribution Manual, 7500, “Civil Rights Complaints”	The Kansas Commodity Distribution Manual contains policies for the Temporary Emergency Food Assistance Program. The manual’s listed nondiscrimination policy does not include sexual orientation or gender identity. However, the program uses USDA funding and provisions, and therefore, is governed by USDA policy, which prohibits discrimination on the basis of gender identity and sexual orientation. <sup>9</sup>
	Kansas Department for Children and Families, Prevention and Protection Services Policy and Procedure Manual, 0220, “Discrimination Prohibited by Law” (found at <a href="http://www.dcf.ks.gov/services/PPS/Documents/PPM_Forms/P">http://www.dcf.ks.gov/services/PPS/Documents/PPM_Forms/P</a> )	Child Protective Services is not specifically prohibited from discriminating on the basis of sexual orientation or gender identity in the provision of services.

<sup>9</sup>The USDA nondiscrimination policy is as follows: “The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)” See [http://www.usda.gov/wps/portal/usda/usdahome?navtype=FT&navid=NON\\_DISCRIMINATION](http://www.usda.gov/wps/portal/usda/usdahome?navtype=FT&navid=NON_DISCRIMINATION)

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	<a href="#">olicy and Procedure Manual.pdf</a> )	
<b>Foster Care (including child care centers, housing and training)</b>	K.A.R. 28-4-339, “Rights of youth”	<p>Youth in a family foster home<sup>10</sup> have the right to:</p> <ul style="list-style-type: none"> <li>• “Freedom from discrimination based on race, color, ancestry, religion, national origin, sex, or disability”</li> <li>• “Freedom from personal abuse, corporal or unusual punishment, excessive use of force, humiliation, harassment, mental abuse, or punitive interference with the daily functions of living, including eating or sleeping.”</li> <li>• “Equal access to programs and services for both male and female youth in coed facilities.”</li> <li>• “The right to wear personal clothing consistent with secure residential treatment facility guidelines.”</li> <li>• “The right to determine the length and style of hair, except when a physician determines that haircut is medically necessary.”</li> <li>• “The right to keep facial hair, if desired, except when a licensed physician determines that removal is medically necessary for health and safety.”</li> </ul>
<b>Juvenile Detention Facilities</b>	KS ADC 28-4-355a, “Rights of juveniles”	Rights of juveniles in detention are virtually identical to the rights of youth in a family foster home.
	Juvenile Intake and Assessment System Standards, Juvenile Justice Authority, State of Kansas, Standard No. JIAS-01-110, “Non-Discrimination” (found at <a href="http://www.jja.ks.gov/JIAS_Standards/Ch1/01-110.pdf">http://www.jja.ks.gov/JIAS_Standards/Ch1/01-110.pdf</a> )	“Written policy, procedure and practice shall require that the Intake and Assessment Program and its employees do not discriminate upon youth and/or families based upon race, gender, color, sex, religion, national origin, ancestry, age, sexual orientation, physical/mental disability and/or economic status.”
<b>School and Educational Facilities</b>	Kansas Department of Education Grievance Procedure (found at <a href="http://www.ksde.org/Default.aspx?tabid=4186">www.ksde.org/Default.aspx?tabid=4186</a> )	The Kansas Department of Education does not include sexual orientation or gender identity in its nondiscrimination policy.
	Kansas Department of Education, “Principles for Identifying the Early Warning Signs of School Violence”	“All children have likes and dislikes. However, an intense prejudice towards others based on racial, ethnic, religious, language, gender, sexual orientation, ability, and physical appearance when coupled with other factors may lead to assaults against those who are perceived to be different. Membership in hate groups and willingness to victimize individuals with disabilities or health problems also should be treated as early warning signs [of school violence].”

<sup>10</sup> The statute defines “family foster home” as a “child care facility that is a private residence, including any adjacent grounds, in which a licensee provides care for 24 hours a day for one or more children in foster care for which a license is required by K.A.R. 28-4-801.”

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	(found at <a href="http://www.ksde.org/Default.aspx?tabid=3916">http://www.ksde.org/Default.aspx?tabid=3916</a> )	
	K.S.A. 72-8256, “Bullying, school district policies”	<p>Bullying is defined as “any intentional gesture or any intentional written, verbal, electronic or physical act or threat that is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening, or abusive educational environment for a student or staff member that a reasonable person, under the circumstances, knows, or should know will have the effect of:</p> <ul style="list-style-type: none"><li>• Harming a student or staff member, whether physically or mentally;</li><li>• Damaging a student’s or staff member’s property;</li><li>• Placing a student or staff member in reasonable fear of harm to the student or staff member; or</li><li>• Placing a student or staff member in reasonable fear of damage to the student’s or staff member’s property”</li><li>• Any other form of intimidating or harassment prohibited by the board of education of the school district in policies concerning bullying adopted pursuant to this section...”</li></ul> <p>The definition of bullying also includes “cyberbullying” which is defined as “bullying by use of an y electronic communication device through means including, but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games and websites.”</p> <p>“The board of education of each school district shall adopt a policy to prohibit bullying on or while utilizing school property, in a school vehicle or at a school-sponsored activity or event.”</p>
<b>Social Worker Guidelines</b>	KS ADC 102-2-7, “Unprofessional conduct”	Social workers are not specifically prohibited from discriminating against clients on the basis of sexual orientation or gender identity. However, they are barred from “treating any client, student, or supervisee in a cruel manner.”

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Kentucky		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	KRS § 344.015 “Implementation plans for Federal Civil Rights Act, Title VI by state agencies”	Kentucky does not include sexual orientation or gender identity in its nondiscrimination policy for state agencies.
	<i>Rogers v. Fiscal Court of Jefferson County</i> , 48 S.W.3d 28 (Ky. Ct. App. 2001)	Kentucky Court of Appeals case that ruled that ordinances in the city of Louisville and Jefferson County which prohibited discrimination in public accommodations and employment on the basis of sexual orientation and gender identity were valid and enforceable within city/county boundaries (i.e., adding to the list of civil rights enumerated in state-wide regulations is permissible).
Social Services (general)	Kentucky Cabinet for Health and Family Services, “Civil Rights, Equal Rights for All Services and Programs” (online pamphlet, found at <a href="http://chfs.ky.gov/nr/rdonlyres/f3fd6e7-62cf-40d5-9e49-e93bab6ae9ff/0/civilrightsbrochure.doc">http://chfs.ky.gov/nr/rdonlyres/f3fd6e7-62cf-40d5-9e49-e93bab6ae9ff/0/civilrightsbrochure.doc</a> )	The Kentucky Cabinet for Health and Family Services nondiscrimination policy does not include sexual orientation or gender identity.
	920 KAR 1:090, “Client Civil Rights complaint process”	However, the client civil rights complaint form guidelines state that a complaint should list “the basis on which the complainant believes discrimination or harassment exists” and lists “sexual orientation” as an example of discrimination basis.
Child Welfare (specific services and programs)	922 KAR 1:320E, “Service appeals”	If a client within the child welfare system has a complaint of discrimination, it may be filed “with the cabinet’s Office of Human Resource Management in accordance with 920 KAR 1:090” (see Social Services (general))
Foster Care (including child care centers, housing and training)	Kentucky Resource Parent Handbook (found at <a href="http://chfs.ky.gov/nr/rdonlyres/e5f11e11-7244-41f6-b462-f5c2912e7857/0/resourceparenthandbook.pdf">chfs.ky.gov/nr/rdonlyres/e5f11e11-7244-41f6-b462-f5c2912e7857/0/resourceparenthandbook.pdf</a> )	CPS is not specifically prohibited from denying or delaying a child’s foster care or adoptive placement on the basis of sexual orientation or gender identity.  Foster parents are required to ensure that children have “adequate resources for clothing and hygiene.”  “Resource home parents may not...act in bizarre, severe, cruel or humiliating ways. Examples of unacceptable actions include, but are not limited to, verbal abuse, derogatory remarks to the child or about the child’s family, threats of removal from the

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		<p>home, placing non-food or painful substances in the child’s mouth to placing noxious, irritating or potentially damaging substances in the mouth or lips, whether food, or non-food.”</p> <p>“When a resource parent is contacted for a placement, the social services worker or R &amp; C worker will not disclose a child’s HIV status prior to approval of the placement or before the resource parent accepts the placement...Resource Parents should not disclose information about a child’s HIV status without consulting the child’s SSW and reviewing SOP. As few people as possible should be notified, depending on the circumstances of the case as HIPAA (Health Insurance Portability and Accountability) regulations apply. Respite providers may be told that the child has a serious health condition and are instructed to use university precautions. It is recommended that children who are known to be HIV positive and their resource parent should receive specialized counseling services and support to help them manage the illness and make plans for any necessary medical treatment.”</p> <p>“The [Social Services Worker] is responsible for ensuring sexual health education, including information on sexually transmitted diseases and birth control is provided to a child in care. The information should be appropriate to the child’s individual age and physical and emotional maturity. The SSW should involve the child’s physician, medical professional or counselor in sexual health decisions when possible and appropriate. The child should be encouraged to discuss these matters with his/her parents when appropriate.”</p>
<b>Juvenile Detention Facilities</b>	505 KAR 2:090, “Juvenile Rights”	The nondiscrimination policy for juvenile detention centers does not specifically bar discrimination on the basis of sexual orientation or gender identity. However, facilities must “provide that juveniles are not subjected to corporal or unusual punishment, humiliation, mental abuse, or punitive interference with the daily functions of living, such as eating or sleeping.” Also, “There shall be no restrictions on the right of juveniles to determine the length and style of their hair, except in individual cases where such restrictions are necessary for reasons of health and safety.”
<b>School and Educational Facilities</b>	Kentucky Board of Education, February Board Notes, Nondiscrimination Policy (found at <a href="http://education.ky.gov/KBE/meet/Documents/Board%20Notes%20February%202012.pdf">http://education.ky.gov/KBE/meet/Documents/Board%20Notes%20February%202012.pdf</a> )	“The Kentucky Board of Education does not discriminate on the basis of race, color, national origin, sex, sexual orientation, religion, age, or disability in employment or the provision of services.”
	Kentucky Department of Education, “Best Practices for Appropriate Use of Technology” (found at <a href="http://education.ky.gov/districts/">http://education.ky.gov/districts/</a> )	Students and employees of the Department of Education are prohibited from sending “electronic communications that contain ethnic slurs, racial epithets or anything that could be construed as harassment or abuse of others based on race, national origin, sex, sexual orientation, age, disability or religious or political beliefs.”

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	<a href="#">tech/Pages/Best-Appropriate-Use.aspx</a> )	
<b>Social Worker Guidelines</b>	201 KAR 23:080, “Code of ethical conduct”	“A social worker shall promote the well-being of a client and, if required by law, the safety and well-being of an individual whose life might be affected by the client’s behavior or circumstances.”  “A social worker shall not illegally discriminate against an individual.”

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Louisiana		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
<b>General Non Discrimination</b>	LSA-R.S. 49:146, “Facilities to which public invited; discrimination”	Louisiana’s nondiscrimination policy concerning public areas, public accommodations and public facilities does not include sexual orientation or gender identity.
<b>Social Services (general)</b>	Louisiana Department of Social Services Policy Manual, 2-02, “Non-Discrimination in Service Provision” (found at <a href="https://stellent.dss.state.la.us/LADSS/getContent;jsessionid=5B0740650166D765D97ECE2D65437727?id=106757&amp;docName=044395&amp;rendition=web&amp;mimeType=application/pdf&amp;noSaveAs=true">https://stellent.dss.state.la.us/LADSS/getContent;jsessionid=5B0740650166D765D97ECE2D65437727?id=106757&amp;docName=044395&amp;rendition=web&amp;mimeType=application/pdf&amp;noSaveAs=true</a> )	The Department of Children and Family Services (DCFS) does not specifically include sexual orientation or gender identity in its nondiscrimination policy.
<b>Child Welfare (specific services and programs)</b>	Department of Children and Families, Child Placing Agencies – General Provisions” (found at <a href="http://www.dcfs.louisiana.gov/assets/docs/searchable/OFS/Licensing/20110223ChildPlacingAgencyRegs.pdf">www.dcfs.louisiana.gov/assets/docs/searchable/OFS/Licensing/20110223ChildPlacingAgencyRegs.pdf</a> )	“A child shall not be denied admission, segregated into programs or otherwise subjected to discrimination on the basis of race, color, religion, national origin, sexual orientation, physical limitations, political beliefs, or any other non-merit factor.”
	State of Louisiana, “Licensing Requirements for the Transitional Living Program” (found at <a href="http://www.dcfs.louisiana.gov/assets/docs/searchable/OS/licensing/TransitionalLiving.pdf">http://www.dcfs.louisiana.gov/assets/docs/searchable/OS/licensing/TransitionalLiving.pdf</a> )	Youth enrolled in the Transitional Living Program “shall not be denied admission to a program, segregated, or discriminated against on the basis of race, sex, handicap, creed, national background or ancestry, sexual orientation, political beliefs, or any other non-merit factor.”
<b>Foster Care (including child care centers, housing and training)</b>	67 LA ADC Pt V, § 7311, “Provider Responsibilities”	“A child shall not be denied admission, segregated into programs, or otherwise subjected to discrimination on the basis of race, color, religion, national origin, sexual orientation, physical limitations, political beliefs, or any other non-merit factor.”

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		Prohibited acts by a provider <sup>11</sup> include “Denial of access to bathroom facilities” and ‘Verbal abuse, ridicule or humiliation, shaming, or sarcasm.”
	Chapter 19, “Child Residential Care” (found at <a href="http://www.dcfslouisiana.gov/assets/docs/searchable/OS/licensing/Child_Residential.pdf">http://www.dcfslouisiana.gov/assets/docs/searchable/OS/licensing/Child_Residential.pdf</a> )	A child in out-of-home placement “is not denied admission, segregated into programs, or otherwise subjected to discrimination on the basis of race, color, religion, national origin, sexual orientation, handicap, political beliefs, or any other nonmerit factor.”
<b>Juvenile Detention Facilities</b>	Declaration of Emergency, Department of Children and Family Services, Juvenile Detention Facilities (LAC 67:V. Chapter 75) found at <a href="http://www.dcfslouisiana.gov/assets/docs/searchable/OCS/Licensing/JuvenileDetentionER.pdf">http://www.dcfslouisiana.gov/assets/docs/searchable/OCS/Licensing/JuvenileDetentionER.pdf</a> )	Youth in juvenile detention facilities “shall not be subjected to discrimination based on race, national origin, religion, sex, sexual orientation, gender identity, or disability.”
<b>School and Educational Facilities</b>	La. Admin. Code. Tit. 28, pt. I, § 903, “Civil Rights Compliance and Assurances”	The Louisiana Board of Elementary and Secondary Education “is an equal opportunity agency and is dedicated to a policy of nondiscrimination in all programs or activities under its direct jurisdiction including city, parish, or other public school systems or other entities receiving state or federal financial assistance through the board. No one will be discriminated against in any employment practice or in any educational program or activity on the basis of race, color, creed, national origin, sex, religion, age, handicap or any other non-merit factor.”
<b>Social Worker Guidelines</b>	La. Admin Code. Tit. 46, pt. XXV, § 107, “General Practice Parameters”	“A social worker shall not discriminate against a client, colleague, student, or supervisee on the basis of age, gender, sexual orientation, race, color, national origin, religion, disability, political affiliation, or social or economic status. If the social worker is unable to offer services because of a concern about potential discrimination against a client, student, or supervisee, the social worker shall make an appropriate and timely referral. When a referral is not possible, the social worker shall obtain supervision or consultation to address the concern.”

<sup>11</sup> “Provider” is defined as “an entity that is responsible for the placement of children in foster care, to include the Department of Children and Family Services and any private child placing provider licensed by the department. All owners or operators of a facility, including the director of such facility. If the owner is a corporate entity, the owners are the officers, directors, and shareholders of the facility.” 67 LA ADC Pt V, § 7305, “Definitions.”

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Maine		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	5 M.R.S.A. § 4592, “Unlawful public accommodations”	“It is unlawful public accommodations discrimination...for any public accommodation or any person who is the owner, lessor, lessee, proprietor, operator, manager, superintendent, agent, or employee of any place of public accommodation to directly or indirectly refuse, discriminate against or in any manner withhold from or deny the full and equal enjoyment to any person, on account of race or color, sex, sexual orientation <sup>12</sup> , physical or mental disability, religion, ancestry or national origin, any of the accommodations, advantages, facilities, goods, services or privileges of public accommodation, or in any manner discriminate against any person in the price, terms or conditions upon which access accommodation, advantages, facilities, goods, services and privileges may depend.”
Social Services (general)	Maine Department of Health and Human Services, Non-Discrimination Notice (found at <a href="http://www.maine.gov/dhhs/oma/MulticulturalResource/discrimination.html">www.maine.gov/dhhs/oma/MulticulturalResource/discrimination.html</a> )	“The Department of Health and Human Services (DHHS) does not discriminate on the basis of disability, race, color, creed, gender, sexual orientation, age, or national origin, in admission to, access to, or operations of its programs, services, or activities, or its hiring or employment practices.”
Child Welfare (specific services and programs)	V.T. Youth Transition Policy (found at <a href="http://www.maine.gov/dhhs/ocfs/cw/policy/index.html?v_t_maine_title_iv_e_indepen.htm">http://www.maine.gov/dhhs/ocfs/cw/policy/index.html?v_t_maine_title_iv_e_indepen.htm</a> )	“The Department does not discriminate with regard to Chafee transition services or ETV funding based on race, sexual orientation, religious affiliation, or any other factor that might prevent an older youth in care from receiving the benefit of program services.”
Foster Care (including child care centers, housing and training)	The Maine Youth in Care Bill of Rights (found at <a href="http://www.maine.gov/dhhs/ocfs/cw/rights.htm">http://www.maine.gov/dhhs/ocfs/cw/rights.htm</a> )	<p>The rights of youth in foster care include:</p> <ul style="list-style-type: none"> <li>• “Youth have a right to their own identity, values, freedom to express their emotions, hopes, plans and goals, religion/spirituality”</li> <li>• “Youth have the right to learn about their sexuality in a safe and supportive environment”</li> <li>• “Youth have the most basic right to receive care and services that are free of discrimination based on race, color, national origin, ancestry, gender, gender identity and gender expression, religion, sexual orientation, physical and mental disability, and the fact that they are in foster care.”</li> <li>• “Youth should be able to receive care and services that are fair, respectful, safe, confidential and free from discrimination”</li> <li>• “In order to uphold the rights of all youth, caseworkers, GALs, care providers, parents, and other adults are responsible to secure living environments and services for youth that are fair, respectful, safe, confidential, and free from discrimination”</li> </ul>

<sup>12</sup> M.S.R.A., § 4553, Definitions: “Sexual orientation means a person’s actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.”

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<b>Juvenile Detention Facilities</b>	03-201 CMR Ch. 12, Ch. 15, § VI, “Procedures”	“Harassment (harassment by words or gesture of any person that is motivated by the person's race, color, ethnicity, national origin, religion, creed, gender, sexual orientation, physical or mental disability, or juvenile crime)” is included in the list of major behavioral violations of juveniles in detention.
<b>School and Educational Facilities</b>	Minimum Non-Discrimination Policy Template for Schools (found at <a href="http://www.maine.gov/education/vocequity/moa/NEW%20Non-Discrimination%20Statement.docx">http://www.maine.gov/education/vocequity/moa/NEW%20Non-Discrimination%20Statement.docx</a> )	“The (YOUR SCHOOL NAME) does not discriminate on the basis of race, color, national origin, sex, sexual orientation, disability, religion or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.”
	Informational Letter 14, “Ensuring a Safe Learning Environment for All : Local Codes of Conduct, Hazing, and Harassment (written by J. Duke Albanese, Commissioner, found at <a href="http://www.maine.gov/education/edlets/2002/ilet/ilet14.htm">http://www.maine.gov/education/edlets/2002/ilet/ilet14.htm</a> )	<p>“How to define and demonstrate respect is the work of each community and each school board, but fundamental to the notion of respect is tolerance and the avoidance of any harassing behavior, such as derogatory statements about another person’s gender, sexual orientation, ethnicity, religion, or disability that have the potential of causing physical or emotional harm.”</p> <p>“All community members must be welcome in the deliberative process regardless of age, sexual orientation, ethnicity, gender, marital status, religion or socio-economic class.”</p> <p>“The required local codes of conduct are likely to overlap with the policies that school boards are already required to adopt under 20-A MRSA §6553, that establish that “injurious hazing, either on or off school property, by any student—staff member, group or organization affiliated with the public school is prohibited.” What is prohibited is “...any action or situation, including harassing behavior, that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in public school.”</p> <p>“It is important to remember that the local codes of conduct and the board policies required under the anti-hazing law are meant to protect all students. For some students, harassment worsens as they get older. For example, according to data from the Maine Children’s Alliance, gay, lesbian, and bisexual youths experience pervasive victimization both verbally and physically... Youth who are questioning their sexual identity or who are perceived as different because they do not conform to gender expectations in dress, interests, or behavior are likewise potential targets of harassment and thus run the risk of being denied the opportunities to learn that must be afforded to all students in public schools. School administrators, teachers, students, and other members of the school and its community must not wait until the harassment becomes physical; the law against injurious hazing explicitly prohibits reckless or intentional endangerment of a person’s mental health, as well. 20-A MRSA 6553(1)(A).”</p>
<b>Social Worker Guidelines</b>	02-CMR Ch. 10, § 1, “Definitions”	The State Board of Social Worker Licensure includes “criticism of the client’s sexual orientation,” “requests for details of sexual likes or dislikes when not clinically indicated” and “initiation or participation by the social worker of conversation

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		regarding the sexual problems, preferences or fantasies of the social worker or client when not clinically indicated” on the list of “minor sexual violations.”
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Maryland		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	MD Code, State Government, § 20-304, “Prohibited acts”	“An owner or operator of a place of public accommodation or an agent or employee of the owner or operator may not refuse, withhold from, or deny to any person any of the accommodations, advantages, facilities, or privileges of the place of public accommodation because of the person’s race, sex, age, color, creed, national origin, marital status, sexual orientation, or disability.” (current legislation prohibiting gender identity discrimination is being proposed)
Social Services (general)	COMAR 0.01.03.03 “Nondiscrimination Requirement”	Maryland law prohibits discrimination based on “race, religion, color, national origin, sex, physical or mental disability, age, or sexual orientation” in “the provision of services to the public... This regulation applies to other agencies, organizations, employers, institutions and contractors for whom the Department purchases services, except when the discriminatory practices are permitted by law.”
Child Welfare (specific services and programs)	COMAR 07.05.03.15, “Placement for Adoption”	“The agency may not delay or deny the placement of a child for adoption on the basis of the prospective adoptive parent’s or child’s race, color, sexual orientation, or national origin.”
	COMAR 07.03.08.02, “Cash Emergency Assistance to Families with Children”	“The local department may give Cash Emergency Assistance to Families with Children when...the emergency is not the result of quitting a job without good cause.”  “Good cause” includes discrimination on the basis sexual orientation and “other circumstances determined to be good cause by the local department.”
	COMAR 07.05.3.18, ‘International Adoption’	“Agency services provided to individuals requesting assistance with an international adoption shall include...exploration and documentation of the adoptive parent’s attitude regarding the foreign country’s legal and social expectations and planned efforts to preserve and protect the child and the child’s heritage regarding: i. Religion or life philosophy, ii. Lifestyle, iii. Sexual orientation, iv. Post-placement visitation, and v. Other considerations unique to the foreign country.”
Foster Care (including child care centers, housing and training)	COMAR 10.57.05.03, “General Conduct”	“In the capacity or identity as a certified residential child care program administrator or certified residential child and youth care practitioner may not practice, condone, or facilitate discrimination, or collaborate to discriminate on the basis of race, color, sex ,sexual orientation, age, religion, national origin, marital status, political belief, disability, or other preference or personal characteristic, condition, or status with an individual or group of individuals” or “engage or participate in an action that violates or diminishes the civil or legal rights of a client.”
	See also Social Services (general)	
Juvenile Detention Facilities	Maryland Department of Juvenile Justice, Standards of	Employees at juvenile detention facilities “shall be fair, firm and impartial in relationships with youth and other clients. The employee shall maintain a humane, objective and professional interest in the welfare of youth and clients in order to contribute

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	<p>Conduct and Disciplinary Process (found at <a href="http://www.djs.state.md.us/pdf/standards_of_conduct.pdf#page=13">http://www.djs.state.md.us/pdf/standards_of_conduct.pdf#page=13</a>)</p>	<p>to the success of the Department’s programs. Every employee has a responsibility to ensure a safe and humane environment for youth and to respect the individual rights of youth and other clients. An employee may not engage in any form of physical, sexual, or verbal abuse of youth. If an employee has reason to believe that any such abuse has occurred, he or she shall immediately report that information to the appropriate authorities and Department officials in conformity with applicable Department policy.”</p> <p>“An employee found to have engaged in discrimination on the basis of race, color, religion, national origin, political affiliation, disability, age or sex (including sexual harassment) will be subject to disciplinary action up to and including termination depending on the degree of the infraction.”</p>
<b>School and Educational Facilities</b>	<p>Maryland State Department of Education, Office of the Deputy State Superintendent “Equity Assurance and Compliance Office Fact Sheet” (found at <a href="http://www.msde.maryland.gov/MSDE/programs/equity+assurance/">http://www.msde.maryland.gov/MSDE/programs/equity+assurance/</a>)</p>	<p>“The Maryland State Department of Education does not discriminate on the basis of age, ancestry, color, creed, gender identity and expression, genetic information, marital status, disability, national origin, race, religion, sex, or sexual orientation in matters affecting employment or in providing access to programs.”</p>
	<p>Revised Sexual Harassment Guidance: Harassment of Students By School Employees, Other Students, or Third Parties (found at <a href="http://www2.ed.gov/offices/OCR/archives/pdf/shguide.pdf">http://www2.ed.gov/offices/OCR/archives/pdf/shguide.pdf</a>)</p>	<p>“Although Title IX does not prohibit discrimination on the basis of sexual orientation, sexual harassment directed at gay or lesbian students that is sufficiently serious to limit or deny a student’s ability to participate in or benefit from the school’s program constitutes sexual harassment prohibited by Title IX under the circumstances described in this guidance. For example, if a male student or a group of male students target a gay student for physical sexual advances, serious enough to deny or limit the victim’s ability to participate in or benefit from the school’s program, the school would need to respond promptly and effectively...just as it would if the victim were heterosexual. On the other hand, if students heckle another student with comments based on the student’s sexual orientation (e.g., “gay students are not welcome at this table in the cafeteria”), but their actions do not involve conduct of a sexual nature, their actions would not be sexual harassment covered by Title IX.</p> <p>“Though beyond the scope of this guidance, gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, but not involving conduct of a sexual nature, is also a form of sex discrimination to which a school must respond, if it rises to a level that denies or limits a student’s ability to participate in or benefit from the educational program.”</p>
<b>Social Worker Guidelines</b>	<p>COMAR 10.42.03.03, “Responsibilities to Clients”</p>	<p>Licensed social workers may not “practice, condone, facilitate, or collaborate with discrimination on the basis of race, gender, sexual orientation, age, religion, national origin, socioeconomic status, disability, or any other basis proscribed by law.”</p>

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Massachusetts		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
<b>General Non Discrimination</b>	M.G.L.A. 272 § 98, “Discrimination in admission to, or treatment in, place of public accommodation; punishment; forfeiture, civil right”	“Whoever makes any distinction, discrimination, or restriction on account of race, color, religious creed, national origin, sex, sexual orientation, which shall not include persons whose sexual orientation involves minor children as the sex object, deafness, blindness, or any physical or mental disability or ancestry relative to the admission of any person to, or his treatment in any place of public accommodation, resort or amusement...or whoever aids or incites such distinction, discrimination or restriction, shall be punished by a fine of not more than twenty-five hundred dollars or by imprisonment for not more than one year, or both, and shall be liable to any person aggrieved thereby for such damages...All persons shall have the right to full and equal accommodations, advantages, facilities and privileges of any place of public accommodation, resort or amusement subject only to the conditions and limitations established by law and applicable to all persons. This right is recognized and declared to be a civil right.”
<b>Social Services (general)</b>	110 MA ADC 1.09 “Special Provisions Relating to Nondiscrimination”	“No Applicant for or recipient of [Department of Children and Families] services shall, on the ground of race, creed, color, religion, age, ancestry, marital status, sex, sexual orientation, language, disability, veteran status, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in connection with any service, program, or activity administered or provided by the Department.”
<b>Child Welfare (specific services and programs)</b>	Safe Spaces for Gay, Lesbian, Bisexual and Transgender (GLBT) Youth (program guide, found at <a href="http://www.mass.gov/eohhs/gov/departments/dph/programs/community-health/dvip/violence/safe-spaces.html">http://www.mass.gov/eohhs/gov/departments/dph/programs/community-health/dvip/violence/safe-spaces.html</a> )	<p>“Safe Spaces for GLBT Youth is committed to providing opportunities for gay, lesbian, bisexual and transgender youth to develop their full potential in a safe and supportive environment.” The program involves:</p> <ul style="list-style-type: none"> <li>• “Shared decision making, youth leadership development, and peer to peer support create opportunities for new perspectives and approaches to emerge.”</li> <li>• “Members develop a sense of community responsibility for the success of the program while developing life skills.”</li> <li>• “All aspects of identity including race, ethnicity, gender expression, national origin, language, sexual orientation, socio-economic background, age, religion and ability need to be respected and understood within the diversity of the GLBT communities.”</li> <li>• “Increasing participation and leadership of underrepresented GLBT youth and their families will make all of our services stronger and more responsive to the diverse public health needs of GLBT youth.”</li> </ul> <p>For a full list of the Safe Spaces Funded programs, visit the link to the left.</p>
<b>Foster Care (including child care centers, housing and training)</b>	Massachusetts Department of Health and Human Services, Foster Child Bill of Rights (found at <a href="http://www.mass.gov/eohhs/consumer/family-services/foster-care/our-children-and-">http://www.mass.gov/eohhs/consumer/family-services/foster-care/our-children-and-</a>	<p>Every foster child:</p> <ul style="list-style-type: none"> <li>• “Shall be treated with respect by DCF staff, foster parents and providers without regard to race, ethnicity, sexual orientation, gender identity, religion and/or disability.”</li> <li>• “Shall have the opportunity to have private conversations with social worker on a regular basis. Foster youth shall also be made aware of the process for contacting the supervisor and attorney regarding any questions or concerns.”</li> <li>• “Shall have access to personal possessions, personal space and privacy with allowance for safety. Shall receive assistance in acquiring life skills, education, training and career guidance to accomplish personal goals and prepare for</li> </ul>

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	<a href="#">youth/foster-child-bill-of-rights.html</a> )	the future and be informed of the post-secondary educational and employment supports available to youth in care through the Department.”
<b>Juvenile Detention Facilities</b>	No specific policies found; Juvenile Services is a sub-department of the Department of Youth Services, which is a sub-Department of the Department of Health and Human Services, which is governed by a nondiscrimination policy that includes sexual orientation.	
<b>School and Educational Facilities</b>	<i>Doe v. Yunits</i> , 2000 WL 33162199 (Mass. Super. Ct. 2000)	<ul style="list-style-type: none"> <li>• Case involving a 15-year old student whose public school prohibited her from expressing her female gender identity (female clothing)</li> <li>• Court held that the student’s conduct was “expressive speech which is understood by those perceiving it,” meaning that, as a symbolic act, it was protected by the First Amendment Right to Free Speech<sup>13</sup></li> <li>• Court granted the student a preliminary injunction and ordered the school to allow her to wear “any clothing or accessories that any other male or female student could wear to school without being disciplined”</li> <li>• However, the court dismissed the argument that Gender Identity Disorder is a disability (and thus protected under the Massachusetts Declaration of Rights) because the Federal Americans with Disabilities Act “expressly excludes transvestism, transsexualism...and gender identity disorders not resulting from physical impairments.”</li> </ul>
	603 CMR 26.01, “Purpose and Construction; Definition” (Full act found at <a href="http://www.lawlib.state.ma.us/source/mass/cmr/cmrtxt/603CMR26.pdf">http://www.lawlib.state.ma.us/source/mass/cmr/cmrtxt/603CMR26.pdf</a> )	“603 CMR 26.00 is promulgated to insure that the public schools of the Commonwealth do not discriminate against students on the basis of race, color, sex, gender identity, religion, national origin or sexual orientation and that all students have equal rights of access and equal enjoyment of the opportunities, privileges and courses of study at such schools.”
<b>Social Worker Guidelines</b>	258 CMR 20.08, “Unlawful Discrimination”	A social worker “shall not engage in, facilitate, or collaborate in any form of discrimination on the basis of race, color, religious creed, national origin, sex, sexual orientation, age, ancestry, marital status, status as a veteran or member of the armed forces, blindness, hearing impairment or any physical or mental disability with respect to the availability, provision, or performance of any professional function or service.”

<sup>13</sup> Note that any claim of a violation of the Constitution requires a state actor (meaning, a governmental employee of some sort). This argument would not work in a private school.

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Michigan		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
<b>General Non Discrimination</b>	M.C.L.A. 37.2302 “Public Accommodations; Prohibited Practices”	Michigan law does not include sexual orientation or gender identity in its nondiscrimination policy for public accommodations.
<b>Social Services (general)</b>	Department of Human Services Nondiscrimination Policy (found at <a href="http://www.michigan.gov/documents/dhs/DHS-1381_CDC_Statement_of_Payments_354976_7.pdf">http://www.michigan.gov/documents/dhs/DHS-1381_CDC_Statement_of_Payments_354976_7.pdf</a> )	“Department of Human Services (DHS) will not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, sex, sexual orientation, gender identity or expression, political beliefs or disability.”
<b>Child Welfare (specific services and programs)</b>	See Social Services (general)	
<b>Foster Care (including child care centers, housing and training)</b>	“A Handbook for Youth in Foster Care” (published by Department of Human Services, found at <a href="http://www.michigan.gov/documents/dhs/DHS-Pub-0089_353116_7.pdf">http://www.michigan.gov/documents/dhs/DHS-Pub-0089_353116_7.pdf</a> )	“Department of Human Services (DHS) will not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, sex, sexual orientation, gender identity or expression, political beliefs or disability.”
<b>Juvenile Detention Facilities</b>	Bureau of Juvenile Justice Philosophy (found at <a href="http://www.mfia.state.mi.us/olmweb/ex/jj1/110.pdf">http://www.mfia.state.mi.us/olmweb/ex/jj1/110.pdf</a> )	“The juvenile justice process is respectful of age, abilities, sexual orientation, family status, diverse cultures and backgrounds and all are given equal protection and due process.”
<b>School and Educational Facilities</b>	Michigan Department of Civil Rights, “Report on LGBT Inclusion Under Michigan Law, with Recommendations for Action” (found at <a href="http://www.michigan.gov/documents/mdcr/MDCR_Report_on_LGBT_Inclusion_409727_7.pdf">www.michigan.gov/documents/mdcr/MDCR_Report_on_LGBT_Inclusion_409727_7.pdf</a> )	While [The Elliot-Larsen Civil Rights Act] prohibits employment, public accommodations, public services, education, and housing discrimination based on race, religion, color, national origin, sex, age, marital status, height, weight, and arrest record, it does not currently prohibit discrimination based on sexual orientation or gender identity/expression.”

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Social Worker Guidelines	MI ADC R. 338-2909, “Prohibited Conduct”	Social workers are prohibited from “Refusing to provide professional service to a person because of the person’s race, creed, color, national origin, age, sex, sexual orientation, or disability.”
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Minnesota		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	M.S.A. § 363A.12 “Public Services”	“It is an unfair discriminatory practice to discriminate against any person in the access to, admission to, full utilization of, or benefit from any public service because of race, color, creed, religion, national origin, disability, sex, sexual orientation, or status with regard to public assistance.”
	M.S.A. § 363A.03 “Definitions”	<p>“Public service” is defined as “any public facility, department, agency, board or commission, owned, operated, or managed by or on behalf of the state of Minnesota, or any subdivision thereof, including any county, city, town, township, or independent district in the state.”</p> <p>“Sexual orientation” is defined as “having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness.”</p>
Social Services (general)	Minnesota Department of Human Services, Civil Rights Plan (found at <a href="https://edocs.dhs.state.mn.us/lfs/erver/Legacy/DHS-5362-ENG">https://edocs.dhs.state.mn.us/lfs/erver/Legacy/DHS-5362-ENG</a> )	“The purpose of the DHS Civil Rights Plan is to ensure that applicants, clients, and members of the public are not discriminated against on the basis of national origin, sex, sexual orientation, age, creed, religion, political beliefs, disability or status with regard to public assistance.”
Child Welfare (specific services and programs)	“Working with lesbian, gay, bisexual, transgender and questioning/queer youth” (published by the Minnesota Department of Human Services, found at <a href="https://edocs.dhs.state.mn.us/lfs/erver/Public/DHS-6500-ENG">https://edocs.dhs.state.mn.us/lfs/erver/Public/DHS-6500-ENG</a> )	Policy guidelines specifically for LGBTQ youth; outlines best practices and policies, as well as the behavioral and mental health risks associated with LGBTQ youth.

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<b>Foster Care (including child care centers, housing and training)</b>	<p>“Working with lesbian, gay, bisexual, transgender and questioning/queer youth, Policies and procedures regarding discrimination” (published by the Minnesota Department of Human Services, found at <a href="https://edocs.dhs.state.mn.us/lfs/erver/Public/DHS-6500-ENG">https://edocs.dhs.state.mn.us/lfs/erver/Public/DHS-6500-ENG</a>)</p>	<p>“Foster parents should consider the following when contemplating fostering an LBTQ youth:</p> <ul style="list-style-type: none"><li>• Acknowledge that foster youth in care may be LGBTQ – do not assume all are heterosexual</li><li>• Examine their beliefs and attitudes that might impact their ability to support LGBTQ youth in their care. Regardless of personal beliefs, it is the foster parents’ responsibility to provide a safe, nurturing, and nonjudgmental environment for all youth in their care.</li><li>• Educate themselves on LGBTQ issues through reading books, watching films, conducting research on the internet and/or attending workshops.</li><li>• Understand that being LGBTQ is not a choice or something a youth can change. The leading mental health and child welfare associations have long recognized that a lesbian or gay sexual orientation is a normal variation on human sexuality and no more susceptible to change than is a heterosexual orientation. Foster youth in care should never be subjected to conversion or reparative therapies for the purpose of changing their sexual orientation or gender identity.</li><li>• Understand that acceptance or rejection affects the health and well-being of LGBTQ youth in care.</li><li>• Respect the privacy and confidentiality of LGBTQ youth.</li><li>• Apply the same standards to LGBTQ that are applied to other youth for age-appropriate adolescent romantic behavior.</li><li>• Provide safety in all settings for LGBTQ youth.</li><li>• Be an advocate for LGBTQ youth.</li><li>• Acknowledge that there’s more to an individual than just one’s sexual orientation and gender identity. Avoid making assumptions about youth based entirely upon certain characteristics. Do not assume that every struggle faced by an LGBTQ youth is a result of this aspect of their identity. Many of their struggles are a result of lack of support they received from their caretakers and peers.</li><li>• Take advantage of community resources for both foster parents and LGBTQ youth.”</li></ul>
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	<p>“Working with lesbian, gay, bisexual, transgender and questioning/queer youth, Ensuring safe placement in residential care,” (published by the Minnesota Department of Human Services, found at <a href="https://edocs.dhs.state.mn.us/lfs/erver/Public/DHS-6500-ENG">https://edocs.dhs.state.mn.us/lfs/erver/Public/DHS-6500-ENG</a>)</p>	<p>“All children, regardless of their race, national origin, economic status, sex, sexual orientation, gender identity, religion, disability, national origin and HIV status, deserve to be respected, cared for, and supported by county social workers, foster families, and/or residential care facility staff.”</p>
<b>Juvenile Detention Facilities</b>	<p>52 M.S.A., “Juvenile Delinquency Procedure Rule 5.03, Detention Decision”</p>	<p>“In deciding whether detention is justified, the detaining authority shall not consider the child or the child’s family, race, color, gender, sexual orientation, religion, national origin, economic or public assistance status, family structure or residential mobility.”</p>
<b>School and Educational Facilities</b>	<p>“Listening to Youth Voices: American Indian and Lesbian, Gay, Bisexual and Transgender Students Discuss School Climate and Barriers to Learning” (Published by the Minnesota Department of Education, found at <a href="http://education.state.mn.us/MD/E/Welcome/AdvBCT/PrevSchBully/">http://education.state.mn.us/MD/E/Welcome/AdvBCT/PrevSchBully/</a>)</p>	<p><b>“Teachers:</b> Teachers who are supportive and clear about respectful language in their classrooms helped to support the education of LGBT students. “Yes, many teachers support me. Some kids say ‘that’s so gay’ in the classroom and I have had teachers stop them and say ‘that is not acceptable here.’” Students with visible Safe Teams expressed a high level of support, from teachers to administrators. “Our school has ‘safe zones’ and our teachers wear ‘safe zone’ t-shirts every Wednesday.” One student described his experience of acceptance from teachers in elementary school: “For me, being out was never a problem. Teachers in elementary school always told us it was ok to be ourselves—so I was.”</p> <p><b>“Bullying:</b> However, from the students’ perspective, many teachers lack skills to address LGBT bullying, or in the instance of one district, seemed to be confused by the district’s “neutral curriculum” policy. “Teachers need to be told that no matter what, bullying is wrong—too much of the time staff let personal issues and beliefs get in the way—bullying is bullying.”</p> <p>“Sometimes teachers don’t step up. My thing is, if you see bullying, do something!” As with the Indian Students, high school is perceived as better than middle school, and schools with a Gay Straight Alliance (GSA) are perceived as more supportive, especially by students who did not have a GSA. “We don’t have any of that (GSA’s). I’ve been hiding for a long time. If I had some of the things you guys have my life would’ve been much easier.” Support for middle school LGBT students is needed: “Younger kids are very susceptible to what other younger kids say. That’s why so many suicides are with younger kids—they don’t know it gets better. In high school you get support.”</p> <p><b>Peers</b> can prevent bullying. Adults are speaking up and being respectful; “kids need to do the same.”</p>

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		<b>Curricula:</b> Besides being practical and useful to all youth, comprehensive sexuality education that includes information about LGBT youth is a way for LGBT youth to be seen and acknowledged. “We need to be included in regular sex ed,” said one youth. “And teachers need to be educated too. They shouldn’t ignore us—we are sitting right in front of them!” Social Studies and literature classes were also identified as places for inclusion of LGBT authors, history and culture. “We had assignments to read certain authors—and I struggled with it—then I found out somewhere else that the author was gay—it would have made a difference to me if I would have known that.”
<b>Social Worker Guidelines</b>	MN ADC 8740.0310, “General Requirements”	“A social worker shall not discriminate against a client, student, supervisee, or social work intern on the basis of age, gender, sexual orientation, race, color, national origin, religion, diagnosis, disability, political affiliation, or social or economic status. If the social worker is unable to offer services because of potential discrimination against a client, student, supervisee, or social work intern, the social worker shall make an appropriate and timely referral. When a referral is not practical, the social worker shall obtain supervision or consultation to address the potential discrimination.”

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Mississippi		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	MS ADC 27-2-1, “Appendix D. Required Clauses in Contract for Services”	The nondiscrimination policy requirements for state contractors does not specifically include sexual orientation or gender identity.
Social Services (general)	MS ADC 18-13:1.1010, “Nondiscrimination Compliance”	The Mississippi Department of Human Services nondiscrimination policy does not include sexual orientation or gender identity.
Child Welfare (specific services and programs)	MS ADC 15-16-1:1.19.9, “Patient Rights and Responsibilities”	Patients being treated in a hospice have the right to “receive appropriate and compassionate care, regardless of diagnosis, race, age, gender, creed, disability, sexual orientation, place of residence, or the ability to pay for the services rendered.”
	MS ADC 24-II:59, “Glossary” (for Operational Standards for Mental Health, Intellectual/Developmental Disabilities, and Substance Abuse Community Service Providers)	Mental Health, Intellectual/Developmental Disabilities, and Substance abuse Community Service Providers must have a “person-centered process,” which involves “identification of the supports needed for individual recovery and resilience. Individualized and Person-centered means that the combination of services and supports should respond to an individual’s needs, and should work with the strengths unique to each individual’s natural and community supports. Services and supports should be designed to help the person served identify and achieve his/her own recovery goals. The public mental health system must also recognize, respect and accommodate differences as they related to culture/ethnicity/race, religion, gender identity and sexual orientation. However, an individualize/person-centered process must recognize the importance of the family and fact that supports and services impact the entire family.”
Foster Care (including child care centers, housing and training)	Mississippi Department of Family and Children Services Policy Manual, Section A: Administration (found at <a href="http://www.mdhs.state.ms.us/pdfs/fcspolicy/sectiona.pdf">http://www.mdhs.state.ms.us/pdfs/fcspolicy/sectiona.pdf</a> )	<p>All children and youth in foster care have a right to:</p> <ul style="list-style-type: none"> <li>• “Keep their personal belongings with them and to expect age appropriate privacy”</li> <li>• “Be who they are”</li> <li>• “To their own identity, values, freedom to express their emotions, hopes, plans and goals, religion/spirituality”</li> <li>• “To learn about their sexuality in a safe and supportive environment.”</li> <li>• “The right to privacy in relation to their personal journal/diary, letters, emails, telephone calls and other personal belongings, except in cases where there is just cause in supervising the youth to prevent self harm or harm to other individuals.”</li> <li>• “The most basic right to receive care and services that are free of discrimination based on race, color, national origin, ancestry, gender, gender identity and gender expression, religion, sexual orientation, physical and mental disability, and the fact that they’re in foster care.”</li> <li>• “Youth should be able to have visitation with people that are important to them while receiving treatment.”</li> </ul>
Juvenile Detention Facilities	Mississippi Department of Human Services, Division of Youth Services, DYS Code of	Juvenile services are covered by the Department of Youth Services. The DYS Code of Ethics does not include sexual orientation or gender identity in its nondiscrimination policy.

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	Ethics (found at <a href="http://www.mdhs.state.ms.us/pdfs/dysnewpol/dyssec03/dyssection031.pdf">http://www.mdhs.state.ms.us/pdfs/dysnewpol/dyssec03/dyssection031.pdf</a> )	
<b>School and Educational Facilities</b>	Mississippi Department of Education Non-Discrimination Policy (found at <a href="http://www.mde.k12.ms.us/docs/2012-board-agenda/tab_10_july_2012.pdf?sfvrsn=2">http://www.mde.k12.ms.us/docs/2012-board-agenda/tab_10_july_2012.pdf?sfvrsn=2</a> )	“This Mississippi Department of Education does not discriminate on the basis of sex, race, religion, age, national origin, ancestry, creed, pregnancy, marital or premarital status, sexual orientation, or physical, mental, emotional, or learning disability.” (Note: the official nondiscrimination notice on the DOE website does not include sexual orientation or gender identity, but this document was published in August 2012).
<b>Social Worker Guidelines</b>	MS ADC 30-14-1902:3.3, “Standards of Ethical Conduct”	“The social worker must uphold and advance the values, ethics, knowledge, and mission of the profession.” “The social worker must assist the profession in making social services available to the general public.”

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Missouri		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	V.A.M.S. 213.070 “Additional unlawful discriminatory practices”	Missouri law does not include sexual orientation or gender identity in its nondiscrimination policy concerning state agencies.
	There is proposed legislation that would prohibit discrimination based upon a person’s sexual orientation or gender identity. For more information, see <a href="http://house.mo.gov/billtracking/bills131/sumpdf/HB0615I.pdf">http://house.mo.gov/billtracking/bills131/sumpdf/HB0615I.pdf</a> .	
Social Services (general)	Missouri Department of Social Services Nondiscrimination Policy Statement (found at <a href="http://dss.mo.gov/files/missouri-nondiscrimination-policy-statement.htm">http://dss.mo.gov/files/missouri-nondiscrimination-policy-statement.htm</a> )	“DSS applicants for, or recipients of, services from DSS are to be treated equitably regardless of race, color, national origin, ancestry, sex, age, sexual orientation, disability, veteran status, or religion. Appropriate interpretive services will be provided as required for the visually or hearing impaired and for persons with language barriers.”
Child Welfare (specific services and programs)	Missouri Department of Social Services, Children’s Division, “Know Your Rights: A Guide to Consumer Rights” (pamphlet, found at <a href="http://dss.mo.gov/cd/info/forms/pdf/cs132.pdf">http://dss.mo.gov/cd/info/forms/pdf/cs132.pdf</a> )	Clients being served by the Children’s Division have the right to “services without discrimination of age, race, religion, ethnicity, family background, sexual orientation, or disability.”
Foster Care (including child care centers, housing and training)	Child Welfare Manual, “Resource Provider Family Assessment Recording Outline” (found at <a href="http://dss.mo.gov/cd/info/cwmanual/section6/ch3/sec6ch3attachc.htm">http://dss.mo.gov/cd/info/cwmanual/section6/ch3/sec6ch3attachc.htm</a> )	Resource parent life and style practice are assessed by the department, and the assessment includes “sexual orientation (as required by 13 CSR 35.60.030) (i.e. may compromise their attitude toward living, work, family, and leisure activities.)”

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	<p>Missouri Resource Parent Handbook (found at <a href="http://dss.mo.gov/cd/fostercare/pdf/fcresource.pdf">http://dss.mo.gov/cd/fostercare/pdf/fcresource.pdf</a>)</p>	<p>“The Children's Service Worker shall ensure children receive sexual health education including information on sexually transmitted diseases and birth control appropriate to their individual age and physical and emotional maturity. The worker should make extensive efforts to involve the physician in sexual health decisions and encourage the child to discuss these matters with his/her parent/s when circumstances allow. All efforts to comply with this policy must be clearly documented in the record. Directives given by the Court to handle birth control consent or sexual health decisions contrary to this policy should be followed and documented in the record.”</p> <p>“AIDS IS NOT SPREAD BY CASUAL CONTACT. YOU CAN SAFETY CARE FOR A CHILD WITH AIDS. HIV/AIDS virus is fragile outside the human body and is not spread through casual contact. It is easily killed with common household disinfectants, such as chlorine bleach. If you are caring for a child with HIV/AIDS you can:</p> <ul style="list-style-type: none"><li>• Hug them</li><li>• Hold their hands</li><li>• Give them a kiss</li><li>• Dry their tears</li></ul> <p>Children who are HIV positive or who have AIDS can:</p> <ul style="list-style-type: none"><li>• Eat at the same table</li><li>• Be served from a common dish family style</li><li>• Use the same dishes, glasses and utensils</li></ul> <p>Used dishes should be washed with hot water and soap and rinsed with hot water. The child’s clothing may be washed with the family wash, unless soaked with blood or other body fluids.”</p> <p>Haircuts: “Resource parents should be sensitive to the birth parents’ feelings, and should not make any significant style or length changes, without first discussing with the family. Youth should be able to express their desires regarding their hairstyle and changes they would like to make”</p>
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	13 MO ADC 35-60.050, “Care of Children”	<p>“The foster parent(s) shall provide clothing appropriate to the foster child's age and of quality and quantity similar to other children in the community. Where it is appropriate and possible, foster children shall be allowed to participate in the selection of their own clothing. The possessions and clothing of the foster child shall follow the child in the event of removal from the foster home.”</p> <p>“Foster parent(s) shall provide for the moral training of foster children in care and shall make opportunities available for religious education and attendance of services compatible with the child's religious heritage, provided that this training would not be injurious to the foster child's physical, mental or emotional health.”</p> <p>“Foster parent(s) shall support a foster child's cultural identity and individuality in foster care.”</p> <p>“Discipline shall be used in a constructive, fair and consistent manner. Foster parents shall not use corporal punishment against foster children....No foster child shall be subjected to verbal abuse, threats of corporal punishment, derogatory remarks about him/herself or members of his/her family, threats to withhold family visits, threats to expel the child from the foster home or the withholding of food, shelter or clothing.”</p>
<b>Juvenile Detention Facilities</b>	Juvenile Detention Facilities are managed by the Division of Youth Services, which is a sub-agency of the Department of Social Services (see Social Services, general)	
<b>School and Educational Facilities</b>	Missouri Department of Elementary and Secondary Education Non-Discrimination Notice (found at <a href="http://dese.mo.gov/disclaimer.html">http://dese.mo.gov/disclaimer.html</a> )	The general non-discrimination policy of the Department of Elementary and Secondary Education does not include sexual orientation or gender identity.
	Title IX Coordinator Roles and Responsibilities, Local School Districts (found at <a href="http://dese.mo.gov/divcareered/Civil_Rights/Title_IX_Coordinator_Roles_and_Responsibilities.pdf">http://dese.mo.gov/divcareered/Civil_Rights/Title_IX_Coordinator_Roles_and_Responsibilities.pdf</a> )	A core responsibility for Title IX Coordinators is to “be knowledgeable of federal and state laws (e.g. ADA Section 504, IDEA) prohibiting discrimination against all protected classes (including race, religion, and sexual orientation) and assist whenever possible.”

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Social Worker Guidelines	20 MO ADC 2263-3.140, “Competence”	Social workers shall “recognize the effects of socioeconomic, ethnic, gender, sexual orientation, disability, and racial and cultural factors on clients in assessment and planning services.”
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Montana		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	MCA 49-2-304, “Discrimination in public accommodations”	The general nondiscrimination policy for public accommodations does not include sexual orientation or gender identity.
Social Services (general)	Department of Public Health and Human Services, Nondiscrimination Policy and Procedures (found at <a href="http://www.dphhs.mt.gov/policy/nondiscriminationpolicy300.pdf">http://www.dphhs.mt.gov/policy/nondiscriminationpolicy300.pdf</a> )	“The Department, as a provider of services to the public, is committed to ensuring that public access to, and receipt of, Department services is made without regard to a member of the public’s race, creed, religion, color, national origin, age, physical or mental disability, marital status, sex, political belief or sexual orientation.”
Child Welfare (specific services and programs)	Mont. Admin. R. 37.75.102, “Civil Rights”	The Child and Adult Food Care Program is a federal program and thus requires the “inclusion of the USDA nondiscrimination and equal opportunity statements.” While the law itself does not include sexual orientation, USDA policy is to include sexual orientation in its nondiscrimination policy.
	State of Montana, Montana 2012-2016 “Integrated HIV Prevention and Treatment Plan”	<p>“Currently, the goal of the National HIV/AIDS Strategy (2010) is to offer every person, regardless of age, gender, race/ethnicity, gender identity or socioeconomic circumstance, unfettered access to high quality, life –extending care, free from stigma and discrimination.”</p> <p>Vision for the National HIV/AIDS Strategy: “The United States will become a place where new HIV infections are rare and when they do occur, every person, regardless of gender, race/ethnicity, sexual orientation, gender identity or socio-economic circumstance, will have unfettered access to high quality, life-extending care free from stigma and discrimination.”</p>
Foster Care (including child care centers, housing and training)	MT ADC 37.51.826, “Youth Foster Homes: Discipline”	<p>“Foster parents shall use discipline appropriate to the child’s age and developmental level. The foster parents’ approach to discipline must be positive.”</p> <p>“The foster parents shall not use any other disciplinary technique which is humiliating, shaming, cruel, capricious, frightening, or otherwise damaging to the child.”</p> <p>“No child in care shall be subjected to verbal abuse, derogatory remarks about himself or members of his family, or threats to expel the child from the foster home.”</p> <p>“Participation or nonparticipation by the child in religious activities of the child or the foster family shall not be used as a form of discipline.”</p>

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		“If a foster parent or other household member is involved in any physical discipline of a foster child or any other violation of this rule, the foster parent must report the violation as required in ARM 37.51.609.”
	MT ADC 37.51.851, “Youth Foster Homes: Child Privacy Rights”	“The foster parents shall allow privacy for the child and shall provide appropriate sleeping arrangements, separate storage space for clothing and personal articles, and a place to display the child's socially appropriate creative works and symbols of identity.”
	MTADC 37.51.810, “Youth Foster Homes: Child Clothing”	“(1) The foster parents shall ensure that each child is supplied with his own clothing suitable to the child's age and size. (2) Clothing shall be comparable to the clothing of other children in the community. (3) Children shall be given appropriate choice in the selection of their clothing.”
<b>Juvenile Detention Facilities</b>	MT ADC 20.9.620, “Rights of Youth”	Juvenile detention facilities are barred from discriminating against any youth “based on race, religion, national origin, gender, handicap, political belief, or sexual orientation.”
<b>School and Educational Facilities</b>	Mont. Admin. R. 10.58.512, “School Counseling K-12”	School counselors must “demonstrate knowledge of the role of ethnic and cultural heritage, nationality, socioeconomic status, family structure, age, gender, sexual orientation, religious and spiritual beliefs, occupation, physical and mental status, and equity issues in school counseling, including Montana American Indians.”
	Montana Office of Public Instruction, Equal Opportunity for Students policy (found at <a href="http://www.opi.mt.gov/pdf/CivilRights/OPIContacts.pdf">http://www.opi.mt.gov/pdf/CivilRights/OPIContacts.pdf</a> )	“All individual students should be given equal access to educational opportunity and OPI programs and services regardless of gender, race, national origin, age, marital status, religion, sexual orientation, disability, political ideas or social condition or other artificial barrier which causes opportunity limiting discrimination.”
<b>Social Worker Guidelines</b>	Mont. Admin.R. 24.219.1209, “Competency”	Licensed social workers “shall be aware of personal and societal biases and engage in nondiscriminatory practice. The licensee shall be aware of how biases regarding age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language, culture, and socioeconomic status may interfere with an objective evaluation and recommendations [with parenting plans] and shall strive to overcome any such biases or withdraw from the evaluation.”
	Mont. Admin. R. 24.219.1026, “Diversity When Using Assessment and Testing Instruments”	“Counselors and social workers shall be cautious in using assessment techniques, making evaluations, and interpreting the performance of populations not represented in the norm group on which an instrument was standardized. They shall recognize the effects of age, color, culture, disability, ethnic group, gender, race, religion, sexual orientation, and socioeconomic status on test administration and interpretation, and place test interpretation results in proper perspective with other relevant factors.”

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Nebraska		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	Neb. Rev. St. § 20-132, “Full and equal enjoyment of accommodations”	The general nondiscrimination statute for public accommodations does not include sexual orientation or gender identity.
Social Services (general)	464 NE ADC Ch. 1, § 005, “Non-Discrimination”	The non-discrimination policy for the Department of Health and Human Services does not include sexual orientation or gender identity.
Child Welfare (specific services and programs)	390 NE ADC Ch. 11, § 002, “Specific Sensitive Issues”	<p>11-002.04C “Birth Control, Family Planning and Sex Education”: The social worker for a child will:</p> <ul style="list-style-type: none"> <li>• “Arrange for birth control counseling or refer for birth control all age-and-behavior-appropriate male and female wards. (The U.S. Supreme Court has ruled that the State cannot deny minors from obtaining contraceptives without parental consent).”</li> <li>• “Take into consideration the child’s and parent’s request for services consistent with their respective religious beliefs.”</li> <li>• “Permit the ward treatment for venereal disease without parental consent as outlined in Nebraska Statutes 71-1121, R.R.S., 1986.”</li> <li>• “Ensure that education regarding sexuality, birth control and family planning services are part of an overall plan leading to adult responsibility.”</li> </ul> <p>11-002.04D “HIV/AIDS”: “To protect children from discrimination as a result of being tested for the human immunodeficiency virus (HIV), the decision to test a child for the HIV antibody will be carefully made on an individual basis. It is the role of the worker to give written informed consent when a child’s situation meets the conditions in the protocols in the Case Management Guidebook, Specific Issues section. A child will not be tested for HIV unless there is a reasonable cause to believe the child has been exposed to the virus...Older children who engage in behaviors that put them at risk for HIV infection (for example, multiple sex partners, sex, for money, and use of injectable drugs) should be individually evaluated. The use of the Counseling, Testing and Partner Notification Sites should be strongly considered not only for the testing but more importantly for the pre and post test counseling which is available. (Using the Counseling, Testing, and Partner Notification Sites protects the child’s confidentiality, which is a very important consideration for children who are wards.)</p>
Foster Care (including child care centers, housing and training)	390 NE ADC Ch. 11, § 002, “Specific Sensitive Issues”	<p>11-002.01E, “Discipline of Children in Out-of-Home Placement”: out-of-home providers are specifically prohibited from using the following means to discipline children:</p> <ul style="list-style-type: none"> <li>• “Derogatory remarks, abusive profane language”</li> <li>• “Yelling, screaming or threats of physical punishment”</li> <li>• “Physical punishment of any kind”</li> <li>• “Striking with inanimate objects”</li> </ul>

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		<ul style="list-style-type: none"> <li>• “Rough handling.”</li> </ul> <p>11-002.01S, “Religion”: “The foster care provider will not require the child to practice the foster care provider’s faith (that is, be baptized, receive communion, be confirmed, witness or go to confession). The foster care provider may require the child to attend a place of worship with the family .If the child’s family, the child or the worker sees this as interfering with the child’s practice of his/her religion, other arrangements must be made.”</p> <p>Foster parents shall “ensure that education regarding sexuality, birth control and family planning services are part of an overall plan leading to adult responsibility.”</p>
<b>Juvenile Detention Facilities</b>	83 NE ADC Ch. 12, § 001, “Written Policies and Procedures”	Juveniles in detention have the right to “freedom from personal abuse, corporal or unusual punishment, humiliation, mental abuse, or punitive interference with daily functions of living, such as eating or sleeping.” They also have the right to “freedom from discrimination based upon sex, race, creed, religion, national origin, disability, or political belief and to have equal access to available programs and work assignments.”
<b>School and Educational Facilities</b>	Nebraska Department of Education Nondiscrimination policy (found at <a href="http://www.education.ne.gov/nce/">http://www.education.ne.gov/nce/</a> )	The nondiscrimination policy for the Nebraska Department of Education does not include sexual orientation or gender identity.
	Rule 24, Table of Standards and Assessments (found at <a href="https://www.google.com/url?q=http://www.education.ne.gov/EducatorPrep/Forms/EndorsementMatrices/sped_mildmoderate07.doc&amp;sa=U&amp;ei=RPDmUeHdI8ngrQGh54HgBA&amp;ved=0CBQQFjAGOAo&amp;client=internal-uds-cse&amp;usg=AFQjCNEutcNh1h_fwYo0_vEmM6bAEPIOOg">https://www.google.com/url?q=http://www.education.ne.gov/EducatorPrep/Forms/EndorsementMatrices/sped_mildmoderate07.doc&amp;sa=U&amp;ei=RPDmUeHdI8ngrQGh54HgBA&amp;ved=0CBQQFjAGOAo&amp;client=internal-uds-cse&amp;usg=AFQjCNEutcNh1h_fwYo0_vEmM6bAEPIOOg</a> )	Special Education teachers are required to take courses that “promote and maintain a high level of competence and integrity in the practice of the profession, including sensitivity to culture, religion, gender, and sexual orientation of individual students.”

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	2010 School Health Profiles, School Principal Questionnaire (found at <a href="http://www.education.ne.gov/CSH/Data_Statistics/2010Secondary/data/2010_Profiles_Principal_Questionnaire.pdf">http://www.education.ne.gov/CSH/Data_Statistics/2010Secondary/data/2010_Profiles_Principal_Questionnaire.pdf</a> )	Nebraska school health programs and policies were assessed using this questionnaire. One of the questions asked was “Does your school engage in each of the following practices related to lesbian, gay, bisexual, transgender, or questioning (LGBTQ) youth?” Practices were listed as follows: <ul style="list-style-type: none"><li>• Identify “safe spaces”</li><li>• Prohibit harassment based on a student’s perceived or actual sexual orientation or gender identity</li><li>• Encourage staff to attend professional development on safe and supportive school environments for all students, regardless of sexual orientation or gender identity</li><li>• Facilitate access to providers not on school property who have experience in providing health services, including HIV/STD testing and counseling, to LGBTQ youth</li><li>• Facilitate access to providers not on school property who have experience in providing social and psychological services to LGBTQ youth</li></ul>
<b>Social Worker Guidelines</b>	172 NE ADC Ch. 94, § 016, “Unprofessional Conduct”	Unprofessional conduct for social workers is defined as “any departure from or failure to conform to the standards of acceptable and prevailing practice of a profession or occupation on the ethics of the profession or occupation, regardless of whether a person, patient, or entity is injured, or conduct that is likely to deceive or defraud the public or is detrimental to the public interest.”

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Nevada		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	N.R.S. 651.070, “All persons entitled to equal enjoyment of places of public accommodation”	“All persons are entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation, without discrimination or segregation on the ground of race, color, religion, national origin, disability, sexual orientation, sex, gender identity or expression.”
Social Services (general)	Medicaid Service Policy Manual (found at <a href="http://dhcfp.state.nv.us/MSM/CH1400/MSM%20Ch%201400%20FINAL%2011-08-11.pdf">http://dhcfp.state.nv.us/MSM/CH1400/MSM%20Ch%201400%20FINAL%2011-08-11.pdf</a> )	“A patient has the right to be free from discrimination because of race, creed, color, sex, national origin, sexual orientation, and diagnosis.”
Child Welfare (specific services and programs)	Nevada Division of Mental Health and Developmental Services, Policy #2.013 – Civil Rights Grievance Procedure” (found at <a href="https://www.google.com/url?q=http://mhds.state.nv.us/index.php%3Foption%3Dcom_joomdoc%26task%3Ddoc_download%26gid%3D415%26Itemid%3D5&amp;sa=U&amp;ei=TPbmUZOPi8eCrgGN9oH4Bw&amp;ved=0CA0QFjAD&amp;client=internal-uds-cse&amp;usq=AFQjCNGiZ-rP5WLmcmTr3CLCY82W_fxTjQ">https://www.google.com/url?q=http://mhds.state.nv.us/index.php%3Foption%3Dcom_joomdoc%26task%3Ddoc_download%26gid%3D415%26Itemid%3D5&amp;sa=U&amp;ei=TPbmUZOPi8eCrgGN9oH4Bw&amp;ved=0CA0QFjAD&amp;client=internal-uds-cse&amp;usq=AFQjCNGiZ-rP5WLmcmTr3CLCY82W_fxTjQ</a> )	“It is the policy of the Nevada Division of Mental Health & Developmental Services (MHDS) to not discriminate in provision of services, or hiring and employment practices, on the basis of race, age, color, creed, sex, sexual orientation, religion, disability (including AIDS and related conditions), or national origin.”
	Division of Child and Family Services, Children’s Mental Health Services Policy Number 2.01 (found at <a href="http://www.dcf.state.nv.us/CW_Policies/0200/2.01_ClientsRightsAndConsentToTreatmentPolicy.pdf">http://www.dcf.state.nv.us/CW_Policies/0200/2.01_ClientsRightsAndConsentToTreatmentPolicy.pdf</a> )	Clients of the Children’s Mental Health Services division of the Child and Family Services department have the right to “exercise their rights without regard to race, color, religion, sex, sexual orientation or national origin; cultural or educational background; or the source of payment for their care.”

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	NAC 127.351, “Availability of application process for adoption of a child”	“The application process for the adoption of a child through an agency which provides child welfare services must be available to all persons regardless of age, color, race, gender, sexual orientation, ethnicity, disability, income, religion or national origin. These factors must be considered only to the extent that they affect or may affect the ability of a person to meet the needs of a specific child.”
<b>Foster Care (including child care centers, housing and training)</b>	Nevada Revised Statutes Annotated § 432.525, “Rights generally”	“A child placed in a foster home by an agency which provides child welfare services has the right to be free from discrimination or harassment on the basis of his or her actual or perceived race, ethnicity, ancestry, national origin, religion, sex, sexual orientation, gender identity, mental or physical disability, or exposure to the human immunodeficiency virus.”
<b>Juvenile Detention Facilities</b>	Nevada Code of Jud. Conduct, Canon 2. “A judge shall perform the duties of judicial office impartially, competently, and diligently”	Rule 2.3. Bias, Prejudice, and Harassment: “A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice or harassment based upon race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge’s direction and control to do so.”
<b>School and Educational Facilities</b>	No specific general policy found; however, “public accommodations” includes “any nursery, private school or university or other place of education.” See N.R.S. 651.050, “Definitions”	
<b>Social Worker Guidelines</b>	NAC 641B.205, “Responsibilities to client”	A licensed social worker “shall not practice, condone, facilitate or collaborate with any form of discrimination on the basis of race, color, sex, sexual orientation, age, religion, national origin, social, economic, health or marital status, political belief, diagnosis, mental or physical disability, or any preference or personal characteristic, condition or status.”

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New Hampshire		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	N.H. Rev. Stat. §354-A:17, “Unlawful Discriminatory Practices in Public Accommodations”	No person shall be denied the right to any public accommodations, advantages, facilities or privileges, “or directly or indirectly, to publish circulate, issue, display, post or mail any written or printed communication, notice or advertisement to the effect that any of the accommodations, advantages, facilities and privileges of any such place shall be refused, withheld from or denied to any person on account of age, sex, race, creed, color, marital status, physical or mental disability or national origin; or that the patronage or custom thereat of any person belonging to or purporting to be of any particular age, sex, race, creed, color, marital status, physical or mental disability or national origin is unwelcome, objectionable, or acceptable, desired or solicited. <b>In addition, no person shall be denied the benefit of the rights afforded by this section on account of that person’s sexual orientation.</b> ”
	State of New Hampshire Contractor Agreement, Form Number P-37 (found at <a href="http://www.dhhs.nh.gov/business/documents/p37.pdf">http://www.dhhs.nh.gov/business/documents/p37.pdf</a> )	“In connection with the performance of the Services, the [state] Contractor shall comply with all statutes, laws, regulations, and orders of federal, state, county, or municipal authorities which impose any obligation or duty upon the Contractor, including, but not limited to, civil rights and equal opportunity laws.” (The NH Bureau of Drug and Alcohol Services has signed this contract)
Social Services (general)	New Hampshire Department of Health and Human Services Non-Discrimination Policy (found at <a href="http://www.dhhs.nh.gov/oos/ombudsman/nondiscrimination.htm">http://www.dhhs.nh.gov/oos/ombudsman/nondiscrimination.htm</a> )	“The New Hampshire Department of Health and Human Services does not discriminate against people because of their age, sex, race, creed, color, marital status, familial status, physical or mental disability, religion, national origin, sexual orientation or political affiliation or belief. There will be no discrimination in accepting or providing services, or the admission or access to, or treatment or employment in, any of the Department’s programs or activities.”
	NH ADC HE-M 314.04, “Fundamental Rights”	Residents of an emergency shelter <sup>14</sup> have the fundamental right “to not be discriminated against in any manner because of race, color, sex, sexual orientation, religion, national origin, age, or physical or mental disability.”
	New Hampshire Hospital Patients/Family Handbook, Patients’ Rights (found at <a href="http://www.dhhs.nh.gov/dcbcs/nhh/documents/rights-responsibilities.pdf">http://www.dhhs.nh.gov/dcbcs/nhh/documents/rights-responsibilities.pdf</a> )	Patients and families of patients being served by hospitals have the “right to be free from discrimination” and will not be discriminated against because of “race, color, religion, sex, sexual orientation, ability to pay, national origin, marital status or any physical or mental disability [one] may have or that other people believe [one] has.”

<sup>14</sup> “Emergency shelter means any facility, the primary purpose of which is to provide temporary shelter for homeless individuals or families. The term “emergency shelter” does not include transitional housing designed to provide housing as well as educational or rehabilitative programs and services for a person or family for at least 6 consecutive months.” NH ADC HE-M 314.02, “Definitions.”

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<b>Child Welfare (specific services and programs)</b>	Women, Infants, & Children Nutrition Program, Nondiscrimination Policy (found at <a href="http://www.dhhs.nh.gov/dphs/nhp/wic/">http://www.dhhs.nh.gov/dphs/nhp/wic/</a> )	<p>“The New Hampshire Women, Infants and Children Nutrition Program (WIC) provides nutrition education and nutritious foods to help keep pregnant women, new mothers, infants and preschool children healthy and strong.”</p> <p>“The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual’s income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)”</p>
<b>Foster Care (including child care centers, housing and training)</b>	N.H. Code Admin. R. He-C 6446.21, “Requirements Regarding Discipline of Children in Care”	<p>The list of prohibited forms of discipline in foster care include:</p> <ul style="list-style-type: none"> <li>• “Derogatory remarks or statements that humiliate, ridicule, or intimidate”</li> <li>• “Child abuse,” which includes “psychologically injured so that said child exhibits symptoms of emotional problems generally recognized to result from consistent mistreatment or neglect”</li> <li>• “Threats of alternate placements”</li> <li>• “Corporal punishment, which means the infliction of bodily suffering or pain that is intended to prevent or chastise a child’s misconduct”</li> </ul>
	N.H. Code Admin. R. He-C 6446.17, “Education for Children in Care”	“Each foster parent shall instruct each child in care about life skills, including...sex education.”
	N.H. Code Admin. R. He-C 6446.15, “Requirements for the Care and Supervision of Children in Care”	Foster parents shall “provide each child in care with...Clothing individually selected, fitted, and appropriate to the season” and “the opportunity for leisure time activities, socialization, and for the development of special interests and abilities, such as arts, crafts, music, and sports.”
	N.H. Code Admin. R. He-C 6446.28, Appeals	<p>Appendix A: Bill of Rights for Foster Children:</p> <p>Every Foster Child has the inherent right to:</p> <ul style="list-style-type: none"> <li>• “be nurtured by foster parents who have been selected to meet his individual needs and who are provided services and supports, including specialized education, so that they can grow in their ability to enable the child to meet his potential”</li> <li>• “receive continuing loving care and respect as a unique human being”</li> <li>• “grow up in freedom and dignity in a neighborhood of people who accept him with understanding, respect, and friendship”</li> </ul>
<b>Juvenile Detention Facilities</b>	No specific policies found, but juvenile justice is covered by	

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	the DHHS (see Social Services (general))	
<b>School and Educational Facilities</b>	New Hampshire Department of Education, Notice of Non-discrimination” (found at <a href="http://www.education.nh.gov/titles/index.htm">http://www.education.nh.gov/titles/index.htm</a> )	“The New Hampshire Department of Education does not discriminate on the basis of race, color, religion, marital status, national/ethnic origin, age, sex, sexual orientation, or disability in its programs, activities and employment practices.”
	N.H. Rev. Stat. § 193-F;2, “Purpose and Intent”	<p>“Pupil Safety and Violence Prevention”</p> <p>“I. All pupils have the right to attend public schools, including chartered public schools, that are safe, secure, and peaceful environments. One of the legislature's highest priorities is to protect our children from physical, emotional, and psychological violence by addressing the harm caused by bullying and cyberbullying in our public schools.</p> <p>II. Bullying in schools has historically included actions shown to be motivated by a pupil's actual or perceived race, color, religion, national origin, ancestry or ethnicity, sexual orientation, socioeconomic status, age, physical, mental, emotional, or learning disability, gender, gender identity and expression, obesity, or other distinguishing personal characteristics, or based on association with any person identified in any of the above categories.</p> <p>III. It is the intent of the legislature to protect our children from physical, emotional, and psychological violence by addressing bullying and cyberbullying of any kind in our public schools, for all of the historical reasons set forth in this section, and to prevent the creation of a hostile educational environment.</p> <p>IV. The sole purpose of this chapter is to protect all children from bullying and cyberbullying, and no other legislative purpose is intended, nor should any other intent be construed from the enactment of this chapter.”</p>
<b>Social Worker Guidelines</b>	N.H. Rev. Stat. § 330-A:10, “Board; Responsibilities and Rulemaking Authority”	The Board of Mental Health Practice must require licensed clinical social workers to abide by the ethical standards set by the National Association of Social Workers, which does not permit discrimination on the basis of sexual orientation or gender identity.

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New Jersey		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	N.J.S.A. 10:5-4, “Obtaining employment, accommodations and accommodation privileges without discrimination; declaration of civil right”	“All persons shall have the opportunity to obtain employment, and to obtain all the accommodations, advantages, facilities, and privileges of any place of public accommodation, publicly assisted housing accommodation, and other real property without discrimination because of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, familial status, disability, nationality, sex , gender identity or expression or source of lawful income used for rental or mortgage payments, subject only to conditions and limitations applicable alike to all persons. This opportunity is recognized as and declared to be a civil right.”
Social Services (general)	NJ ADC 10:133-1.4, “Rights of applicants and clients”	The Division of Youth and Family services prohibits “discriminating against an applicant or client on the basis of race; color; ethnicity; national origin; age; handicapping condition; gender; religion; marital, civil union, domestic partnership, parental, or birth status; affectional or sexual orientation.”
Child Welfare (specific services and programs)	New Jersey Department of Children and Families TRIANGLE: Teen Resources Intended to Aid & Nurture Gays, Lesbians, & Everyone” (found at <a href="http://www.state.nj.us/dcf/adolescent/lgbtqi/Northern%20Region%20Pride%20Guide.pdf">http://www.state.nj.us/dcf/adolescent/lgbtqi/Northern%20Region%20Pride%20Guide.pdf</a> )	Teen Resource Guide provided by the New Jersey DCF that lists available organizations that aid LGBTQ youth
Foster Care (including child care centers, housing and training)	N.J.A.C. 10:122C-6.4, “Recreation”	A resource family parent “shall encourage the child in placement to participate in community and school activities, such as scouting, clubs and sports teams, if appropriate.”
	N.J.A.C. 10:122C-6.5, “Religion”	“The resource family parent shall not coerce or require a child in placement to participate in religious activities, nor punish a child in placement who chooses not to participate in religious activities.”
	N.J.A.C. 10:122C-6.8, “Discipline and control”	Prohibited forms of discipline include: <ul style="list-style-type: none"> <li>• “Any type of physical hitting, shaking, or the use of corporal punishment”</li> <li>• “Forced physical exercise or forcing the child to take an uncomfortable position”</li> <li>• “Subjection to verbal abuse, ridicule, humiliation, or other forms of degradation”</li> <li>• “Deprivation of meals, sleep, clothing, or communication”</li> <li>• “Exclusion from medical treatment, education or clinical treatment”</li> <li>• “Removing or threatening to remove the child from the home”</li> </ul> “The resource family parent shall not use restrictive behavior management practice to control or modify the behavior of a child in placement.”

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	N.J.A.C. 10:122C-6.10, “Clothing”	“The resource parent shall ensure that each child in placement has a personal supply of adequate, clean, well-fitting, and attractive clothing appropriate to the child’s age, gender, individual needs, community standards and season.”
<b>Juvenile Detention Facilities</b>	N.J.A.C. 13:101-3.1, “Notification to juveniles of their rights and responsibilities”	<p>All juveniles in care receive a Handbook on Discipline, which enumerates the juvenile of his or her rights, including:</p> <ul style="list-style-type: none"> <li>• The right “to be treated respectfully, impartially, and fairly by all personnel”</li> <li>• The right to “freedom of religious affiliation and voluntary religious worship within the facility”</li> <li>• The right to “participate in counseling, education, vocational training, and employment as far as resources are available and in keeping with the juvenile’s interests, needs, and abilities”</li> </ul>
<b>School and Educational Facilities</b>	6a NJ ADC Ch. 7, “Managing for Equality and Equity in Education”	1.1: Purpose: Title 6a, Chapter 7 of the New Jersey Administrative Code ensures that “all students regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status are provided equal access to educational programs and services by district boards of education.” For a full list of policy and procedures contained in this act, please see <a href="http://www.state.nj.us/education/code/proposed/title6a/chap7.pdf">http://www.state.nj.us/education/code/proposed/title6a/chap7.pdf</a> .
<b>Social Worker Guidelines</b>	N.J.A.C. 13:44g-10.7, “Sexual misconduct, harassment; discrimination”	<p>“A social worker shall not condone or engage in sexual harassment or harassment.” “Harassment’ means deliberate or repeated comments, contacts, or gestures which intimidate or offend an individual on the basis of that individual’s race, religion, color, national origin, marital status, sexual orientation, physical or mental disability or any other preference or personal characteristic, condition or status.”</p> <p>“A social worker shall not condone or engage in any form of discrimination on the basis of an individual's race, age, religion, color, national origin, marital status, gender, sexual orientation, physical or mental disability or any other preference or personal characteristic, condition or status.”</p>

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New Mexico		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
<b>General Non Discrimination</b>	N.M.S.A. 1978, §28-1-7, “unlawful discriminatory practice”	It shall be unlawful discrimination for “any person in any public accommodation to make a distinction, directly or indirectly, in offering or refusing to offer its services, facilities, accommodations or goods to any person because of race, religion, color, national origin, ancestry, sex, sexual orientation, gender identity, spousal affiliation or physical or mental handicap, provided that the physical or mental handicap is unrelated to a person's ability to acquire or rent and maintain particular real property or housing accommodation.”
<b>Social Services (general)</b>	New Mexico Human Services Department, General Administration, Employee Code of Conduct (found at <a href="http://www.hsd.state.nm.us/pdf/ohr/policies/041CodeofConduct.pdf">http://www.hsd.state.nm.us/pdf/ohr/policies/041CodeofConduct.pdf</a> )	<p>Employees of the Human Services Department “shall interact with the public, clients, and co-workers in a courteous, timely and dignified manner. Services must be provided without regard to race, color, gender, sexual orientation, gender identity, ancestry, religion, age, national origin, disability, or marital affiliation in accordance with all federal and state non discrimination laws.”</p> <p>“It is never acceptable for any employee to convey an indifferent, hostile, or careless attitude towards clients, even if clients are abusive.”</p> <p>“Use of threatening, abusive, or profane language or gestures to the public, a client, or any co-worker is prohibited.”</p>
<b>Child Welfare (specific services and programs)</b>	NM ADC 8.8.2, “Protective Services General Policies”	The New Mexico Protective Services division is required to “provide services and issue licenses and certifications...without regard to race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity.”
	New Mexico Children, Youth and Families Department, Statement of Principles (found at <a href="http://www.cyfd.org/node/10">http://www.cyfd.org/node/10</a> )	“CYFD believes that children and families should receive...culturally competent services delivered without regard to race, ethnicity, religion, national origin, gender, sexual orientation, or disability.”
<b>Foster Care (including child care centers, housing and training)</b>	NM ADC 8.26.2, “Placement Services”	<p>Prohibited forms of discipline in foster care include “verbal assaults which subject the child to ridicule or which belittle the child or the child’s family, gender, race, religious preference, sexual orientation, or cultural identity.”</p> <p>“The placement of a child shall not be delayed or denied based on the race, color, sex, gender identity, sexual orientation, mental or physical handicap, ancestry, or national origin of the adoptive parent or the child involved.”</p>
<b>Juvenile Detention Facilities</b>	N.M. Admin. Code 8.14.1, “General Provisions”	The general nondiscrimination policy for juvenile services does not include sexual orientation or gender identity. However, juvenile services are governed by CYFD (see Child Welfare, above).

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<b>School and Educational Facilities</b>	New Medico Public Education Department Nondiscrimination Policy (found at <a href="http://www.ped.state.nm.us/qab/policy10/">http://www.ped.state.nm.us/qab/policy10/</a> )	“The New Mexico Public Education Department, including its Division of Vocational Rehabilitation, supports Title IX. The Public Education Department values diversity and does not discriminate on the basis of race, color, sex, national origin, disability, age or sexual orientation in its programs and activities.”
<b>Social Worker Guidelines</b>	N.M. Admin. Code 16.63.16, “Code of Conduct”	<p>“A social worker shall not discriminate against a client, student or supervisee on the basis of age, gender, sexual orientation, race, color, national origin, religion, diagnosis, disability, political affiliation, or social or economic status. If the social worker is unable to offer services because of a concern about potential discrimination against a client, student or supervisee, the social worker shall make an appropriate and timely referral. When a referral is not possible the social worker shall obtain supervision or consultation to address the concerns.”</p> <p>“Social workers should act to prevent and eliminate domination of, exploitation of, and discrimination against any person, group, or class on the basis of race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, or mental or physical disability.”</p>

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New York		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	NY CIV RTS § 40-C, “Discrimination”	New York law prohibits discrimination and harassment based on “race, creed, color, national origin, sex, marital status, sexual orientation, or disability by any other person or by any firm, corporation, or institution, or by the state or any agency or subdivision of the state.”
	There is legislation currently being enacted to include gender identity in the forms of prohibited discrimination.	
Social Services (general)	18 NYCRR 303.1, “Social services district policy”	The general nondiscrimination policy for social services district offices does not include sexual orientation or gender identity.
Child Welfare (specific services and programs)	14 NYCRR 599.6, “Organization and administration”	The Office of Mental Health requires to have “written personnel policies which shall prohibit discrimination on the basis of race, color, creed, disability, sex, marital status, age, HIV status, national origin, military status, predisposing genetic characteristics, or sexual orientation”
Foster Care (including child care centers, housing and training)	<i>Doe v. Bell</i> , 754 N.Y.S.2d 846 (2003)	<ul style="list-style-type: none"> <li>NY Supreme Court case; plaintiff was a minor trans person within Children’s Services who was prevented from wearing skirts and dresses in an all-male foster care facility</li> <li>Held that GID (gender identity disorder) was a disability within the meaning of Human Rights Law</li> <li>Found that while ACS policy did not explicitly discriminate against plaintiff based on her disability, ACS did fail to make reasonable accommodations for the plaintiff’s disability (Policy was neutral on its face in its prohibition of female clothing to ALL residents)</li> <li>Held that foster care facilities must make accommodations as “may be necessary to afford said person with a disability equal opportunity to use and enjoy a dwelling and thus the home should have granted the plaintiff exemption from the dress code” (due to psychological distress)</li> </ul>
	14 NYCRR 594.6, “Organization and administration”	Licensed Housing Programs for Children and Adolescents with Serious Emotional Disturbances shall have “written criteria for admission and discharge from the program which shall state that no person shall be excluded from the program on the basis of race, religion, color, sex, sexual orientation, disability, HIV status or national origin. However, nothing in this subparagraph shall be interpreted to prevent a provider from making admission or discharge decisions based upon the functional, clinical and behavioral needs of the applicant which are relevant to its functional program.”
Juvenile Detention Facilities	McKinney’s Family Court Act § 351.1, “Probation, investigation and diagnostic assessment”	“The Office of Children and Family Services shall consult with individuals with professional research experience and expertise in criminal justice; social work; juvenile justice; and applied mathematics, psychometrics and/or statistics... The office shall consult with such individuals regarding whether it is appropriate to attempt to analyze whether there is any such disparate impact based on sexual orientation and, if so, the best methods to conduct such analysis.”

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<b>School and Educational Facilities</b>	8 NYCRR 100.2	Instruction in public schools should include “instruction that supports development of a school environment free of harassment, bullying and/or discrimination as required by the Dignity For All Students Act (article 2 of the Education Law), with an emphasis on discouraging acts of harassment, bullying and/or discrimination, including but not limited to instruction that raises students' awareness and sensitivity to harassment, bullying and/or discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, and instruction in the safe, responsible use of the Internet and electronic communications, provided that in public schools other than charter schools, such instruction shall be provided as part of a component on civility, citizenship and character education in accordance with section 801-a of the Education Law.”
<b>Social Worker Guidelines</b>	New York State LMSW License Requirements (found at <a href="http://www.op.nysed.gov/prof/sw/lmsw.htm">http://www.op.nysed.gov/prof/sw/lmsw.htm</a> )	The education requirements for an LMSW must include courses on “social work values and ethics” and “diversity, social justice, and at-risk populations.”

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North Carolina		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	NC.G.S.A. § 41A-4, “Unlawful discriminatory housing practices”	The North Carolina fair housing act does not prohibit discrimination on the basis of sexual orientation or gender identity.
Social Services (general)	10A NC ADC 97B.0601, “Policy of the Division”	The North Carolina Department of Health and Human Services does not include sexual orientation or gender identity in its nondiscrimination policy.
Child Welfare (specific services and programs)	Client Rights Form (DSS-6237), Refugee Services (found at <a href="http://info.dhhs.state.nc.us/olm/forms/dss/DSS-6237-ia.pdf">http://info.dhhs.state.nc.us/olm/forms/dss/DSS-6237-ia.pdf</a> )	Clients of Refugee Service Providers have the right “to not be discriminated against because of race, religion, color, age, national origin, disability, gender, sexual orientation, or marital status.”
	DHHS Policy Manual, Chapter VIII: “Protective Services 1440 – Enhanced Practice for Working with Special Populations” (found at <a href="http://info.dhhs.state.nc.us/olm/manuals/dss/csm-60/man/CS1440.htm">http://info.dhhs.state.nc.us/olm/manuals/dss/csm-60/man/CS1440.htm</a> )	<p>“The effective child protective services social worker must approach every situation with sensitivity to those physical, emotional, cultural, or environmental factors that make children more vulnerable to abuse or less able to communicate their fears. For the purposes of this section, the term "special populations" refers to children and families who are at greater risk because of these factors.</p> <p>The social worker has an ethical and professional responsibility to recognize his or her own attitudes and prejudices regarding mental and physical disability, race, culture, sexual orientation, religious beliefs, economic status, homelessness, marital status, and other highly charged beliefs. It is impossible to grow up in a culture without such beliefs. Failure to recognize one's own perspective can lead to inaccuracy in perception and, thus, to incorrect assessments.</p> <p>It is not the intent of this section to provide exhaustive information about each group named, nor to suggest that the identified populations are an all-inclusive listing. This section is designed to refresh the knowledge of veteran staff, to increase the awareness of newer social workers, and to provide direction for further study.”</p> <p>“4. Special Considerations Regarding Sexual Orientation  Several studies have indicated that gay and lesbian teens are three times more likely than heterosexual teens to attempt suicide, due to conflicts about sexual orientation. Gay and lesbian youth often face ostracism and harassment from family, peers, and social institutions if they are open about their sexual orientation. Those who choose to deny or hide their sexual preferences may experience self-hatred. Families who learn that their children are homosexual react in numerous ways, from acceptance to abandonment or abuse. Many runaway children have left home because of their sexual orientation and have become easy targets for exploitation.</p>

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		It is unlikely that social workers who investigate cases of abuse, neglect, or dependency would be initially informed that a family conflict involved a child's sexual orientation. Such disclosure will require a high degree of social worker sensitivity to the possibility of the issue.”
<b>Foster Care (including child care centers, housing and training)</b>	North Carolina DHHS Policy Manual, Child Placement Services, Chapter IV: Training for Staff and Foster/Adoptive Parents (found at <a href="http://info.dhhs.state.nc.us/olm/manuals/dss/csm-10/man/CSs1201c8-24.htm">http://info.dhhs.state.nc.us/olm/manuals/dss/csm-10/man/CSs1201c8-24.htm</a> )	“The Chafee Act requires that agency staff, foster parents and other providers who work with adolescents receive training specific to working with teens.” Required training includes “talking with teens about difficult subjects, such as relationships, sexuality, sexual orientation, substance abuse [and] risk avoidance.”
	North Carolina DHHS Policy Manual, Child Placement Services, Policy No. 1201: LINKS is an Outcome Based Service” (found at <a href="http://info.dhhs.state.nc.us/olm/manuals/dss/csm-10/man/CSs1201c7-03.htm">http://info.dhhs.state.nc.us/olm/manuals/dss/csm-10/man/CSs1201c7-03.htm</a> )	“North Carolina’s goal is that all youth leaving the foster care system shall have a sense of well-being, with a positive sense of personal and cultural identity...[and] is able to assert self appropriately in the face of discrimination.” To achieve this goal, “Youth participate in sensitivity exercises regarding all types of discrimination, including that based on race, gender, and sexual orientation... Youth learn about civil rights, including their own.”
	10A NCAC 70E.1101, “Client Rights”	A Foster parent shall ensure that the foster child: <ul style="list-style-type: none"> <li>• “Has clothing to wear that is appropriate to the weather”</li> <li>• “Is allowed to have personal property”</li> <li>• “is encouraged to express opinions on issues concerning care”</li> <li>• “Is not forced to acknowledge dependency on or gratitude to the foster parents”</li> <li>• “Is not subjected to verbal abuse, threats, or humiliating remarks about himself/herself or his/her families”</li> </ul>
<b>Juvenile Detention Facilities</b>	Juvenile Detention Centers, Mission Statement (found at <a href="https://www.ncdps.gov/Index2.cfm?a=000003,002476,002486,002519">https://www.ncdps.gov/Index2.cfm?a=000003,002476,002486,002519</a> )	“The mission of Juvenile Detention Centers is to provide a safe, secure, humane environment for staff and juveniles; to provide juveniles an opportunity for behavioral change; and to provide quality services and programs for juveniles based on their individual needs.”

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<b>School and Educational Facilities</b>	N.C.G.S.A. § 115C-407.15, “Bullying and harassing behavior”	<p>“No student or school employee shall be subjected to bullying or harassing behavior by school employees or students.”</p> <p>“A school employee who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior shall report the incident to the appropriate school official.”</p> <p>“A student or volunteer who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior should report the incident to the appropriate school official.”</p> <p>“As used in this Article, “bullying or harassing behavior” is any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication, that takes place on school property, at any school-sponsored function, or on a school bus, and that:</p> <p>(1) Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or</p> <p>(2) Creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits. For purposes of this section, “hostile environment” means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.</p> <p>Bullying or harassing behavior includes, but is not limited to, acts reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.”</p>
	N.C.G.S.A. § 115C-81, “Basic Education Program”	Sexual education in schools must teach that “a mutually faithful monogamous heterosexual relationship in the context of marriage is the best lifelong means of avoiding sexually transmitted diseases, including HIV/AIDS.”
<b>Social Worker Guidelines</b>	21 NCAC 63.0503, “General Professional Responsibilities”	“Social workers shall not practice, facilitate or collaborate with any form of discrimination on the basis of race, sex, sexual orientation, age, religion, socioeconomic status, or national origin.”

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North Dakota		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	NDCC 14-02.4-01, “State policy against discrimination”	The nondiscrimination policy for state agencies does not include sexual orientation or gender identity.
Social Services (general)	North Dakota Department of Human Services Manual (found at <a href="http://www.nd.gov/dhs/info/research/docs/sc-120-41.pdf">http://www.nd.gov/dhs/info/research/docs/sc-120-41.pdf</a> )	“It is the policy of the North Dakota Department of Human Services not to discriminate against any individual on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, age, disability or veteran’s status. The Department will treat individuals equally and will provide reasonable accommodations when necessary.”
	OAC 5101:1-1-03, “Disclosure of recipient information, nondiscrimination, and treatment of information received from the internal revenue service and social security administration”	“The county agency is responsible for providing assistance without discrimination on account of race, color, religion, national origin, gender, sexual orientation, disability, age or political beliefs, in a manner consistent with the all federal and state laws relating to non-discrimination.”
Child Welfare (specific services and programs)	ND ADC 75-03-36-35, “Foster care services related to child-placing agencies – Programs and services”	Child-placing agencies are required to “provide services to a child referred to the child-placing agency’s care without discrimination on the basis of race, color, national origin, religion, or sexual orientation.”
Foster Care (including child care centers, housing and training)	North Dakota Foster Parent Handbook (found at <a href="http://www.nd.gov/dhs/info/pubs/docs/cfs/foster-parent-handbook.pdf">http://www.nd.gov/dhs/info/pubs/docs/cfs/foster-parent-handbook.pdf</a> )	The rights of foster children in care include: <ul style="list-style-type: none"> <li>• The right to be treated with respect</li> <li>• The right to have “food, clothing, a clean bed and items for personal hygiene”</li> <li>• The right to “be allowed to take...any personal items, clothing, and any gifts or possessions that have been acquired when [the child] leaves a foster home”</li> <li>• The right to “Be treated fairly and without discrimination or put-downs because of [one’s] race, gender, age, sexual orientation, disabilities, or religious beliefs”</li> </ul>
Juvenile Detention Facilities	North Dakota Department of Corrections and Rehabilitation, Inmate Handbook (found at <a href="http://www.nd.gov/docr/adult/docs/INMATE_HANDBOOK.pdf">http://www.nd.gov/docr/adult/docs/INMATE_HANDBOOK.pdf</a> )	Juvenile Corrections is a sub-department of the Department of Corrections and Rehabilitation. Inmates are “entitled to be treated respectfully, impartially, and fairly by all personal” and “have the responsibility to treat others, both staff and inmates, in the same manner.”
School and Educational Facilities	NDAC 67.1-03-01-02, “Principle I – Commitment to the student”	A North Dakota educator “shall not harass, discriminate against, or grant a discriminatory advantage to a student on the grounds of race, color, creed, sex, national origin, marital status, political or religious beliefs, physical or mental conditions, family, social, or cultural background, or sexual orientation; shall make reasonable effort to assure that a student is protected

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		from harassment or discrimination on these grounds; and may not engage in a course of conduct that would encourage a reasonable student to develop a prejudice on these grounds.”
<b>Social Worker Guidelines</b>	ND ADC 75.5-02-06.1-04, “Ethical responsibilities as professionals”	Social workers have an ethical responsibility to “not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, or mental or physical disability.”

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Ohio		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	R.C. § 4112.02, “Unlawful discriminatory practices”	The general nondiscrimination law for public accommodations does not include sexual orientation or gender identity.
Social Services (general)	Ohio Department of Job and Family Services, Non-Discrimination Statement (found at <a href="http://jfs.ohio.gov/ocomm_root/Foodstamp_disclaimer.stm">http://jfs.ohio.gov/ocomm_root/Foodstamp_disclaimer.stm</a> )	The Ohio Department of Job and Family Services does not include sexual orientation or gender identity in its nondiscrimination policy.
Child Welfare (specific services and programs)	OHIO Youth Advisory Board (Overcoming Hurdles in Ohio), Mission statement (found at <a href="http://jfs.ohio.gov/ocf/olderyouthinitiatives.stm">http://jfs.ohio.gov/ocf/olderyouthinitiatives.stm</a> )	<p>The O.H.I.O.'s mission exist to:</p> <ul style="list-style-type: none"> <li>• Be the knowledgeable statewide voice that influences policies and practices that effect all youth who have or will have experienced out-of-home care;</li> <li>• Bring youth together on a statewide level regardless of race, sex, religion, creed, disability, sexual orientation or national origin;</li> <li>• Assist youth in establishing and achieving realistic goals for their future; and</li> <li>• Provide exemplary leadership and empowerment opportunities for youth who have or will have experienced out of home care.</li> <li>• The OHIO youth advisory board has advocated for systemic changes in Ohio and have accomplished much in the past as shown in the following:</li> <li>• Advocated for specialized services for teen moms in foster care;</li> </ul> <p>Joined a strong coalition, led by Ohio Association of Child Caring Agencies, to hold the first statewide independent living conference, featuring youth-led workshops, bringing youth and adults together to positively impact foster youth services in the state of Ohio;</p> <ul style="list-style-type: none"> <li>• Met with federal legislators to advocate for federal finance reform;</li> <li>• Proactively shared their journey in foster care to more than a 1,000 child welfare professionals in the state of Ohio; and</li> <li>• Successfully advocated for the extension of Medicaid coverage until age twenty-one.</li> </ul> <p>"My Mission Transition", is a web site that supports foster youth in their mission to transition out of foster care. The Youth Statewide Advisory Board, the Ohio State Bar Association and the Public Children Services Association of Ohio collaborated to increase the available resources and opportunities for foster youth preparing to age out of foster care, by listing valuable resources and information onto a web site. This site will help young adults make informed decisions when making their transition to independence. MyMissionTransition web site is <a href="http://www.mymissiontransition.com">www.mymissiontransition.com</a>."</p>

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<b>Foster Care (including child care centers, housing and training)</b>	OAC 5101:2-5-13, “Required agency policies, plans and procedures”	Ohio does not include sexual orientation or gender identity in its nondiscrimination policy for foster care programs.
	OAC 5139-35-19, “Control and treatment of children”	<p>“All children [at a community residential center] shall be treated with kindness, consistency, and respect.”</p> <p>The list of prohibited forms of discipline at Community Residential Centers includes:</p> <ul style="list-style-type: none"> <li>• “Verbal abuse or derogatory remarks”</li> <li>• “Excessive or prolonged denial of social or recreational activities”</li> <li>• Organized social ostracization, such as codes of silence”</li> <li>• “The denial of shelter, clothing, bedding, or restroom facilities”</li> </ul>
<b>Juvenile Detention Facilities</b>	OAC 5139-36-16, “Juvenile rights, control and treatment”	<p>The list of enumerated rights of juveniles in care include:</p> <ul style="list-style-type: none"> <li>• “The right to have his/her opinions heard and be included, to the greatest extent possible, when any decisions are being made which affect his/her life.”</li> <li>• “The right to his/her own money and personal property in accordance with the juvenile’s case plan.”</li> </ul> <p>“The Community Correctional Facility shall have a written policy, procedure, and practice when allowing freedom in personal grooming and dress except when a valid interest justifies otherwise.”</p> <p>The nondiscrimination policy for CCFs does not include sexual orientation or gender identity.</p>
<b>School and Educational Facilities</b>	Ohio Department of Education Anti-Harassment Policy Form (found at <a href="http://education.ohio.gov/getattachment/Topics/School-Choice/Career-Tech/CTE-Assessments-and-Industry-Credentials/CTE-Civil-Rights/Anti-Harassment-Policy.doc.aspx">http://education.ohio.gov/getattachment/Topics/School-Choice/Career-Tech/CTE-Assessments-and-Industry-Credentials/CTE-Civil-Rights/Anti-Harassment-Policy.doc.aspx</a> )	Form for school districts to fill out individually: “_____ policy against sex discrimination and harassment is applicable to discrimination and harassment on all bases protected by law, such as age, race, color, religion, national origin, (sexual orientation), disability or (veteran status.)”
	Ohio Department of Education, Generic Policy Guide Form (found at	Form for school districts to fill out individually:

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	<a href="http://education.ohio.gov/getattachment/Topics/School-Choice/Career-Tech/CTE-Assessments-and-Industry-Credentials/CTE-Civil-Rights/Generic-Policy-Guide.doc.aspx">http://education.ohio.gov/getattachment/Topics/School-Choice/Career-Tech/CTE-Assessments-and-Industry-Credentials/CTE-Civil-Rights/Generic-Policy-Guide.doc.aspx</a> )	<p>“The _____ Board of Education recognizes that a student has the right to learn in an environment untainted by Sexual, Racial, or other forms of discrimination or harassment. Offensive conduct which has the purpose or effect of unreasonably interfering with learning performance or creating an intimidating, hostile, discriminatory or offensive learning environment which disrupts the educational process, and impedes the legitimate pedagogical concerns of the district is applicable to all students regardless to race, color national origin, gender, disability, age or (Local and/or any other characteristics ) e.g. Religion, Socio-Economic status, Sexual Orientation, etc.</p> <p>Sexual, racial or other forms of harassment by school employees, other students, and third parties is strictly forbidden and will not be tolerated by the _____ School District.”</p>
	Licensure Code of Professional Conduct for Ohio Educators (found at <a href="http://education.ohio.gov/getattachment/Topics/Teaching/Educator-Conduct/Licensure-Code-of-Professional-Conduct-for-Ohio-Ed/Licensure-COPC-for-Ohio-Educators_color.pdf.aspx">http://education.ohio.gov/getattachment/Topics/Teaching/Educator-Conduct/Licensure-Code-of-Professional-Conduct-for-Ohio-Ed/Licensure-COPC-for-Ohio-Educators_color.pdf.aspx</a> )	The Code of Professional Conduct for Ohio Educators includes “Disparaging a student on the basis of race or ethnicity, socioeconomic status, gender, national origin, sexual orientation, political or religious affiliation, physical characteristics, academic or athletic performance, disability or English language proficiency” in its listed of “unbecoming conduct.”
<b>Social Worker Guidelines</b>	OAC 4757-5-02, “Standards of ethical practice and professional conduct: clients/consumers of services”	<p>“Responsibility to clients/consumers of services as to discrimination:</p> <p>(1) Counselors, social workers, and marriage and family therapists shall not practice, condone, facilitate or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, veteran status, or mental or physical challenge.</p> <p>(2) Social workers should obtain education about and seek to understand the nature of social diversity with respect to race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, and mental or physical disability.”</p>
	OAC 4757-6-01, “Reports prepared for court review including custody, visitation, and guardianship concerns”	“A counselor, social worker, or marriage and family therapist engaging in preparing reports that will likely be used in court is aware of how biases regarding age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language, culture, and socioeconomic status may interfere with an objective evaluation and recommendations. A counselor, social worker, or marriage and family therapist recognizes and strives to overcome any such biases or withdraws from the evaluation.”
	OAC 4757-5-06, “Standards of ethical practice and professional conduct: assessment and testing instrument”	“Diversity when using assessment and testing instruments: Counselors, social workers, and marriage and family therapists shall be cautious in using assessment techniques, making evaluations, and interpreting the performance of populations not represented in the norm group on which an instrument was standardized. They shall recognize the effects of age, color, culture, disability, ethnic group, gender, race, religion, sexual orientation and socioeconomic status on test administration and interpretation and place test interpretation results in proper perspective with other relevant factors.”

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Oklahoma		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	25 Okl.St.Ann. § 1402	The general nondiscrimination law applying to public accommodations does not include sexual orientation or gender identity.
Social Services (general)	Okla. Admin. Code 340:1-11-1.1, “definitions”	The Oklahoma Department of Human Services does not include sexual orientation or gender identity within its definition of prohibited discrimination.
	Oklahoma Department of Human Services Policy 2-7-8: Bias based profiling (found at <a href="http://www.okdhs.org/library/policy/dhs/002/07/0008000.htm">www.okdhs.org/library/policy/dhs/002/07/0008000.htm</a> )	<p>“The Oklahoma Department of Human Services (OKDHS) Office of Inspector General (OIG) does not engage in the selection of a person for detention, arrest, or any law enforcement action based solely on a trait common to a group. This includes, but is not limited to, race, ethnicity, national origin, gender, disability, sexual orientation, religion, economic status, age, cultural group, political opinion or affiliation, or any other identifiable group.</p> <p>(1) Agents do not engage in such bias based profiling in any traffic contacts, field contacts, or asset seizure and forfeiture efforts.</p> <p>(2) All agents receive a copy of this policy prohibiting bias based profiling. Agents also receive training in bias based profiling issues as deemed necessary by the inspector general.</p> <p>(3) Agents who violate this policy are subject to disciplinary action per OKDHS:2-1-7. Agents may also face criminal charges per Section 34.3 of Title 22 of the Oklahoma Statutes.</p> <p>(4) The inspector general reviews all complaints of bias based profiling annually. The inspector general reviews OIG practices and makes training recommendations as part of this review.”</p>
	Oklahoma Department of Human Services Policy 317:30-5-240.1: Definitions (found at <a href="http://www.okdhs.org/library/policy/oac317/030/05/0240001.htm">http://www.okdhs.org/library/policy/oac317/030/05/0240001.htm</a> )	““Cultural competency” means the ability to recognize, respect, and address the unique needs, worth, thoughts, communications, actions, customs, beliefs and values that reflect an individual's racial, ethnic, age group, religious, sexual orientation, and/or social group.”
Child Welfare (specific services and programs)	OKDHS Child Welfare Policy 340:75-1-24: Child Welfare - direct service (found at <a href="http://www.okdhs.org/library/policy/oac340/075/01/0024000.htm">http://www.okdhs.org/library/policy/oac340/075/01/0024000.htm</a> )	“All families and children have the right to receive Child Welfare (CW) services provided within the scope of the program. Information is provided about what services are available or assistance is given in clarifying the areas where help is needed. Requests for service may be made by the applicant, an authorized representative, or someone acting on the applicant's behalf. Each request for service is handled promptly and courteously.”
	OKDHS Child Welfare Policy 340:75-1-151.1: Contracting agency and the right to decline cases	<p>“As a general rule, the contractor has no right to refuse referrals or disrupt service provision except under extraordinary circumstances and only in consultation with and the approval of the Child Welfare supervisor and the Oklahoma Children's Services contract liaison.</p> <p>Exceptions to the no rejection rule are:</p>

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		<p>(1) neither child nor family is at the address reported and their whereabouts are unknown;</p> <p>(2) access to the home by the contract case manager (CCM), parent aide, or contract supervisor is not possible even though multiple attempts to meet with the child, family, or both, have been made;</p> <p>(3) the CCM, parent aide, or contract supervisor has determined the risk is dangerous or may be life-threatening to the contractor or child;</p> <p>(4) the child and family refuse to cooperate with the contractor and verbally reject the services offered; or</p> <p>(5) guidelines for referral are not followed. Referrals for a single focus service, such as transportation or special funding, are not appropriate referrals.”</p>
	<p>OKDHS “Parent Guide to Cyberbullying” (found at <a href="http://www.okdhs.org/divisionsoffices/oig/iso/docs/cyberbully.htm">http://www.okdhs.org/divisionsoffices/oig/iso/docs/cyberbully.htm</a>)</p>	<p>The “Parent Guide to Cyberbullying” lists “sexual orientation” as a potential factor for cyberbullying victimization. The Guide contains a list of suggested actions that parents can take to prevent and report cyberbullying effectively.</p>
<b>Foster Care (including child care centers, housing and training)</b>	<p>Okla. Admin. Code 340:75-1-114, “Placement provider and residential care contractor requirements related to human Immunodeficiency Virus (HIV)”</p>	<p>“(1) Residential care contractors. OKDHS requires residential care contractors to have policy and procedures that prohibit discrimination toward the child with HIV infection. Per Section 1-502.1 of Title 63 of the Oklahoma Statutes (63 O.S. § 1-502.1), private providers of residential care for children, excluding foster parents, must establish written policy and procedures for addressing the medical and security needs of children who are at risk for HIV infection, HIV seropositive, or medically diagnosed with AIDS. Required written policy and procedures include, but are not limited to:</p> <ul style="list-style-type: none"> <li>(A) universal precautions for preventing transmission of communicable diseases;</li> <li>(B) staff education and training regarding AIDS and HIV infection;</li> <li>(C) nondiscrimination clause for the child who has any contagious disease, including HIV infection;</li> <li>(D) statement of confidentiality and procedures for obtaining informed written consent for testing and release of HIV test results, including disclosure to others, consistent with Part 9 of OAC 340:75-1;</li> <li>(E) guidelines for determining when the child is offered serologic testing;</li> <li>(F) guidelines to educate the child about the transmission of HIV infection and precautions to prevent transmission; and</li> <li>(G) procedure for separate and confidential case records on the health status of the child who is: <ul style="list-style-type: none"> <li>(i) tested for HIV;</li> <li>(ii) HIV seropositive; or</li> <li>(iii) medically diagnosed with AIDS.</li> </ul> </li> </ul> <p>(2) Foster parents. Foster parents utilize universal precautions to prevent transmission of communicable diseases.”</p>
	<p>OKDHS Foster Care Policy 340:75-7-37: Bridge resource parent responsibilities</p>	<p>Resource parent responsibilities to children in foster care include:</p> <ul style="list-style-type: none"> <li>• “Helping the child develop a positive identity and self-esteem that includes the child feeling lovable, capable, worthwhile, and competent”</li> <li>• “Helping the child learn appropriate behavior without using physical punishment”</li> </ul>

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		<ul style="list-style-type: none"> <li>“Presenting testimony concerning the child's strengths, needs, behaviors, important experiences, and relationships in addition to other information the court requests”</li> </ul>
	OKDHS Foster Care Policy 340:75-7-38: Discipline for the child in Oklahoma Department of Human Service (OKDHS) custody placed in foster family care	<p>“Positive interactions between the foster parent and the child in care include interactions that:</p> <ol style="list-style-type: none"> <li>(1) protect and nurture the child's physical and psychological well-being;</li> <li>(2) advance the child's development;</li> <li>(3) meet the child's needs;</li> <li>(4) teach the child ways to prevent and solve problems;</li> <li>(5) maintain and build the parent and child relationship;</li> <li>(6) build the child's self-control and responsibility; and</li> <li>(7) comply with OKDHS rules regarding discipline to provide a safe, nurturing environment that allows the child to experience security and positive self-esteem.”</li> </ol> <p>Prohibited forms of punishment include:</p> <ul style="list-style-type: none"> <li>cursing or other verbal abuse</li> <li>private or public humiliation or any act that degrades</li> <li>derogatory remarks about the child, the child's biological family, race, religion, or cultural background</li> <li>solitary confinement in areas such as closets, cellars, and rooms with locked doors</li> <li>threatening to move the child from the foster home</li> <li>physical force or threat of physical force</li> </ul>
<b>Juvenile Detention Facilities</b>	Office of Juvenile Affairs Juvenile Handbook (found at <a href="http://www.ok.gov/oja/documents/Juvenile%20Handbook.pdf">http://www.ok.gov/oja/documents/Juvenile%20Handbook.pdf</a> )	<p><b>INTERACTION BETWEEN STAFF AND JUVENILES</b></p> <p>“Each juvenile has the right to be treated respectfully, impartially, and fairly by all persons. With this right also comes the responsibility to treat staff and other juveniles with respect. Interaction between staff and juveniles will, at all times, remain courteous, professional, and unbiased. It is both the staff and the juveniles’ responsibility to maintain this level of interaction by adherence to policy and procedure, which is designed to protect each party’s integrity, honesty and physical well being.”</p> <p><b>PROPERTY</b></p> <p>“Juveniles are provided three complete sets of clothing and personal hygiene items upon arrival and as needed thereafter. Suitable clothing will be issued to a juvenile whenever needed. Personal property will be forward to the assigned JSU Worker who will ensure that the property is forwarded to the juvenile’s family or guardian. No personal clothing items to</p>

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		<p>include caps, jewelry or foot wear will be allowed at the institution. Any personal property purchased while assigned at the institution is maintained at the facility at the juvenile’s own risk. The facility is not responsible for unsecured personal property. Juveniles are not allowed to trade, barter, sell, loan, or give away personal or state property.”</p> <p>The list of clothing that is issued states that only female juveniles receive bras.</p> <p><b>GROOMING/DRESS CODE</b></p> <p>There is no restriction on a juvenile’s right to determine the length of his/her hair or for a male juvenile to keep facial hair, except in certain cases where such restrictions are necessary for health or safety reasons. Juveniles’ are not allowed to shave their head unless it is required by a doctor’s order. Juveniles are allowed to wear braids, but they are not allowed to have other juveniles, staff or visitors braid their hair. Bandanas, “puff-balls”, and rubber bands are not permitted. Poly bands are allowed to be worn in a juvenile’s hair. Professional hair care services are available for all juveniles upon request. Hair caps are allowed to be worn during sleeping hours only.</p> <p><b>Females Only:</b></p> <p>Females are allowed to shave underarms and upper thigh to their ankle. Community level females are allowed to wear makeup.”</p> <p>The rights of juveniles in care include:</p> <ul style="list-style-type: none"><li>• “The privilege to be treated respectfully, impartially, and fairly by all persons, which includes being called by name.”</li><li>• “The right to equal access to various programs and work assignments as available, in keeping with their eligibility, interests, needs, and abilities.”</li><li>• “The right to protection from personal abuse, corporal punishment, personal injury, disease, property damage, and harassment.”</li></ul> <p>“Juveniles are expected to show respect for themselves and others. Use of profanity will not be tolerated on the unit or any other area of the facility. Back talking or negative attitudes towards staff, peers, and unit rules are not acceptable.”</p> <p>The list of major rule violations which results in an investigation and a disciplinary hearing includes:</p> <ul style="list-style-type: none"><li>• “Battery (intentional and wrongful physical contact with a person without his/her consent that entails some injury or offensive touching).”</li><li>• “Physical Assault/Verbal threats and/or physical gestures of harm to another person.”</li><li>• “Rape/Sexual Assault.”</li></ul>
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		<ul style="list-style-type: none"> <li>• “Engaging in sexually inappropriate behaviors and/or sexual misconduct. (Including, but not limited to: sexual intercourse, sodomy, oral sex, indecent exposure, masturbation with others, kissing, lewd molestation, or sexual battery, verbal or written sexual intimidation/sexual harassment of any kind.”</li> <li>• “Using profane language or obscene gestures toward staff, peers, or the public.”</li> </ul> <p>The list of minor rule violations include “Participating in sexual activity other than specified [in the major rule violations].”</p>
<b>School and Educational Facilities</b>	OAC 210:20-29-3, “Commitment to the Students” (found at <a href="http://www.ok.gov/sde/standards-performance-and-conduct-teachers">http://www.ok.gov/sde/standards-performance-and-conduct-teachers</a> )	<p>Teachers “Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social, or cultural background, or sexual orientation, unfairly</p> <ol style="list-style-type: none"> <li>Exclude any student from participation in any program;</li> <li>Deny benefits to any students; or</li> <li>Grant any advantage to any student.”</li> </ol>
	Oklahoma State Department of Education, Bullying Frequently Asked Questions (found at <a href="http://www.ok.gov/sde/faqs/bullying-frequently-asked-questions">http://www.ok.gov/sde/faqs/bullying-frequently-asked-questions</a> )	“While current laws enforced by OCR do not protect against harassment based on religion or sexual orientation, they do include protection against harassment of members of religious groups based on shared ethnic characteristics as well as gender-based and sexual harassment of gay, lesbian, bisexual, and transgender individuals.”
<b>Social Worker Guidelines</b>	Okla. Admin. Code 675:20-1-5, “Social worker’s conduct and comportment as a social worker”	Social workers “shall not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, color, sex, sexual orientation, age, religion, national origin, marital status, political belief, mental or physical handicap, or any other preference or personal characteristic, condition, or status.”

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Oregon		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	O.R.S. § 659A.403, “Discrimination in place of public accommodation”	<p>“(1) Except as provided in subsection (2) of this section, all persons within the jurisdiction of this state are entitled to the full and equal accommodations, advantages, facilities and privileges of any place of public accommodation, without any distinction, discrimination or restriction on account of race, color, religion, sex, sexual orientation, national origin, marital status or age if the individual is 18 years of age or older.</p> <p>(2) Subsection (1) of this section does not prohibit:</p> <ul style="list-style-type: none"> <li>(a) The enforcement of laws governing the consumption of alcoholic beverages by minors and the frequenting by minors of places of public accommodation where alcoholic beverages are served; or</li> <li>(b) The offering of special rates or services to persons 50 years of age or older.</li> </ul> <p>(3) It is an unlawful practice for any person to deny full and equal accommodations, advantages, facilities and privileges of any place of public accommodation in violation of this section.”</p>
Social Services (general)	Oregon Department of Health Services, Non-Discrimination Policy (found at <a href="http://www.oregon.gov/dhs/aboutdhs/oems/Pages/discrimination.aspx">http://www.oregon.gov/dhs/aboutdhs/oems/Pages/discrimination.aspx</a> )	“The Oregon Department of Human Services (DHS) is committed to a discrimination and harassment free work environment. It is the policy of DHS to provide a work environment free from discrimination, harassment, intimidation, bias and bullying on the basis of race, color, religion, sex, marital status, national origin, disability, age, sexual orientation, gender identity, and any other protected class under federal or state laws. Consistent with this objective, DHS has implemented policies and practices for employees, contractors, and program participants/clients to follow.”
	OAR 461-105-0010, “Rights of Clients”	Clients in self-sufficiency programs have “the right to apply for and receive benefits and services from the Department and its contractors, grantees, agents, and providers of services who receive payments from the Department without discrimination on the basis of race, color, national origin, religion, gender, sexual orientation, disability, or political beliefs.”
Child Welfare (specific services and programs)	Oregon DHS, Child Welfare Policy I-A.1: Client Rights (found at <a href="http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-a1.pdf">http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-a1.pdf</a> )	<p>“Discrimination Prohibited. No individual shall, on the grounds of race, national origin, religion, marital status, gender, sexual orientation, age, citizenship, political affiliation, language or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under programs and activities for which the Department of Human Services has responsibility. This same policy of non-discrimination is equally applicable to all department contractors, grantees, agents and providers of services funded in whole or in part with federal funds.”</p> <p>Client rights include the right to:</p> <ul style="list-style-type: none"> <li>• “Receive courteous and fair treatment by Department staff”</li> <li>• “To refuse services which have not been ordered by a court or requested by the client”</li> <li>• “To fair treatment that does not discriminate because of race, religion, national origin, gender, sexual orientation, age, citizenship, political affiliation, language, marital status, or disability, including the right of qualified persons with a disability to receive material in alternate format...as appropriate.”</li> </ul>

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<b>Foster Care (including child care centers, housing and training)</b>	Oregon DHS, Child Welfare Policy I-A.4.1., “Rights of Children” (found at <a href="http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-a41.pdf">http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-a41.pdf</a> )	<p>The rights of children placed in legal custody of the Department include:</p> <ul style="list-style-type: none"> <li>• The right to “be placed in the least physically restrictive environment that appropriately meets the child’s needs”</li> <li>• The right to “be provided basic needs such as adequate food, clothing, and shelter”</li> <li>• The right to “receive respect, be nurtured, and attend activities in accordance with his or her background, religious heritage, race, and culture within reasonable guidelines as set by the case plan, the visitation plan, and the court”</li> <li>• The right “to be involved with, in accordance with his or her age and ability and with the law, in making major decisions that affect his or her life, to participate in the development of his or her case plan, permanency plan, and comprehensive transition plan and to discuss his or her views about the plans with the judge”</li> <li>• The right to “receive encouragement and be afforded reasonable opportunities to participate in extracurricular, cultural, and personal enrichment activities consistent with his or her age and developmental level”</li> </ul>
<b>Juvenile Detention Facilities</b>	Oregon Juvenile Detention Facility Guidelines (found at <a href="http://library.state.or.us/repository/2012/201202091528374/index.pdf">http://library.state.or.us/repository/2012/201202091528374/index.pdf</a> )	<p>Section 5: Youth Rights</p> <p>“Juvenile detention facilities shall have a written policy mandating zero tolerance toward all forms of sexual abuse. Elements of the policy include:</p> <ul style="list-style-type: none"> <li>• Aggressive response, investigation, and support of prosecution of sexual misconduct in facilities;</li> <li>• Continual training and education of staff and juveniles to increase awareness of safe reporting mechanisms and services available to victims;</li> <li>• Separation and monitoring of both sexually aggressive and vulnerable juvenile through assessments and room assignment”</li> </ul> <p>“Juvenile detention facilities shall have established comprehensive written policies providing for the least restrictive alternative consistent with the safety and security of the facility with respect to dress and groom code which will allow for individual identity of detained juveniles.”</p> <p>“Juvenile detention facilities may not impose upon a detained youth for purposes of discipline or any punishment infliction of or threat of physical injury or pain, deliberate humiliation, physical restraint, withholding of meals, or isolation.”</p>
<b>School and Educational Facilities</b>	Oregon Department of Education, Notice of Civil Rights (found at <a href="http://www.ode.state.or.us/search/results/?id=131">http://www.ode.state.or.us/search/results/?id=131</a> )	<p>“It is a policy of the State Board of Education and a priority of the Oregon Department of Education that there will be no discrimination or harassment on the grounds of race, color, sex, marital status, religion, national origin, age, sexual orientation, or disability in any educational programs, activities or employment.”</p>

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	MEMORANDUM NO. 002-2011-12 -HB 3681 (Inter-district Transfers) (found at <a href="http://www.ode.state.or.us/news/announcements/announcement.aspx?id=7750&amp;typeid=4">http://www.ode.state.or.us/news/announcements/announcement.aspx?id=7750&amp;typeid=4</a> )	<p>“How does a district decide which students can transfer in? Districts should establish district procedures about how the number of persons will be determined. If a district receives more requests than the announced number of students that will be granted transfers, the district must conduct an equitable lottery to select the students that will be granted transfers. Districts must not discriminate on the basis of race, religion, sex, sexual orientation, ethnicity, national origin, disability, terms of an individualized education program, income level, proficiency in the English language, or athletic ability.”</p>
	OAR 581-022-1440, “Human Sexuality Education”	<p>A “comprehensive plan of instruction” for sexual education is defined as “k-12 programs that emphasize abstinence, but not to the exclusion of condom and contraceptive skills-based education. The human sexuality information provided is complete, balanced, and medically accurate. Opportunities are provided for young people to develop and understand their values, attitudes, beliefs and decisions about sexuality as a means of helping young people exercise responsibility regarding sexual relationships and sexual health decisions as further defined by subsections (2) and (3).”</p> <p>“(2) Each school district shall provide an age-appropriate, comprehensive plan of instruction focusing on human sexuality education, HIV/AIDS and sexually transmitted infections and disease prevention in elementary and secondary schools as an integral part of health education and other subjects. Course material and instruction for all human sexuality education courses that discuss human sexuality in public elementary and secondary schools shall enhance students' understanding of sexuality as a normal and healthy aspect of human development. In addition, the HIV/AIDS and sexually transmitted infections and disease prevention education and the human sexuality education comprehensive plan shall provide adequate instruction at least annually, for all students' grades 6-8 and at least twice during grades 9-12.</p> <p>(3) Parents, teachers, school administrators, local health department staff, other community representatives, and persons from the medical community who are knowledgeable of the latest scientific information and effective education strategies shall develop the plan of instruction required by this rule, and in alignment with the Oregon Health Education Standards and Benchmarks, cooperatively.”</p> <p>For the full guidelines for comprehensive instruction, please visit <a href="http://www.ode.state.or.us/search/page/?id=1452">http://www.ode.state.or.us/search/page/?id=1452</a>.</p>
<b>Social Worker Guidelines</b>	OAR 877-030-0040, “Conduct and Reporting Requirements of Regulated Social Workers”	<p>“Unprofessional conduct” is defined as “conduct unbecoming a licensee or detrimental to the best interests of the public, including conduct contrary to recognized standards of ethics of the licensee's profession or conduct that endangers the health, safety or welfare of a patient or client.”</p>

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Pennsylvania		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	43 P.S. § 953, “Right to freedom from discrimination in employment, housing and public accommodation”	The general nondiscrimination statute on public accommodations does not include sexual orientation or gender identity.
	<i>Hartman v. City of Allentown</i> , 880 A.2d 737 (Cmwlth. 2005)	“Pennsylvania Human Relations Act (PHRA) did not preempt home rule city's human rights ordinance, though ordinance prohibited discrimination on the basis of sexual orientation and gender identity while PHRA did not; there was no inherent conflict between PHRA and ordinance, enforcement of PHRA was not impeded by ordinance as ordinance merely prohibited additional categories of discrimination, and PHRA was not intended to be exclusive in the field of anti-discrimination.”
Social Services (general)	Pennsylvania Department of Public Welfare, Civil Rights Compliance Questionnaire (found at <a href="http://www.dpw.state.pa.us/ucm/prd/groups/webcontent/documents/form/s_001797.pdf">http://www.dpw.state.pa.us/ucm/prd/groups/webcontent/documents/form/s_001797.pdf</a> )	The DPW does not include sexual orientation or gender identity in its list of discrimination violations.
	55 Pa. Code § 2060.4, “Nondiscrimination”	“Refugees applying for or receiving services may not be discriminated against because of race, color, religious creed, sexual or affectional orientation, ancestry, national origin, age, sex, handicap, or disability”
Child Welfare (specific services and programs)	55 Pa. Code § 3680.28, “Civil Rights Compliance”	The nondiscrimination regulations for Children and Youth Social Service agencies do not prohibit discrimination on the basis of sexual orientation or gender identity
	Office of Mental Health and Substance Abuse Services Bulletin: Non-Discrimination Toward Lesbian, Gay, Bisexual, Transgender, Questioning, and Intersex People (found at <a href="http://www.dpw.state.pa.us/ucm/prd/groups/webcontent/documents/bulletin_admin/d_006029.pdf">http://www.dpw.state.pa.us/ucm/prd/groups/webcontent/documents/bulletin_admin/d_006029.pdf</a> )	Policy that ensures that LGBTQI patients/clients at Behavioral Health Managed Care Organizations and Network Providers and State Mental Hospitals receive quality care, free from discrimination.

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<b>Foster Care (including child care centers, housing and training)</b>	11 P.S. § 2633, “Children in foster care”	<p>The non discrimination policy for children in foster care does not include sexual orientation or gender identity.</p> <p>The rights of children in foster care include:</p> <ul style="list-style-type: none"> <li>• “Treatment with fairness, dignity and respect”</li> <li>• “Freedom from harassment, corporal punishment, unreasonable restraint and physical, sexual, emotional and other abuse”</li> <li>• “Clothing that is clean, seasonal and age and gender appropriate”</li> <li>• “Education stability and an appropriate education consistent with the laws of this Commonwealth, including the opportunity to participate in extracurricular, cultural and personal enrichment activities that are reasonably available and accommodated and consistent with the child’s age and developmental level.”</li> </ul>
	55 Pa. Code § 3800.32, “Specific Rights”	Children in Residential and Day Treatment Facilities “may not be discriminated against because of race, color, religious creed, disability, handicap, ancestry, sexual orientation, national origin, age or sex.” A child also has the right to clothes that are “gender and age specific.”
<b>Juvenile Detention Facilities</b>	55 Pa. Code § 3800.32, “Specific Rights”	Children in secure detention facilities (a subset of Residential Treatment Facilities) “may not be discriminated against because of race, color, religious creed, disability, handicap, ancestry, sexual orientation, national origin, age or sex.” A child also has the right to clothes that are “gender and age specific.”
<b>School and Educational Facilities</b>	<p>Pennsylvania Department of Education Non Discrimination Notice (found at <a href="http://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;ved=0CC0QFjAA&amp;url=http%3A%2F%2Fwww.portal.state.pa.us%2Fportal%2Fserver.pt%2Fdocument%2F380237%2Fpde_non_discrimination_policy_notification_statement_pdf&amp;ei=LW7pUbCOD_Ha4AO73YGoBA&amp;usg=AFQjCNHTI8Hvk mDX-0WZ8SVhHCmLa1mevQ&amp;sig2=WvL39gsZXYXFOZknjW0c8w&amp;bvm=bv.49478099,d.dmg&amp;cad=rja">http://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=1&amp;ved=0CC0QFjAA&amp;url=http%3A%2F%2Fwww.portal.state.pa.us%2Fportal%2Fserver.pt%2Fdocument%2F380237%2Fpde_non_discrimination_policy_notification_statement_pdf&amp;ei=LW7pUbCOD_Ha4AO73YGoBA&amp;usg=AFQjCNHTI8Hvk mDX-0WZ8SVhHCmLa1mevQ&amp;sig2=WvL39gsZXYXFOZknjW0c8w&amp;bvm=bv.49478099,d.dmg&amp;cad=rja</a>)</p>	“The Pennsylvania Department of Education does not discriminate in its educational programs, activities or employment practices based on race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, union membership, or any other legally protected category.”

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	22 PA ADC § 4.4, “General Policies”	“Access to educational programs shall be provided without discrimination on the basis of a student's race, sex, color, religion, disability, sexual orientation or national origin.”
<b>Social Worker Guidelines</b>	49 Pa. Code § 47.71, “Codes of ethical practice and professional conduct”	Pennsylvania social workers are governed by the Code of Ethics provided by the NASW, which prohibits discrimination based on gender identity and sexual orientation.

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Rhode Island		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	R.I. Gen. Laws § 28-5.1-7(a), “State services and facilities”	<p>“Every state agency shall render service to citizens of this state without discrimination based on race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability.”</p> <p>“At the request of the state equal opportunity office, each appointing authority shall critically analyze all of Its operations to ascertain possible instances of noncompliance with this policy and shall initiate sustained, comprehensive programs based on the guidelines of the state equal opportunity office to remedy any defects found to exist.”</p>
Social Services (general)	Rhode Island Department of Human Services Non-Discrimination Notice (found at <a href="http://www.dhs.ri.gov/DefaultPermissions/DHSNonDiscriminationNotice/tabid/152/Default.aspx">http://www.dhs.ri.gov/DefaultPermissions/DHSNonDiscriminationNotice/tabid/152/Default.aspx</a> )	“The Rhode Island Department of Human Services (DHS), does not discriminate on the basis of race, color, national origin, disability, political beliefs, age, religion or sex in acceptance for or provision of services, employment or treatment, in its educational and other programs and activities. Under other provisions of applicable law, DHS does not discriminate on the basis of sexual orientation.”
Child Welfare (specific services and programs)	Rhode Island Department of Children, Youth and Families, Nondiscrimination policy (found at <a href="http://www.dcyf.ri.gov/docs/fc_reg.pdf">http://www.dcyf.ri.gov/docs/fc_reg.pdf</a> )	“The Department does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief or handicap. The prohibition against discriminatory practices extends to the individuals, agencies, organizations and institutions the Department licenses.”
Foster Care (including child care centers, housing and training)	R.I.G.L. 1956, § 42-72-15, “Children’s bill of rights”	“No child placed or treated under the supervision of the department in any public or private facility shall be deprived of any personal property or civil rights, except in accordance with due process.”
Juvenile Detention Facilities	Juvenile Corrections is a division of the DCYF, and thus is governed by its nondiscrimination guidelines.	
School and Educational Facilities	Rhode Island Board of Regents Policy Statement on Discrimination Based on Sexual Orientation and Gender Identity/Expression (found at <a href="http://www.youthprideri.org/Portals/0/Uploads/Documents/RIDE">http://www.youthprideri.org/Portals/0/Uploads/Documents/RIDE</a> )	“The Rhode Island Board of Regents for Elementary and Secondary Education recognizes that all educational agencies must provide all people and groups with full access to educational opportunities and barriers to student participation based on sexual orientation or gender identity/expression must be identified and removed. The Board also recognizes that all students, without exception, have the right to attend a school in which they feel safe and able to express their identity without fear. The Board recognizes that certain students, because of their actual or perceived sexual orientation or gender identity/expression, have been subject to discrimination through abuse, harassment, bullying, and/or exclusion from full participation in educational activities. These conditions undermine the beliefs of the Board of Regents. Therefore, it is the policy of the Board

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	<a href="#">%20Policy%20Statement%20on%20Discrimination%20Sexual%20Orientation.pdf</a> )	of Regents that no student shall be excluded from any educational program or activity or discriminated against, bullied, or harassed in any public educational setting based upon actual or perceived sexual orientation or gender identity/expression or through their association with people with the aforementioned characteristics. This policy shall include but not limited to admissions, guidance services, co-curricular and extra-curricular activities.”
<b>Social Worker Guidelines</b>	Social Worker Licensing Requirements, Section 2.0, Licensing Requirements (found at <a href="http://sos.ri.gov/documents/archives/regdocs/released/pdf/DOH/5084.pdf">http://sos.ri.gov/documents/archives/regdocs/released/pdf/DOH/5084.pdf</a> )	Licensed social workers are to abide by the NASW Code of Ethics, which prohibits discrimination on the basis of sexual orientation or gender identity.

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South Carolina		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	Code of Laws of South Carolina 1976, § 45-9-10, “All persons entitled to equal enjoyment of and privileges to public accommodations; places of public accommodation; “supported by state action” defined.”	The laws governing general nondiscrimination in public accommodations do not cover sexual orientation or gender identity.
Social Services (general)	S.C. Code of Regulations R. 114-210, “Non-Discriminatory Practices”	South Carolina’s Department of Social Services does not include sexual orientation or gender identity in its nondiscrimination policy.
	South Carolina Department of Social Services Intern Guide (found at <a href="https://dss.sc.gov/content/library/forms/files/2111.pdf">https://dss.sc.gov/content/library/forms/files/2111.pdf</a> )	Interns are instructed to abide by DSS policy and mission statements. “Each client is respected by providing services in a non-judgmental manner, without regard to gender, race religion, physical capabilities, sexual orientation, educational level, political opinion or income.”
Child Welfare (specific services and programs)	See Social Services (general)	
Foster Care (including child care centers, housing and training)	S.C. Code of Regulations R. 114-595, “Standards for Supervised Independent Living”	Foster parents and caregivers are encouraged to be assessed in terms of “understanding issues related to discrimination (e.g., racial, cultural, ethnic, gender, age, sexual orientation) including sensitivity, appropriate behavior, and legal rights and responsibilities.”
	South Carolina Department of Social Services, Standards for Shelters, Domestic Violence Agencies (found at <a href="https://dss.sc.gov/content/customers/protection/dv/sfs.pdf">https://dss.sc.gov/content/customers/protection/dv/sfs.pdf</a> )	Domestic violence agencies and shelters must provide information on “The role of society in perpetuating violence against women and the social change necessary to eliminate violence against women, including discrimination based on age, race, ethnicity, gender, religion, ability or disability, sexual orientation, class, veteran status, education status, citizenship status or income.”  “Agencies provide therapy services that are appropriate to the needs of recipients with regard to age, race, ethnicity, gender, religion, ability or disability, sexual orientation, class, veteran status, education status, citizenship status or income and/or any other issues relevant to the individuals’ particular needs.”
	SCDSS, Children and Youth in Foster Care Bill of Rights (found at	The rights of children and youth in foster care include: <ul style="list-style-type: none"> <li>• The right to “be treated as a normal and important human being”</li> <li>• The right to “be cared for with love and affection”</li> </ul>

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	<a href="https://dss.sc.gov/content/library/forms/files/30163.pdf">https://dss.sc.gov/content/library/forms/files/30163.pdf</a> )	<ul style="list-style-type: none"> <li>• The right to “be provided with adequate food, shelter and clothing”</li> <li>• The right to “personal property, personal space and..privacy”</li> </ul> <p>The non discrimination language in the Children and Youth in Foster Care Bill of Rights does not include sexual orientation or gender identity.</p>
<b>Juvenile Detention Facilities</b>	South Carolina Department of Juvenile Justice Non Discrimination Policy (found at <a href="http://www.state.sc.us/djj/vision.php">http://www.state.sc.us/djj/vision.php</a> )	The South Carolina Department of Juvenile Justice nondiscrimination policy does not include sexual orientation or gender identity.
<b>School and Educational Facilities</b>	South Carolina Department of Education Nondiscrimination Policy (found at <a href="http://ed.sc.gov/agency/info/privacy-legal/">http://ed.sc.gov/agency/info/privacy-legal/</a> )	The nondiscrimination policy for the Department of Education does not include sexual orientation or gender identity.
	Bullying/Harassment Reporting Form (found at <a href="http://ed.sc.gov/agency/programs-services/173/documents/AdvCouncil-BullyingPosPaper.pdf">http://ed.sc.gov/agency/programs-services/173/documents/AdvCouncil-BullyingPosPaper.pdf</a> )	“Harassment and intimidation (bullying) means conduct, including verbal conduct, that creates a hostile educational environment by substantially interfering with a student’s educational benefits, opportunities, or performance, or with a student’s physical or psychological well-being, and is motivated by an actual or a perceived personal characteristic such as race, national origin, marital status, sex, sexual orientation, gender identity, religion or disability, or is threatening or seriously intimidating.”
<b>Social Worker Guidelines</b>	S.C. Code of Regulations R. 110-20, “Principles of Professional Ethics”	“In connection with his work as a social worker, a social worker shall not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, color, sex, sexual orientation, age, religion, national origin, marital status, political belief, mental or physical handicap, or any other preference or personal characteristic, condition, or status.”

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South Dakota		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	SDCL § 20-13-23, “Public Accommodations—Unfair or discriminatory practices”	South Dakota law does not prohibit discrimination on the basis of sexual orientation or gender identity in terms of public accommodations.
Social Services (general)	South Dakota Department of Social Services Nondiscrimination Policy (found at <a href="http://dss.sd.gov/legal/discriminationcomplaints.asp">http://dss.sd.gov/legal/discriminationcomplaints.asp</a> )	The South Dakota DSS does not include sexual orientation or gender identity in its nondiscrimination policy.
Child Welfare (specific services and programs)	See Social Services (general)	
Foster Care (including child care centers, housing and training)	SD ADC 67:42:05:15, “Discipline”	“Discipline used by a foster parent must provide for positive guidance, redirection, and setting of clear-cut limits while helping a child to develop self-control, self-esteem, and respect for the rights of others. A foster parent shall discuss methods of discipline with the child's worker. A foster parent may not delegate discipline to older children or peers. Any discipline or control must be appropriate to the child's age and developmental level. Physical punishment is prohibited.”
Juvenile Detention Facilities	South Dakota Department of Corrections Policy Index (found at <a href="http://doc.sd.gov/about/policies/documents/Harassment_000.pdf">http://doc.sd.gov/about/policies/documents/Harassment_000.pdf</a> )	Juvenile Detention is governed by the Department of Corrections, which follows the Bureau of Human Resources anti discrimination policy. The BHR policy, found at <a href="http://bhr.sd.gov/forms/policies/default.aspx#harassment">http://bhr.sd.gov/forms/policies/default.aspx#harassment</a> , does not include discrimination on the basis of sexual orientation or gender identity.
School and Educational Facilities	South Dakota Department of Education Civil Rights Declaration (found at <a href="http://doe.sd.gov/oatq/civilrights.aspx">http://doe.sd.gov/oatq/civilrights.aspx</a> )	The nondiscrimination policy for the South Dakota Department of Education does not include sexual orientation or gender identity.
Social Worker Guidelines	SDCL § 36-26-32, “Grounds for denial, revocation, suspension, or cancellation of license”	A clinical social worker’s license will be revoked if the licensee has been “found in violation of the code of ethics of the National Association of Social Workers.” The NASW Code of Ethics prohibits discrimination of clients on the basis of sexual orientation or gender identity.

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Tennessee		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	T.C.A. § 4-21-501, “Prohibition”	The general nondiscrimination statute for public accommodations does not include sexual orientation or gender identity. However, there is proposed legislation (2013 Tennessee Senate Bill No. 1216) that proposes to add sexual orientation and gender identity to the list.
Social Services (general)	Tennessee Department of Human Services, Civil Rights Compliance (found at <a href="http://tennessee.gov/humanserv/cr_comp.html">http://tennessee.gov/humanserv/cr_comp.html</a> )	The Tennessee Department of Human Services nondiscrimination policy does not include sexual orientation or gender identity.
Child Welfare (specific services and programs)	Tenn. Comp. R. & Regs. 0250-07-04.07, “Program Administration”	Family Violence Shelters are required to have a “written non-discrimination policy with regards to sex, race, religion, sexual preference, national origin, disability, age or marital status in administering the program and in determining eligibility and provision of service.”
	Tenn. Comp. R. & Regs. 0250-07-05.04, “Personnel and Staff”	Child Abuse Prevention Program personnel “must adopt and implement written program personnel policies which are reviewed periodically.” These policy, “which apply to paid personnel only, must address nondiscrimination in regard to sex, race, religion, sexual preference, national origin, disability, age or marital status.”
	Tennessee Department of Mental Health and Substance Abuse, Best Practice Guidelines, “Children and Adolescents Who Identify as Lesbian, Gay, Bisexual, Transsexual, Transgendered and Gender Nonconforming, or Questioning” (found at <a href="http://www.tn.gov/mental/policy/best_pract/Pages%20from%20CY_BPGs_331-335.pdf">http://www.tn.gov/mental/policy/best_pract/Pages%20from%20CY_BPGs_331-335.pdf</a> )	Set of guidelines that outlines the need for mental health professionals to consider the special needs of LGBTQ children within the mental health system. For a full consideration of these guidelines, please visit the link to the left.
	Department of Mental Health Services, Office of Children and Youth, Core Values and Guiding Principles of a System of Care (found at	“Children receiving services without regard to race, religion, national origin, gender, physical disability, sexual orientation, socioeconomic status, or other characteristics” is one of the guiding principles of the Office of Children and Youth (Department of Mental Health).

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	<a href="http://www.tn.gov/mental/mentalhealthservices/sp_SysCare_cor_e.html">http://www.tn.gov/mental/mentalhealthservices/sp_SysCare_cor_e.html</a> )	
	Tennessee Department of Children's Services, Client Rights Handbook (found at <a href="http://tennessee.gov/youth/pdfs/clientsrights.pdf">http://tennessee.gov/youth/pdfs/clientsrights.pdf</a> )	Clients of the Department of Children's Services have the right to "Available services, regardless of your age, race, ethnicity, gender, religious or political affiliation, sexual orientation, sexual identity, physical or mental disability, or infectious disease, and the right to referral, as appropriate, to other service providers."
<b>Foster Care (including child care centers, housing and training)</b>	See Child Welfare (general) (Client Rights Handbook)	
<b>Juvenile Detention Facilities</b>	Tenn. Comp. R. & Regs. § 1400-03-05, "Administration/Management"	Juvenile Detention Facilities are required to have a written policy and procedure that "shall ensure that detained youth shall not be subjected to discrimination based on race, national origin, color, creed, sex, economic status, sexual orientation, or political belief."
<b>School and Educational Facilities</b>	Tennessee Model for Comprehensive School Counseling (found at <a href="http://www.state.tn.us/education/ci/counsel/doc/comp_sch_counsel_model.pdf">http://www.state.tn.us/education/ci/counsel/doc/comp_sch_counsel_model.pdf</a> )	One of the guiding principles for school counseling is that "quality comprehensive school counseling programs are vital to the overall success of all students, regardless of race, gender, ethnicity, cultural background, sexual orientation, disability, socio-economic status, learning ability level or language."
	T.C.A. § 49-5-1003, "Educator's responsibilities"	Educators shall "Not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background or sexual orientation unfairly: (A) Exclude any student from participation in any program; (B) Deny benefits to any student; or (C) Grant any advantage to any student"
<b>Social Worker Guidelines</b>	Tenn. Comp. R. & Regs. 1365-01-10, "Standards of Conduct"	All licensed social workers must comply with the NASW Code of Ethics, which prohibits discrimination based on sexual orientation and gender identity.  Licensed social workers are specifically direct to "not discriminate against a client based on age, gender, sexual orientation, race, color, national origin, religion, diagnosis, disability, political affiliation or social or economic status."

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Texas		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
<b>General Non Discrimination</b>	V.T.C.A., Property Code § 301.021, “Sale or Rental”	The Texas Fair Housing Act does not include sexual orientation or gender in its list of forms of prohibited discrimination for the sale, rental, or offering of property.
<b>Social Services (general)</b>	1 TAC § 395.11, “HHS Agency Responsibilities”	Health and Human Services agencies are not prohibited from discriminating on the basis of sexual orientation or gender identity.
<b>Child Welfare (specific services and programs)</b>	Texas Youth Connection, Diversity Resources Page (found at <a href="http://www.dfps.state.tx.us/txyouth/diversity/diversity.asp">http://www.dfps.state.tx.us/txyouth/diversity/diversity.asp</a> )	Texas Youth Connection “is a project of the Texas Department of Family and Protective Services” that provides resources to children and youth about “the Texas foster care system, Preparation for Adult Living (PAL), Chafee Foster Care Independence Program, Education and Training Voucher, Services to At-Risk Youth (STAR), the Texas Runaway Hotline, and the Texas Youth Hotline.” The Diversity Page provides a list of LGBTQ Youth and Resource Centers in Texas.
<b>Foster Care (including child care centers, housing and training)</b>	Rights of Children and Youth in Foster Care (found at <a href="http://www.dfps.state.tx.us/Adoption and Foster Care/About Foster Care/rights.asp">http://www.dfps.state.tx.us/Adoption and Foster Care/About Foster Care/rights.asp</a> )	Children and youth in foster care have the right to “fair treatment, whatever my gender, gender identity, race, ethnicity, religion, national origin, disability, medical problems, or sexual orientation.”
	40 TAC § 748.1101, “What rights does a child in care have?”	A child in a general residential operation <sup>15</sup> has “the right to be free from discrimination on the basis of gender (if [the] operation accepts both genders), race, religion, national origin, or sexual orientation,” as well as the right to be free from “remarks that belittle or ridicule the child or the child’s family.”
<b>Juvenile Detention Facilities</b>	37 TAC § 345.310, “Code of Ethics”	Juvenile justice professionals (“juvenile probation officers and juvenile supervision officers employed by a juvenile probation department, juvenile justice program, or juvenile justice facility” <sup>16</sup> ) “shall not discriminate against any employee, juvenile, parent or guardian on the basis of race, ethnicity, gender, disability, national origin, religion, sexual orientation, political belief or socioeconomic status.”
<b>School and Educational Facilities</b>	19 TAC § 247.2, “Code of Ethics and Standard Practices for Texas Educators”	Standard 3.4: “The educator shall not exclude a student from participation in a program ,deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.”

<sup>15</sup> A “general residential operation” is defined as “a residential child-care operation that provides child care for 13 or more children or young adults. The care may include treatment services and/or programmatic services. These operations include formerly titled emergency shelters, operations providing basic child care, operations serving children with mental retardation, and halfway houses.” 40 TAC § 748.43, “What do certain words and terms mean in this chapter?”

<sup>16</sup> See 37 TAC § 341.110, “Applicability”

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Social Worker Guidelines	22 TAC § 781.201, “Code of Conduct”	“A social worker shall not refuse to perform any act or service for which the person is licensed solely on the basis of a client’s age; gender; race; color; religion; national origin; disability; sexual orientation; gender identity and expression; or political affiliation.”
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Utah		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	U.C.A. 1953 § 13-7-3, “equal right in business establishments, places of public accommodation, and enterprises regulated by the state”	The general nondiscrimination laws regarding public accommodation do not include sexual orientation or gender identity.
Social Services (general)	Utah Department of Human Services Policy and Procedures, Reference 02-10, “Unlawful Harassment Policy” (found at <a href="http://hspolicy.utah.gov/files/dhs/2-%20Personnel/2-10-%20Unlawful%20Harassment.pdf">http://hspolicy.utah.gov/files/dhs/2-%20Personnel/2-10-%20Unlawful%20Harassment.pdf</a> )	The Utah DHS unlawful harassment policy does not protect clients from harassment or discrimination on the basis of sexual orientation or gender identity.
Child Welfare (specific services and programs)	U.A.C. R502-7, “Child Placing Adoption Agencies”	The nondiscrimination policy for child placing adoption agencies does not include sexual orientation or gender identity.
	Family Resource Facilitators, Ethics and Boundaries (found at <a href="http://www.dsamh.utah.gov/docs/uflc_manuals/A7%20-%20Ethics%20&amp;%20Boundaries.pdf">http://www.dsamh.utah.gov/docs/uflc_manuals/A7%20-%20Ethics%20&amp;%20Boundaries.pdf</a> )	Family Resource Facilitators must “abstain from discriminating against or refusing services to anyone on the basis of race, ethnicity, gender, gender identity, religion/spirituality, culture, national origin, age, sexual orientation, marital status, language preference, socioeconomic status or disability.”
	Utah’s Division of Child and Family Services, Out-of-Home Services, Practice Guidelines, Appendix A: “Resources to Support LGBTQ Youth and Families” (found at <a href="http://hspolicy.utah.gov/files/dcfs/DCFS%20Practice%20Guidelines/300.5-%20Appendix%20A.pdf">http://hspolicy.utah.gov/files/dcfs/DCFS%20Practice%20Guidelines/300.5-%20Appendix%20A.pdf</a> )	Resource Guide to services and organizations that help LGBTQ youth and families in Utah.

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<b>Foster Care (including child care centers, housing and training)</b>	Utah's Division of Child and Family Services, Out-of-Home Services, Practice Guidelines, Section 300.5: Safety for Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) Youth (found at <a href="http://hspolicy.utah.gov/files/dcfhs/DCFS%20Practice%20Guidelines/300-%20Out-of-Home%20Services.pdf">http://hspolicy.utah.gov/files/dcfhs/DCFS%20Practice%20Guidelines/300-%20Out-of-Home%20Services.pdf</a> )	<p>Codified guidelines that detail how caseworkers and staff should treat LGBTQ youth. “Staff will recognize that all children and youth explore their sexual orientation, gender identity and gender expression. Since language associated with sexual orientation, gender identity, and gender expression varies greatly across communities, and pronouns may be fixed or fluid, staff will allow the child or youth to guide the process of choosing language with which they feel most comfortable while discussing their sexual orientation, gender identity and gender expression. Staff will also recognize that this language may change over time, and affirm and support the child or youth in their process of identity formation and expression.”</p> <p>“Additionally, staff will recognize that a child’s sexual orientation, gender identity, and gender expression is an integral part of who they are and not a personal “choice that can be changed or determined by others. Staff will not attempt to convince any child or youth to reject or modify their sexual orientation, gender identity or gender expression. Staff are prohibited from imposing their personal and/or religious beliefs on children and their families, and will not allow those beliefs to impact the way individual needs of youth or families are met.” For more information, please click on the link to the left.</p>
	Utah's Division of Child and Family Services, Out-of-Home Services, Practice Guidelines, Appendix B: “How to Create a Climate of Safety and Convey Support for Children and Youth” (found at <a href="http://hspolicy.utah.gov/files/dcfhs/DCFS%20Practice%20Guidelines/300.5-%20Appendix%20B.pdf">http://hspolicy.utah.gov/files/dcfhs/DCFS%20Practice%20Guidelines/300.5-%20Appendix%20B.pdf</a> )	<p>Outlines the high-risk factors for LGBTQ youth in out-of-home care and best practices guidelines for treating LGBTQ youth. Tips on preferred names/pronouns, empathy, and the vulnerability of LGBTQ youth are included. For more information, please click on the link to the left.</p>
<b>Juvenile Detention Facilities</b>	U.A.C. R547-1, “Residential and Nonresidential, Nonsecure Community Program Standards”	<p>The nondiscrimination rule concerning admission to residential and nonresidential alternative programs does not include sexual orientation or gender identity.</p> <p>“A residential program shall establish procedures to ensure that youth receive training in good habits of personal care, hygiene, and grooming appropriate to age, sex, race and culture.”</p>
	Department of Human Services, Division of Juvenile Justice Services, Policy and Procedures, Policy No. 04-01, “Rights and Responsibilities of Juveniles” (found at <a href="http://hspolicy.utah.gov/files/jjs/">http://hspolicy.utah.gov/files/jjs/</a> )	<p>The basic rights of juveniles in division facilities and programs include:</p> <ul style="list-style-type: none"> <li>• The right “to be free from discrimination based on race, religion, color, gender, or handicap”</li> <li>• The right “to be treated with respect, dignity, impartiality, and fairness”</li> <li>• The right to “not be subjected to corporal punishment, harassment, and abuse of any kind, personal injury, intimidation, property damage, threats, assault or humiliation by any person”</li> <li>• The right to “practice their religious faith and participate in religious services on a voluntary basis, subject to the limitations necessary to maintain order and security”</li> </ul>

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	<a href="#">Section%2004%20-%20Client%20Rights/04-01%20Rights%20-%20Responsibilities%20of%20Juveniles.pdf</a> )	“Juveniles shall abstain from using verbal abuse, ethnic slurs, slander and obscene gestures.”
<b>School and Educational Facilities</b>	Utah School Law Update, published by the Utah State Office of Education, September 2010 (found at <a href="http://www.schools.utah.gov/uppac/Newsletters-Archived/10Sept.aspx">http://www.schools.utah.gov/uppac/Newsletters-Archived/10Sept.aspx</a> )	If a high school counselor has a student who wishes to discuss sexual orientation, “written parental consent is required to discuss personal sexual orientation, behaviors, or opinions with students.”
	U.A.C. R277-515, “Utah Educator Standards”	“An educator shall not exclude a student from participating in any program, or deny or grant any benefit to any student on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, physical or mental conditions, family, social, or cultural background, or sexual orientation, and shall not engage in conduct that would encourage a student(s) to develop a prejudice on these grounds or any other, consistent with the law.”
	Controlling Sexual Harassment, Executive Summary (found at <a href="http://www.schools.utah.gov/equity/Civil-Rights-Information/Title-IX/Executive-Summaries/LGBT-antiBullyingGuidance.aspx">http://www.schools.utah.gov/equity/Civil-Rights-Information/Title-IX/Executive-Summaries/LGBT-antiBullyingGuidance.aspx</a> )	“School Districts and Charter Schools should update their policies to cover bullying and harassment based on SEXUAL ORIENTATION AND GENDER-IDENTITY EXPRESSION specifically now that the U.S. Department of Education (ED) has clarified schools’ responsibilities. A schools failure to expand sexual harassment policies could result in violation of the Title IX of the Education Amendments of 1972, for not appropriately responding to bullying or harassment based on a student’s <i>real or perceived sexual orientation</i> .”
<b>Social Worker Guidelines</b>	U.A.C. R156-60a, “Social Worker Licensing Act Rule”	<p>R156-60a-502, “Unprofessional Conduct”</p> <p>“Unprofessional Conduct” includes:</p> <ul style="list-style-type: none"> <li>• “Failing to render impartial, objective, and informed services, recommendations or opinions with respect to custodial or parental rights, divorce, domestic relationships, adoptions, sanity, competency, mental health or any other determination concerning an individual’s civil or legal rights”</li> <li>• “Failing to abide by the provisions of the Code of Ethics of the National Association of Social Workers (NASW) as approved by the NASW 1996 Delegate Assembly and revised by the 2008 NASW Delegate Assembly, which is adopted and incorporated by reference” (NASW Code prohibits discrimination on the basis of sexual orientation and gender identity)</li> </ul>

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Vermont		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	9 V.S.A. § 4502, “Public accommodations”	“An owner or operator of a place of public accommodation or an agent or employee of such owner or operator shall not, because of the race, creed, color, national origin, marital status, sex, sexual orientation or gender identity of a person, refuse, withhold from, or deny to that person any of the accommodations, advantages, facilities, and privileges of the place of public accommodation.”
Social Services (general)	State of Vermont, Agency of Human Services (AHS), “Non-Discrimination regarding receipt of services and benefits” (found at <a href="http://humanservices.vermont.gov/policy-legislation/policies/01-general-operations-policies/doc051309non-discriminationpolicy.pdf/view">http://humanservices.vermont.gov/policy-legislation/policies/01-general-operations-policies/doc051309non-discriminationpolicy.pdf/view</a> )	Agency “Benefits and services offered to applicants and recipients must be provided without discrimination based on race, religion, color, gender, sexual orientation, gender identity, national origin, disability, age, or other factors, as required by law...The Agency and its departments and offices shall comply with all laws relating to the fair and non-discriminatory access to and delivery of services, benefits, programs, and activities. This document applies to all Agency departments, divisions, and offices. This document also applies to contractors, grantees, sub-contractors, sub-grantees and business associates in connection with the performance of work required under contracts and grants to which they are party.”
	Vt. Admin. Code 12-5-101, “Appendix A”	Substance abuse treatment programs must have a nondiscrimination policy that addresses “nondiscrimination on the basis of race, religion, gender, ethnicity, age, disabilities, sexual orientation, [and] real or perceived HIV status.”
	Vt. Admin. Code 12-3-221:5744, “Participating Pharmacy”	The “Healthy Vermonters” <sup>17</sup> program prohibits providers from denying “Services to, or otherwise [discriminating] against persons on the basis of race, color, sex, age, religious preference, national origin, handicap or sexual orientation.”
Child Welfare (specific services and programs)	Vt. Admin. Code 12-4-205:5, “Requirements for Operation”	Home health agencies <sup>18</sup> are prohibited from discriminating on the basis of “age, sex, race, sexual orientation, country of origin, disability source of payment, geography, or any other basis specified by law.”
	Vermont Department of Children and Families, Resources for Youth (found at <a href="http://dcf.vermont.gov/fsd/resources/youth/helplines">http://dcf.vermont.gov/fsd/resources/youth/helplines</a> and	List of resources for youth includes the Lesbian, Gay, Bisexual, & Transgender Youth Crisis Helpline as well as links to Outright Vermont, a “statewide organization that offers support and resources to gay, lesbian, bisexual, transgender, and questioning youths.”

<sup>17</sup> The Healthy Vermonters program “provides a pharmacy discount to eligible Vermonters, helping beneficiaries purchase prescription medicines necessary to maintain their health and prevent unnecessary health problems.” VT. Admin. Code 12-3-221:5700, “Healthy Vermonters.”

<sup>18</sup> A “home health agency” is defined as “a home health care business designated to provide part-time or intermittent skilled nursing services and at least one of the following other therapeutic services in a place of residence used as a patient’s home: physical, speech, or occupational therapy; medical social services; home health aide services. A home health agency may also provide or arrange for other non-nursing therapeutic services, including the services of nutritionists, dieticians, psychologists, and licensed mental health counselors.” Vt. Admin. Code 12-4-205:2, “Definitions.”

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	<a href="http://dcf.vermont.gov/fsd/resources/youth/websites">http://dcf.vermont.gov/fsd/resources/youth/websites</a> )	
<b>Foster Care (including child care centers, housing and training)</b>	Vt. Admin. Code 12-3-501:30, "Responsibilities of Foster Parents"	<p>"Foster parents shall provide children with appropriate clothing."</p> <p>"Foster parents shall meet the physical, emotional, developmental and educational needs of each foster child, in accordance with the child's case plan."</p> <p>"Foster parents shall respect a child's privacy."</p> <p>"Discipline shall be constructive and educational in nature. Correction must be fair, reasonable, and consistent, and whenever possible must be logically connected to the behavior in need of change."</p> <p>Prohibited forms of discipline include:</p> <ul style="list-style-type: none"> <li>• "Any cruel, degrading, or unnecessary discipline techniques"</li> <li>• "Spanking, slapping, hitting, shaking, or otherwise engaging in aggressive physical contact with a child"</li> <li>• "Requiring or forcing the child to take an uncomfortable position, such as squatting or bending, or requiring or forcing the child to repeat physical movements when used solely as means of punishment"</li> <li>• "Denial of visiting or communications privileges with family, caseworker, or attorney as a means of punishment"</li> <li>• "Extensive withholding of positive emotional responses or stimulation"</li> </ul> <p>"Foster parents shall not engage in any practices that have the effect of degrading or humiliating a foster child, or that would undermine the foster child's sense of self-worth."</p> <p>"Foster parents shall not exclude a foster child from entrance to the residence unless it is part of an approved case plan."</p>
<b>Juvenile Detention Facilities</b>	Juvenile detention facilities are regulated by the Department of Children and Families, which is a subset of the Department of Human Services. See Social Services (general)	
<b>School and Educational Facilities</b>	Vt. Admin. Code 7-1-1A:1250, "Discrimination"	"No student and/or public school employee in the State of Vermont shall be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving federal and/or state funds as the result of or based on sex, race, color, creed, national origin, sexual orientation, or solely by reason of handicap/disability."
<b>Social Worker Guidelines</b>	26 V.S.A. § 3210, "Unprofessional conduct"	<p>"Unprofessional Conduct" for a clinical social worker includes:</p> <ul style="list-style-type: none"> <li>• "harassing, intimidating, or abusing a client or patient"</li> <li>• "Taking unfair advantage of any professional relationship or exploiting others to further the clinical social worker's personal, religious, political or business interests"</li> </ul>

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Virginia		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	VA Code Ann. § 2.2-3900, “Short title; Declaration of policy”	The Virginia Human Rights Act does not include sexual orientation or gender identity in its list of prohibited forms of discrimination.
Social Services (general)	Virginia Department of Social Services, Civil Rights Policy and Procedures (found at <a href="http://www.dss.virginia.gov/about/civil_rights/index.cgi">http://www.dss.virginia.gov/about/civil_rights/index.cgi</a> and <a href="http://www.dss.virginia.gov/files/division/dfs/as/auxillary_grant_s/intro_page/manual/ag_chapl.pdf">http://www.dss.virginia.gov/files/division/dfs/as/auxillary_grant_s/intro_page/manual/ag_chapl.pdf</a> )	The nondiscrimination policy listed on the Virginia Department of Social Services website does not include sexual orientation or gender identity. However, the “Nondiscrimination in eligibility” section of the “Auxiliary Grant Program” manual states that “The Virginia Department of Social Services requires that all individuals be assured of the uniform application of procedures in determining eligibility for services and financial assistance. There must be no discrimination against applicants or participants in any aspect of program administration for reasons of age, race, color, sex, disability, sexual orientation, marital/family status, religion, national origin, or political beliefs.”
Child Welfare (specific services and programs)	Virginia Children’s Services Practice Model (found at <a href="http://www.dss.virginia.gov/division/famserv/practice_model.pdf">http://www.dss.virginia.gov/division/famserv/practice_model.pdf</a> )	<p>“Children and families have the right to have a say in what happens to them and will be treated with dignity and respect. The voices of children, youth and parents are heard, valued and considered in the decision-making regarding safety, permanency, well-being as well as in service and educational planning and in placement decisions.”</p> <p>“Each individual’s right to self-determination will be respected within the limits of established community standards and laws.”</p>
Foster Care (including child care centers, housing and training)	22 VAC 40-211-80, “Standards of care for continued approval”	A Resource, Foster, and Adoptive Family Home “shall provide care that does not discriminate on the basis of race, color, sex, national origin, age, religion, political beliefs, sexual orientation, disability, or family status.”
Juvenile Detention Facilities	6 VAC 35-140-50, “Nondiscrimination”	Juvenile residential facilities are prohibited from discriminating against youth on the basis of “race, national origin, color, creed, religion, sex, or sexual orientation, or disability.”
School and Educational Facilities	Virginia Department of Education Nondiscrimination Policy (found at <a href="http://www.doe.virginia.gov/about/finance/">http://www.doe.virginia.gov/about/finance/</a> )	“The Department of Education has a strong commitment to the principles of diversity, inclusion, and to maintaining a work environment that is free of all forms of discrimination. As a result, the department does not tolerate discrimination or harassment on the basis of race, sex, color, national origin, religion, sexual orientation, age, political affiliation, veteran status, or against otherwise qualified persons with disabilities.” (may only apply to hiring/teaching staff)
	Letter to Division Superintendents, “Guidance Regarding Bullying & Civil Rights Violations” (found at	“On October 26, 2010, Russlynn Ali, Assistant Secretary for Civil Rights in the U. S. Department of Education's Office for Civil Rights (OCR), issued guidance regarding bullying in the form of a "Dear Colleague" letter sent to schools, colleges and universities. This guidance makes clear that while current laws enforced by the OCR do not protect against harassment based on religion or sexual orientation, they do include protection against harassment of members of religious groups based on

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	<a href="http://www.doe.virginia.gov/administrators/superintendents_memos/2010/283-10.shtml">http://www.doe.virginia.gov/administrators/superintendents_memos/2010/283-10.shtml</a> )	shared ethnic characteristics as well as gender and sexual harassment of gay, lesbian, bi-sexual, and transgender individuals. Therefore, some student misconduct that falls under a school's anti-bullying policy may also trigger responsibilities under one or more of the federal antidiscrimination laws enforced by the OCR. By limiting its response to a specific application of its anti-bullying disciplinary policy, a school may fail to properly consider whether a student's misconduct also results in discriminatory harassment”
<b>Social Worker Guidelines</b>	18 VAC 140-20-150, “Professional Conduct”	Licensed social workers must “refrain from undertaking any activity in which one’s personal problems are likely to lead to inadequate or harmful services.” They must also “recognize conflicts of interest and inform all parties of the nature and directions of loyalties and responsibilities involved.”

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Washington		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
<b>General Non Discrimination</b>	RCWA 49.60.030 “Freedom from discrimination—Declaration of civil rights”	<p>The Washington Human Rights Commission guidelines state that there is a right “to be free from discrimination because of race, creed, color, national origin, sex, honorably discharged veteran or military status, sexual orientation, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or services animal by a person with a disability.”</p> <p>Rights also include “the right to the full enjoyment of any of the accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement.”</p>
	RCWA 49.60.040, “Definitions”	“Sexual orientation” is defined as “heterosexuality, homosexuality, bisexuality, and gender expression or identity. As used in this definition, ‘gender expression or identity’ means having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth.”
<b>Social Services (general)</b>	WAC 182-502-00016, “Continuing requirements”	Medical service providers must “provide all services without discrimination on the grounds of race, creed, color, age, sex, sexual orientation, religion, national origin, marital status, the presence of any sensory, mental, or physical handicap, or the use of a trained dog guide or service animal by a person with a disability.”
	Washington State Department of Social and Health Services, Nondiscrimination Policy (found at <a href="http://www.dshs.wa.gov/pdf/Publications/22-171.pdf">http://www.dshs.wa.gov/pdf/Publications/22-171.pdf</a> )	“It is the policy of DSHS that persons shall not be discriminated against (in employment or service) because of race, color, creed, religion, national origin, sexual orientation, age, sex, presence of any sensory, mental, or physical disability, or use of a trained dog guide or service animal by a person with a disability, disabled veteran status or Vietnam Era veteran status, recently separated veteran status, or other protected veteran status.”
<b>Child Welfare (specific services and programs)</b>	Parent’s Guide to Child Protective Services, Nondiscrimination policy (found at <a href="http://www.dshs.wa.gov/pdf/Publications/22-484.pdf">http://www.dshs.wa.gov/pdf/Publications/22-484.pdf</a> )	“It is the policy of the Children’s Administration that no person shall be subjected to discrimination, excluded from participation, or denied the benefits of any of its programs or activities, or that of its contractors, on the basis of race, color, national origin, creed, religion, sex, marital status, age, disability, Vietnam era veteran, disabled veteran, retaliation, sexual orientation, or the use of a trained guide dog or service animal.”
	WAC 388-823-1095, “What are my rights as a DDD client?”	The Division of Developmental Disabilities gives clients the “right to be free from discrimination because of [one’s] race, color, creed, national origin, religion, age, disability, marital status, or sexual orientation.”
	WAC 388-865-0410, “Consumer rights”	Clients of community mental health and involuntary treatment programs have the right to “receive care which does not discriminate [against them] and is sensitive to [their] gender, race, national origin, language, age, disability, and sexual orientation.”

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<b>Foster Care (including child care centers, housing and training)</b>	WAC 170-295-6010, “What are the regulations regarding discrimination?”	“Child care centers are defined by state and federal law as places of public accommodation and must not discriminate in employment practices and client services on the basis of race, creed, color, national origin, marital status, gender, sexual orientation, class, age, religion, or disability.”
<b>Juvenile Detention Facilities</b>	The Juvenile Rehabilitation Administration is a sub-division of the Department of Social and Health Services (see Social Services (general)).	
<b>School and Educational Facilities</b>	WAC 392-190-010, “Counseling and guidance services-Career opportunities-Internal procedures”	<p>“No school district shall engage in discrimination against any person on the basis of sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal in the counseling or guidance of students in grades K-12.”</p> <p>“Each school district must devise and use materials, orientation programs, and counseling techniques that will encourage participation in all school programs and courses of study based on factors other than sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal. School districts must encourage students to explore subjects and activities not traditional for their sex.”</p> <p>“Each school district which uses testing and other materials for counseling students must not use different materials for students based on their sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal” unless such material is necessary to eliminate bias based on the above categories and it covers the same occupations and interest areas.</p>
<b>Social Worker Guidelines</b>	WAC 246-809-630, “How many hours do I need and in what time period?”	“Licensed marriage and family therapists, licensed mental health counselors and licensed social workers must complete thirty-six hours of continuing education every two years. At least six of the thirty-six hours must be in professional ethics and law, which may include topics under RCW 18.130.180.”

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West Virginia		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	W. Va. Code, § 5-11-9, “Unlawful discriminatory practices”	Does not include sexual orientation or gender identity in the nondiscrimination policy for public accommodations
Social Services (general)	W. Va. Code St. R. § 191-2-6, “Funding of Family Protection Programs and Shelters”	The nondiscrimination policy for family protection programs does not include sexual orientation or gender identity in its nondiscrimination policy.
	West Virginia Department of Health and Human Resources, Civil Rights Discrimination Complaint Form (found at <a href="http://www.wvdhhr.org/oig/cr/civil%20rights%20complaint%20form%20ig-cr-3%20_rev.pdf">http://www.wvdhhr.org/oig/cr/civil%20rights%20complaint%20form%20ig-cr-3%20_rev.pdf</a> )	The West Virginia DHHR Civil Rights Complaint form does not list sexual orientation or gender identity in its list of “basis of complaint” selections.
Child Welfare (specific services and programs)	W. Va. Code St. R. § 63-11-8, “Consumer Rights”	Clients of a Behavioral Health Center have the “right to all available services without discrimination because of race, religion, color, sex, sexual orientation, disability, age, national origin, or marital status.”
Foster Care (including child care centers, housing and training)	W. Va. Code. St. R. § 78-2-9, “The Child’s and the Child’s Family’s Basic Rights”	<p>Child placing agencies shall ensure that the child and the child’s biological family receive “Equal access to services regardless of race, religion, ethnicity, gender, disability, or sexual orientation.”</p> <p>Prohibited forms of discipline include “any acts, verbal abuse, or emotional abuse that humiliates, shames, disgraces, ridicules, belittles, or destroys a child’s sense of dignity or self-worth including any remarks made about the child’s biological parents or family.”</p> <p>“An agency shall ensure that each child has adequate, well-fitting and seasonal clothing appropriate to his or her age, sex and individual needs, shall allow the child choice in selection of the clothing, and shall replenish the wardrobe as necessary.”</p>
Juvenile Detention Facilities	West Virginia Division of Juvenile Services, Policy 127.00, “Code of Ethics/Conflict of Interest” (found at <a href="http://www.wvdjs.state.wv.us/Portals/0/Files/127.00%20-%20Code%20of%20Ethics.pdf">http://www.wvdjs.state.wv.us/Portals/0/Files/127.00%20-%20Code%20of%20Ethics.pdf</a> )	<p>“Staff members will not harass or discriminate against any juvenile, employee, or prospective employee on the basis of race, sex, ancestry, religion, national origin, disability, age or any other type of prohibited discrimination.”</p> <p>“Staff members shall respect, promote, and contribute to a workplace that is safe, healthy, and free of harassment and discrimination in any form.”</p>

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	West Virginia Division of Juvenile Services, Policy 334.00, “Juvenile Rights and Grievance Procedures” (found at <a href="http://www.wvdjs.state.wv.us/Portals/0/Files/334.00%20Juvenile%20Rights%20and%20Grievance%20Process.pdf">http://www.wvdjs.state.wv.us/Portals/0/Files/334.00%20Juvenile%20Rights%20and%20Grievance%20Process.pdf</a> )	<p>Juveniles are not specifically protected against discrimination on the basis of sexual orientation or gender identity.</p> <p>Rights of juveniles include:</p> <ul style="list-style-type: none"> <li>• “A juvenile shall be provided with his or her own clothing or individualized clothing which is clean and supplied by the facility”</li> <li>• The right “to be adequately protected from personal abuse, personal injury, disease, property damage, and harassment”</li> </ul>
	West Virginia Division of Juvenile Services, Policy No. 500.04, “Resident Handbook” (found at <a href="http://www.wvdjs.state.wv.us/Portals/0/Files/500.04%20-%20Resident%20Handbook.pdf">http://www.wvdjs.state.wv.us/Portals/0/Files/500.04%20-%20Resident%20Handbook.pdf</a> )	<p>The minimum standards for Resident Handbooks include:</p> <ul style="list-style-type: none"> <li>• The “resident’s rights to be free of personal abuse, corporal punishment, personal injury, disease, property damage, and harassment”</li> <li>• “residents are allowed freedom in personal grooming, except when valid interest justifies otherwise” (includes showering, shaving, hair care/cuts, feminine hygiene)</li> <li>• “Control, safeguarding and storage of juvenile personal property”</li> </ul>
<b>School and Educational Facilities</b>	West Virginia Department of Education, Employee Handbook (found at <a href="http://wvde.state.wv.us/institutional/documents/EmployeeHandbook.pdf">http://wvde.state.wv.us/institutional/documents/EmployeeHandbook.pdf</a> )	The nondiscrimination statement for the Department of Education does not include sexual orientation or gender identity.
	W. VA. Code St. R. § 126-99, “West Virginia Manual for Expected Behavior in Safe and Supportive Schools”	“Acts of harassment, intimidation, or bullying that are reasonably perceived as being motivated by any actual or perceived differentiating characteristic, or by association with a person who has or is perceived to have one or more of these characteristics, shall be reported using the following list: race; color; religion; ancestry; national origin; gender; socioeconomic status; academic status; gender identity or expression; physical appearance; sexual orientation; mental/ physical/ developmental/ sensory disability; or other characteristic.”
<b>Social Worker Guidelines</b>	W. Va. Code, § 30-30-3, “Definitions”	The Code of Ethics used by the laws governing social workers is the NASW Code of Ethics (which prohibits discrimination on the basis of sexual orientation and gender identity).

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Wisconsin		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	W.S.A. 106.51, “Public places of accommodation or amusement”	<p>“Public place of accommodation or amusement. (a) No person may do any of the following:</p> <ol style="list-style-type: none"> <li>1. Deny to another or charge another a higher price than the regular rate for the full and equal enjoyment of any public place of accommodation or amusement because of sex, race, color, creed, disability, sexual orientation, national origin or ancestry.</li> <li>1m. Deny to an adult or charge an adult a higher price than the regular rate for the full and equal enjoyment of a lodging establishment because of age, subject to s. 125.07.</li> <li>2. Give preferential treatment to some classes of persons in providing services or facilities in any public place of accommodation or amusement because of sex, race, color, creed, sexual orientation, national origin or ancestry.</li> <li>3. Directly or indirectly publish, circulate, display or mail any written communication which the communicator knows is to the effect that any of the facilities of any public place of accommodation or amusement will be denied to any person by reason of sex, race, color, creed, disability, sexual orientation, national origin or ancestry or that the patronage of a person is unwelcome, objectionable or unacceptable for any of those reasons.”</li> </ol>
Social Services (general)	Wisconsin Department of Health Services Equal Opportunity and Non-discrimination Information (found at <a href="http://www.dhs.wisconsin.gov/civilrights/eostatement.htm">http://www.dhs.wisconsin.gov/civilrights/eostatement.htm</a> )	The Wisconsin Department of Health Services does not specifically include sexual orientation or gender identity in its nondiscrimination statement.
Child Welfare (specific services and programs)	Wis. Adm. Code s DCF 252.07, “Non-discrimination, confidentiality, and reporting child abuse”	Day camps are required to “ensure that the day camp does not discriminate against any enrolled child and family or any applicant for enrollment in admission, privilege of enrollment, or discharge condition on the basis of age, race, color, sex, sexual orientation, creed, disability, national origin, or ancestry.”
	W.S.A. 111.32, “Definitions”	“Sexual orientation” is defined as “having a preference for heterosexuality, homosexuality, or bisexuality, having a history of such a preference, or being identified with such a preference.”
	Wis. Adm. Code s. DCF 54.04, “Social Services”	Child placing agencies are required to “provide services to children who need and seek its care without discrimination on the basis of race or cultural identification, sex, sexual orientation, age, creed, ancestry, disability, political affiliations, religious beliefs, color, or national origin.”
Foster Care (including child care centers, housing and training)	Wis. Adm. Code s DCF 252.07 “Group home program and policies”	Group homes are required to have a nondiscrimination policy that “indicates that the group home does not discriminate against a resident because of race or cultural identification, sex, sexual orientation, age, color, creed, ancestry, national origin, disability, political affiliations, or religious beliefs.”

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	Wis. Adm. Code s DCF 52.11 “Licensee responsibilities”	Residential care centers <sup>19</sup> are required to “ensure that the residential care center does not discriminate against a resident based on the resident’s race or cultural identification, sex, sexual orientation, age, color, creed, ancestry, national origin, disability, political affiliations or religious beliefs.”
	Wis. Adm. Code s DCF 56.09, “Care of foster children”	<p>Foster parents:</p> <ul style="list-style-type: none"> <li>• Are prohibited from discriminating “against the child’s race or cultural identification, sexual orientation, color, creed, ancestry, national origin, or disability.”</li> <li>• Are prohibited from denying “a foster child access to confidential family planning and reproductive health services.”</li> <li>• Are required to educate “the child regarding human sexual development, as appropriate.”</li> <li>• Are required to allow “the child access to clothing and written and recorded materials and other items appropriate to the child’s age and comprehension. None of these materials may be permanently withheld from the child without the specific consent of the child’s caseworker...A foster child’s personal belongings may not be damaged or destroyed. The primary intent is to allow a foster child to have clothes, books, recorded music and similar items which the child enjoys.”</li> </ul> <p>“The foster parent shall ensure that each foster child who needs mental health services receives appropriate services promptly.”</p> <p>A foster parent “may not subject any foster child to verbal abuse, profanity, derogatory remarks about the child or his or her family up to threats to expel the child from the home.”</p>
	Wisconsin Foster Parent Handbook, “Working with LGBTQ Youth” (found at <a href="http://dcf.wisconsin.gov/publications/pdf/dcf_p_5000_chapter3.pdf">http://dcf.wisconsin.gov/publications/pdf/dcf_p_5000_chapter3.pdf</a> )	Guidelines and training for foster parents who are caring for LGBTQ youth and encourage acceptance and understanding. For a full list of the guidelines, please click on the link to the left.
<b>Juvenile Detention Facilities</b>	Wis. Adm. Code s DOC 346.47, “Discipline”	“A juvenile may not be disciplined by corporal or unusual punishment, intentional humiliation, mental abuse, interference with the daily functions of living, the use of chemical agents, the use of restraints such as handcuffs or shackles, or by placement in a cell designed for the administrative or disciplinary segregation of adults.”

<sup>19</sup> A “residential care center for children and youth” is defined as “a residential facility required to be licensed as a child welfare agency...that provides treatment and custodial services for children, youth, and young adults ages 18, 19, or 20.” Wis. Adm. Code s DCF 52.03, “Definitions.”

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School and Educational Facilities	Wis. Adm. Code s SPS 62.11, “Prohibited conduct and discipline”	Owners, directors, officers, shareholders, or managing employees of any school or specialty school are all prohibited from “harassing or discriminating against any enrollee or student because of age, race, creed, color, ancestry, national origin, marital status, sex, or sexual orientation.”
Social Worker Guidelines	Wis. Adm. Code s MPSW 20.02, “Unprofessional Conduct”	Unprofessional conduct for social workers includes “discriminating on the basis of age, race, color, sex, religion, creed, national origin, ancestry, disability or sexual orientation by means of service provided or denied.”

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Wyoming		
Area of Law	Law Title	Policies Pertaining to LGBTQ Youth
General Non Discrimination	W.S. 1977 § 6-9-101, “Equal enjoyment of public accommodations and facilities; penalties”	The nondiscrimination laws governing public accommodations do not include sexual orientation or gender identity.
Social Services (general)	Wyoming Department of Family Services, Policy No. AHR – 2.0, “Nondiscrimination Policy for Participation in, or Receipt of Services and Benefits” (found at <a href="https://20e450d3-a-84cef9ff-sites.googlegroups.com/a/wyo.gov/dfsweb/home/civil%20rights%20policy.pdf?attachauth=ANoY7crPbebQ117J5v6WaM9jHDj3SHagH43DXKhxicYvsga2PQSE5IFFrJGpSw8-ybFY8CFJZwvv0DmwCWmky6JjRBy_GwrYfILYBNvLwvJG5LQ1aP0X9QKLmrOdWJ7M6oCLPa_o5hyEDAdSc6d7Y1Z0-SvBIMMrS_VF_NttyfTOD9zkwPWjvYqoN4zpdmvYJP6mEytfZZ8FqjZJDQSms5gM6Gwip-Gjhg%3D%3D&amp;attredirects=0)">https://20e450d3-a-84cef9ff-sites.googlegroups.com/a/wyo.gov/dfsweb/home/civil%20rights%20policy.pdf?attachauth=ANoY7crPbebQ117J5v6WaM9jHDj3SHagH43DXKhxicYvsga2PQSE5IFFrJGpSw8-ybFY8CFJZwvv0DmwCWmky6JjRBy_GwrYfILYBNvLwvJG5LQ1aP0X9QKLmrOdWJ7M6oCLPa_o5hyEDAdSc6d7Y1Z0-SvBIMMrS_VF_NttyfTOD9zkwPWjvYqoN4zpdmvYJP6mEytfZZ8FqjZJDQSms5gM6Gwip-Gjhg%3D%3D&amp;attredirects=0)</a> )	The nondiscrimination policy for the Department of Family Services does not include sexual orientation or gender identity.
Child Welfare (specific services and programs)	Wyoming Department of Family Services, Mandatory Reporting of Child/Vulnerable Adult Abuse/Neglect/Exploitation Policy (found at <a href="https://sites.google.com/a/wyo.g">https://sites.google.com/a/wyo.g</a>	“According to Wyoming law, everyone must report suspected abuse, neglect or exploitation of child or vulnerable adult if they have reasonable cause to believe that it may be occurring. As abuse/neglect/exploitation has no boundaries according to sexual orientation, ethnic background, age, religion, disability, or gender, the reporting of abuse/neglect/exploitation of children and vulnerable adults is a 24-hour obligation.”

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	<a href="#">ov/dfsweb/social-services/mandatory-reporting</a> )	
<b>Foster Care (including child care centers, housing and training)</b>	WY Rules and Regulations FAMS CCFS Ch. 6 s 4 “Discipline and Guidance”	Prohibited forms of discipline in Family Child Care Homes <sup>20</sup> include: <ul style="list-style-type: none"> <li>• “Rough handling of children including but not limited to hitting, spanking, beating, shaking, pinching, pushing, or other measures that could produce physical pain”</li> <li>• “Inappropriate use of language including but not limited to profanity, name-calling, derogatory or demeaning terminology or screaming related to disciplinary purposes”</li> <li>• “Any form of humiliation including threats of physical punishment”</li> <li>• “Any form of emotional maltreatment including rejecting, terrorizing, corrupting, isolating or ignoring a child. Children can be removed from a group, but not isolated. Behaviors of a child may be ignored, but not the child.”</li> </ul> The same list is used for Family Child Care Centers.
	WY Rules and Regulations FAMS PS Ch. 3 s 22, “Child Rights”	For substitute care placement settings, “every child and family has equal access to services regardless of race, religion, ethnicity, sexual orientation, disability, or gender.”
	Wyoming Department of Family Services, Policy No. 5.12.2, “Family Foster Care: Personal Characteristics & Competencies of Foster Parents” (found at <a href="https://docs.google.com/file/d/0B-2EkWB4ILAQTlJCdXlpUnRY3c/edit">https://docs.google.com/file/d/0B-2EkWB4ILAQTlJCdXlpUnRY3c/edit</a> )	Foster parents must be made competent in many domains, including: <ul style="list-style-type: none"> <li>• “Providing child(ren)/youth with safe, nurturing, and secure environments (protecting and nurturing child(ren)/youth).”</li> <li>• “Promoting child(ren)/youth’s social and emotional development.”</li> <li>• “Valuing diversity and supporting child(ren)/youth’s cultural needs.”</li> </ul>
<b>Juvenile Detention Facilities</b>	WY Rules and Regulations FAMS PS Ch. 3 s 22, “Child Rights”	Private Juvenile Detention Facilities are considered substitute care service providers and thus are bound by the requirement that “every child and family shall have equal access to services regardless of race, religion, ethnicity, sexual orientation, disability, socio-economic status or gender.”
<b>School and Educational Facilities</b>	WY Rules and Regulations AI TSB Ch. 9 s 7 “Actions Which	A teacher who is “engaging in, encouraging, or supporting harassing or discriminatory behavior on the basis of race, gender, sexual orientation, family, social, or cultural background, national origin, political or religious beliefs, or disability” may have their license suspended or revoked.

<sup>20</sup> “Family Child Care Home (FCCH)” means a licensed child care facility in which care is provided for no more than ten (10) children in the primary residence of the provider. See WY Rules and Regulations FAMS CCFS Ch. 2 s 1, “Definitions.”

*\*Please contact [Bill Bettencourt](#) if you have knowledge or information on any corrections, changes or additions to state policies reflected in this document.*

	May Result in Suspension or Revocation”	
<b>Social Worker Guidelines</b>	WY Rules and Regulations AI MH Ch. 9 s 8 “Standards of Conduct”	“The Licensed Clinical Social Worker shall adhere to the National Association of Social Workers “Code of Ethics” incorporate as Appendix B.” The Code specifically prohibits discrimination against clients on the basis of sexual orientation and gender identity.

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