

October 2025

# What are some safety considerations for LGBTQ+ youth in foster care?

Child protection agencies are entrusted with ensuring the safety and well-being of all children. To do this successfully, agencies must consider the needs of different groups of youth who are frequently marginalized and experience greater safety risks. LGBTQ+1 youth is one of those groups deserving of additional awareness and attention.

Research consistently shows LGBTQ+, youth have strikingly high rates of adverse childhood experiences, including abuse and neglect, and they are overrepresented in the child welfare system. Recent studies suggest that they are nearly 2.5 times more likely to enter foster care than their peers who are heterosexual and/or cisgender (identify with their gender assigned at birth), with 15% to 30% of youth in foster care identifying as LGBTQ+., compared to only 3% to 11% of youth in the general population. Once in the system, they are more likely than their peers to experience hardships and adverse outcomes.

To ensure the physical and emotional safety of all children in their custody, child protection agencies must understand and attend to the specific needs, concerns, and experiences of LGBTQ+ youth.<sup>6</sup> For more information about strategies to ensure LGBTQ+ youth receive supportive care to address their needs, see: How can child protection agencies recruit and train supportive families for LGBTQ+ youth in foster care?

"If we care about children's safety and their ability to thrive, it matters that we know how to engage around their gender identity and sexuality, and that we learn from the data and the programs that provide support."

—Gwendolyn Forrest, Resource Caregiver, Maine

# LGBTQ+ youth experiences in foster care

Child welfare systems are less likely to achieve the following positive outcomes for LGBTQ+ youth:<sup>7</sup>

- Placement in a <u>stable family-based setting</u> that is supportive of their identity
- Safety from discrimination by caseworkers
- Safety from harassment and abuse by foster parents, or congregate care program staff and peers
- Legal permanency through reunification or adoption
- Relational permanency, including strong ties to birth and/or chosen family and communities

As a result of these system failures and increased exposure to trauma, LGBTQ+ youth may be at greater risk for:9

- Physical and mental health issues, including depression and suicidal ideation
- Isolation from peers
- Poverty and homelessness into young adulthood
- Overprescription of psychotropic medications and/or substance use disorders
- Being trafficked for sex or exchanging sex to meet basic needs

#### Primary prevention for LGBTQ2SI+ youth

LGBTQ+ youth enter foster care for many of the same reasons as other youth, but a significant number become involved in the system as a result of conflict with caregivers over their sexual orientation and/or gender identity. According to The Trevor Project, transgender and nonbinary youth in foster care are more than twice as likely to report being kicked out, abandoned, or running away due to their identity, compared to their cisgender LGBQ peers. Parent and family rejection is strongly associated with depression, substance use, and suicidal ideation.

Interventions that focus on preventing or reducing conflict and increasing family acceptance are essential elements of any comprehensive service strategy for LGBTQ+ youth. The Family Acceptance Project's Family Support Model is an evidence-based intervention to strengthen families and build healthy futures for LGBTQ+ youth. The Youth Acceptance Project is a clinical model social workers can use to help families address fears and learn new, supportive behaviors.

Among the LGBTQ+ youth population, <u>young people of color face compounded risks</u>. They are more likely than their white peers to: 1) be placed in foster care; 2) have been kicked out of their homes or run away due to their LGBTQ identity; 3) be placed in congregate care; and 4) experience discrimination or violence while in foster care.<sup>10</sup>

LGBTQ+ youth are placed too often in more restrictive environments, such as group homes, due to a shortage of affirming foster home placement options. Congregate environments expose youth to increased risk of harassment and abuse by staff and peers. LGBTQ+ youth also are more likely to experience multiple placements during their time in foster care. With each new placement, youth risk losing whatever social support they were able to identify and cultivate, and they are again forced to determine if — and to whom — they can safely disclose their sexual orientation and/or gender identity. The emotional distress of repeated disclosures can have long lasting effects on a youth. In addition to this heightened and sustained stress, placement instability is associated with negative social and academic outcomes.

The systemic lack of knowledge, training, and resources pertaining to LGBTQ+ youth, and limited access in some jurisdictions to affirming health and social services, can make it challenging to meet a youth's needs. Local and state legislation and policy protecting LGBTQ+ youth rights, including the right to gender-affirming care, vary widely. School, community, and government anti-LGBTQ+ policies (as well as public debates about such policies) have been shown to negatively impact youth mental health and well-being, even when their rights ultimately are not directly impacted.

#### Protective considerations

Coming out is associated with <u>greater resilience and psychological health</u> for LGBTQ+ youth. Child-placing agencies must prioritize finding supportive environments where youth in foster care can safely and openly express their identities.<sup>14</sup>

When youth cannot remain at home, placement with kin always should be the first consideration. For LGBTQ+ youth, this may require offering family acceptance support to kin, and/or employing a broad view of family and kin as defined by the youth. Attention to recruitment and training of affirming foster families can help ensure that appropriate homes are available when kin placement is not an option and prevent unnecessary placements in congregate care. When behavioral concerns threaten to disrupt or prohibit family placements, it is important to look at potential root causes for the youth's behavior (including family rejection) and explore community resources and solutions.

Ensuring LGBTQ+ youth safety while in placement requires special attention. <sup>15</sup> This includes respecting youth's right to privacy, protecting their confidential information, and actively affirming their sexual and/or gender identities. Interventions intended to change sexual orientation or gender identity, including conversion therapies, increase risk of causing or exacerbating mental health conditions in the youth they purport to treat, and therefore must be avoided. Additional inquiry may be required to identify resources within and beyond the youth's local area, such as affirming religious communities and organizations that support access to gender-affirming medical care. For example, Point of Pride and the Trans Youth Emergency Project provide logistical and financial support to help families access health and wellness care that otherwise might be out of reach.

No youth should age out of foster care without permanency. But among those that do, LGBTQ+ youth need additional preparation and support to ensure their safety and well-being. Areas for special consideration may include affirming sex education and information about how to find and maintain access to gender-affirming care, treatments, and prescriptions. Like all youth in the child welfare system, they are at high risk for being sexually trafficked and need to know how to spot warning signs, as well as what constitutes a healthy relationship. Youth should be advised of local and/or online LGBTQ+ organizations, and how to connect with them. The <a href="SOUL Family Framework">SOUL Family Framework</a>, developed by lived experts with support from the Annie E. Casey Foundation, can help older youth in foster care develop a chosen circle of lifelong supportive adults.

"In general, kids in public systems are not as prepared for adulthood as their peers. That's even more true for queer youth. Depending on how you present yourself, you're going to have a different adulthood from a cis/het (cisgender and/or heterosexual) peer."

-Brittany Lee, Former Foster Youth, Washington

### Jurisdictional efforts

To better support LGBTQ+ youth in foster care, a number of jurisdictions have developed focused guidance, policies, trainings, services, and programs.

#### System improvements: Allegheny County, Pa., and New York City

Creating a more supportive, affirming approach to serving LGBTQ+ youth requires more than a single, isolated policy change. It requires a holistic approach to understanding the needs of LGBTQ+ youth and their families, and ensuring they are addressed in every aspect of a child protection agency's service delivery.

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In Pennsylvania, the Allegheny County Department of Human Services was an early field-tester of the Guidelines for Managing Information Related to the Sexual Orientation and Gender Identity and Expression of Children in Child Welfare Systems, which outlines how child welfare jurisdictions can implement systemwide innovations to better serve LGBTQ+ youth and their families. The guide was developed by the National Center for Lesbian Rights, Family Builders, Legal Services for Children, and the Center for the Study of Social Policy. At the end of the six-year implementation, an evaluation found systemwide improvements in data collection, services, and overall agency culture and climate. Lessons learned and recommendations for implementation were published in this report.

The **New York City Administration for Children's Services** Office of LGBTQ Child and Family Well-Being was established to support systemwide implementation of best practices. In addition to ensuring all of agency services are affirming of LGBTQ+ youth and families, the office provides a central place to access <u>resources for youth, families, and practitioners</u>, and <u>LGBTQ+ policies and practices</u>.

Some of the LGBTQ+-affirming practices embraced by these two systems include:

- Creating overarching LGBTQI+ policy and practice standards.
- · Making mandatory staff trainings and case consultations on sexual orientation and gender identity.
- Asking questions related to gender, sexuality, and family/peer acceptance in youth surveys and during intake processes.<sup>16</sup>
- Amending data systems to include methods for documenting youth's gender identity, sexual orientation, preferred name, and gender pronouns.
- Requiring partner agencies to address how they will serve LGBTQ+ youth when responding to requests for proposals.
- Providing <u>guidance</u> to foster care agencies on how to access gender-affirming medical care that is excluded from Medicaid coverage.
- Advancing specialized efforts to recruit and train <u>LGBTQ+ families and LGBTQ+ allies as foster parents</u> in order to increase the availability of supportive family-based placements.

"One aspect of safety and support is developing avenues for accessing gender-affirming care in a confidential manner. LGBTQ+ youth may not feel comfortable opening up to their caregiver, but they should know who to ask if they still want to access care and resources."

—Divina Cordeiro, Former Foster Youth, Massachusetts

#### Community partnerships: Los Angeles County

The Los Angeles LGBT Center's Children, Youth and Family Services Department operates Recognize Intervene Support Empower (RISE), an initiative that supports the safety, permanency, and well-being of LGBTQ+ children and youth ages 5 to 21 in the child welfare system. The RISE model integrates wraparound supports, family finding, engagement services, and LGBTQ+-specific education to help caregivers and families provide homes where LGBTQ+ youth feel safe, nurtured, and loved.

Findings from <u>qualitative interviews</u> show that youth involved in RISE activities:

- Felt comfortable and open with RISE staff and felt like staff really cared about them.
- Liked talking to someone who also identified as LGBTQ+ and could relate to their experiences.
- Learned how to communicate better with their families.

#### **Rainbow Resource Closet**

The Rainbow Resource Closet offers free clothing and cosmetics to transgender and nonbinary youth in foster care at four sites in Los Angeles County. The program aims to create a welcoming and affirming place for youth who wish to match their wardrobe and appearance to their gender identity. The initiative is supported by Casey Family Programs, the Los Angeles County Department of Children and Family Services, the Pritzker Foster Care Initiative, and community partners.

- Improved their ability to define and express their identity.
- Experienced an increase in their overall self-esteem, confidence, and coping skills.

In addition to direct services, RISE provides organizational-level training, coaching, and technical assistance to child- and family-serving agencies seeking to implement best practices for LGBTQ+ youth involved in the child welfare system. Technical assistance includes building capacities in assessment, policy development and implementation, creating affirming environments, and developing youth, family, and caregiver supports.

## Additional resources for child protection agencies

Organization	Resources
Center for the Study of Social Policy	Advancing Healthy Outcomes describes eight ways the Family First Prevention Services Act can be used to promote the health and well-being of LGBTQ+ youth involved with the child welfare system.
Human Rights Campaign Foundation	The All Children - All Families initiative provides resources including a Beginner's Guides to LGBTQ+ Inclusion series, a Caring for LGBTQ Children & Youth guide for child welfare providers, and an extensive resource library for child welfare professionals.
Lambda Legal	<u>Safe Havens II</u> is an interactive report about the needs of LGBTQ+ youth in public systems and a call to action for system improvement, developed by LGBTQ+ youth with lived experience in public systems.
National Center for Child Welfare Excellence	Reaching Higher: Increasing Competency in Practice with LGBTQ Youth in Child Welfare Systems is a child welfare training curriculum focused on LGBTQ+ youth.
National SOGIE Center	The National SOGIE Center has a wealth of <u>resources for child</u> <u>welfare</u> work, including <u>AFFIRM Youth</u> , an evidence-based intervention focused on reducing mental health issues and behavioral risks experienced by LGBTQ+ youth.
	In 2023, the National SOGIE Center commissioned a nationwide scan of policies and practices related to LGBTQ+ youth within child welfare systems. States with policies identified as most supportive include <a href="New York">New York</a> , <a href="Connecticut">Connecticut</a> , <a href="Vermont, Maryland">Vermont</a> , <a href="Maryland">Maryland</a> , and <a href="Massachusetts">Massachusetts</a> .

<sup>&</sup>lt;sup>1</sup> The abbreviation LGBTQ+ stands for lesbian, gay, bisexual, transgender, and queer or questioning, with + representing additional diverse sexual orientations, gender identities, or expressions, including (but not limited to) asexual, intersex, and two-spirit.

<sup>2</sup> Craig, S. L., Austin, A., Levenson, J., et al. (2020). <u>Frequencies and patterns of adverse childhood events in LGBTQ+ youth</u>. *Child Abuse & Neglect, 107*.

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<sup>&</sup>lt;sup>3</sup> Fish, J. N., Baams, L., Wojciak, A. S., & Russell, S. T. (2019). Are sexual minority youth overrepresented in foster care, child welfare, and out-of-home placement? Findings from nationally representative data. *Child Abuse & Neglect*, 92, 230.

<sup>4</sup> Due to inadequate data collection and the fears and concerns of youth to identify themselves as LGBTQ+, the exact number of LGBTQ+ youth involved in the child welfare system is not known.

- <sup>5</sup> Baams, L., Wilson, B. D. M., & Russell, S. (2019). LGBTQ youth in unstable housing and foster care. *Pediatrics*, *143*(3), 1–11. <sup>6</sup> Content of this brief was informed through ongoing consultation with members of the Knowledge Management Lived Experience Advisory Board. This team includes youth, parents, kinship caregivers, and foster parents with lived experience of the child welfare system who serve as strategic partners with Family Voices United, a collaboration between FosterClub, Generations United, the Children's Trust Fund Alliance, and Casey Family Programs. Members who contributed to this brief include: Brittany Lee; Divina Cordeiro; Gwendolyn Forrest; Rowan Grae; and Susan Langenfeld.
- <sup>7</sup> The Annie E. Casey Foundation. (2016). <u>LGBTQ in child welfare: A systematic review of the literature</u>; Wilson, B. D. M., and Kastanis, A. A. (2015). Sexual and gender minority disproportionality and disparities in child welfare. *Children and Youth Services Review*, 58, 11–17; McCormick, A., Schmidt, K., and Terrazas, S. (2017) <u>LGBTQ youth in the child welfare system: An overview of research, practice, and policy</u>, *Journal of Public Child Welfare*, 11:1, 27-39.
- <sup>8</sup> Salazar, A. M., Haggerty, K. P., Barkan, S. E., Peterson, R., Furlong, M. E., Kim, E., Cole, J.J., & Colito, J. M. (2019). Supporting LGBTQ foster teens: Development of a relationship-focused, self-guided curriculum for foster families. *Sexuality Research and Social Policy*.
- The Annie E. Casey Foundation. (2016); Wilson and Kastanis. (2015); McCormick, Schmidt, and Terrazas. (2017).
- 10 The Trevor Project. (2021). The Trevor Project Research Brief: LGBTQ Youth with a History of Foster Care. UCLA School of Law Williams Institute. (2019). LGBTQ youth of color impacted by the child welfare and juvenile justice systems: A research agenda.
   11 The Annie E. Casey Foundation. (2015). Every kid needs a family: Giving children in the child welfare system the best chance for success.
- <sup>12</sup> Wilson, B. D. M., & Kastanis, A. A. (2015). Sexual and gender minority disproportionality and disparities in child welfare. *Children and Youth Services Review*, *58*, 11–17.
- <sup>13</sup> The Movement Advancement Project tracks over 50 different LGBTQ+-related laws and policies across states, including those related to relationship and parental recognition, nondiscrimination, religious exemptions, LGBTQ+ youth, health care, criminal justice, and identity documents. The latest available information can be found in the project's <u>Equality Maps</u>.
- <sup>14</sup> Substance Abuse and Mental Health Services Administration (SAMHSA): <u>Moving beyond change efforts: Evidence and action to support and affirm LGBTQI+ youth</u>. SAMHSA Publication No. PEP22-03-12-001. Rockville, Md.: Center for Substance Abuse Prevention. Substance Abuse and Mental Health Services Administration, 2023.
- <sup>15</sup> A federal regulation that went into effect on July 1, 2024, <u>Designated placement requirements under Titles IV-E and IV-B for LGBTQI+ children</u>, clarifies that pre-existing federal law requires that every child in foster care receive "safe and proper" care and placement in the "most appropriate setting available." Agencies must "ensure *all* placements, including those for LGBTQI+ youth, are free from harassment, mistreatment, or abuse. The rule further requires that agencies ensure 'Designated Placements' are available for, and may be requested by, any child in foster care who identifies as LGBTQ+.
- <sup>16</sup> While data collection is important to better understand the needs and experiences of LGBTQ+ youth in foster care, informed consent, sensitivity, and confidentiality should be the overriding concerns. Providing sexual orientation and gender identity and expression information always should be optional for youth.

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